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The Leading
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MOTION PICTURE DAILY

Alert,
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Faithful
Service to
the Industry
in All
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VOL. 41. NO. 1 NEW YORK, SATURDAY, JANUARY 2, 1937 TEN CENTS

Disposal of RKO Claims Is Confirmed

$9,637,595 Is Involved in Court's Action

Federal Judge William Bondy on Thursday confirmed the disallowance or reduction of claims against RKO amounting to $9,637,595, in accordance with the action taken on the claims in June, 1935, by Special Master Thomas D. Thacher.

The court's action involved 27 claims which were filed against RKO in its reorganization proceedings for a total of $10,582,250. Of this amount only $954,655 was recommended for allowance to the claimants by Thacher and confirmed by Judge Bondy. However, 13 of the 27 claims previously either were withdrawn or settled.

The principal claims were those of the Karl Hoblitzelle interests which were allowed for a total of approxi-

(*Continued on page* 3)

Breen Film in 2nd Week Does $108,000

"Rainbow on the River" tallied $108,000 in its second week at the Music Hall. The figure tops the first week by $28,000. Both takes are very good in comparison with previous years.

"College Holiday" at the Paramount with Glen Gray and his Casa Loma orchestra garnered $60,000 in the first week. The Roxy on the second week of "Stowaway" and a stage show, did $44,000 in six days. This is about $8,000 above the first seven days. "Golddiggers of 1937" ended its first week at the Strand with $27,000, which is disappointing. Bob Weitman plans to hold the Paramount show a third week.

Prices were boosted in a number of Broadway and neighborhood theatres on Thursday night. At 8 P.M., the Paramount boosted the admission price

(*Continued on page* 2)

Cammack RKO Chief For Latin America

Ben Cammack, who has been in charge of South America for RKO, has been promoted to general manager of Latin America in charge of field operations in all countries below the Rio Grande. Cammack recently opened branches in the Argentine and Brazil which will begin releasing operations in the first quarter of the year. He will leave shortly to take over his new post.

Finish Setup Simplification Of "U", Radio

Corporative Procedure Is Finally Effected

Two of the majors—Universal and RKO—completed the simplification of their corporate structures on Thursday.

Universal rounded out the process with the filing of papers in Delaware dissolving Universal Pictures Corp., the oldest company in the organization and one of the oldest in the industry.

The assets of Universal Pictures Corp. were taken over by Universal Pictures Co., Inc., of which the former company was a wholly-owned subsidiary. The dissolved company was organized in 1912 as Universal Film Mfg. Co. and its name changed to Universal Pictures Corp. several years later. It was the principal Universal holding company for many

(*Continued on page* 3)

Court Asks for Bids On Academy of Music

Federal Judge William Bondy on Thursday directed Milton C. Weisman, receiver for Fox Theatres Corp., to receive sealed bids for the Academy of Music from prospective purchasers up to noon of Jan. 6. The court will issue further instructions in connection with the bidding thereafter.

Skouras Theatres recently offered $100,000 for the Academy of Music but attorneys identified with the Fox Theatres reorganization asked for the submission of bids in the hope of obtaining a better offer.

The court also authorized Weisman to renew a lease on office space for the receiver at 1450 Broadway for another year at $3,000 rental.

Ostrers to Remain For Several Weeks

Isidore and Maurice Ostrer will not sail for London for several weeks, it was learned Thursday. This does not indicate that there will be any conference here with Nicholas M. and Joseph M. Schenck and Sidney R. Kent.

Maurice Ostrer is now in Miami and there is no definite date set for his return. Arthur Lee, who is with Ostrer, is due to return Tuesday. Nicholas M. Schenck is now in Miami. He will remain there for three weeks and then go to the coast for an indefinite stay.

Texas Clamps Down

Austin, Tex., Jan. 1.—The Texas Supreme Court holds Bank Night is a violation of public policy and unconstitutional. "The plan clearly comes within the condemnatory terms of the constitution," said the decision, "because it is a gift enterprise involving the lottery principle."

The opinion was written by Chief Justice C. M. Cureton and involved an attempted enforcement of the city of Wink against the Griffith Amusement Co. The ruling is based on a constitutional provision classing gift enterprises with lotteries.

The last legislature taxed Bank Night and other chance games 20 per cent of the awards, but omitted any reference as to their legality or otherwise.

Houston, Jan. 1. — Two Bank Nights each week will continue in seven Interstate circuit houses and two Will Horwitz theatres here, despite the decision of the state supreme court.

$162,636,250 Is Film Stock Gain in 1936

Led by an estimated increase of 10,000,000 admissions weekly over 1935 the industry recorded its greatest financial advances of the past five years during 1936.

The improvement was reflected in a gain of $162,636,250 in market value of film shares on the N. Y. Stock Exchange during the year. Total market valuation of the issues at the close of 1936 was $829,456,250, as compared with a total valuation for the same issues at the close of the

(*Continued on page* 4)

Projector Business Gain Is 15% in 1936

The projector business increased in volume by 15 per cent in 1936 as compared with 1935, it is indicated by National Theatre Supply Co., which serves as a distributor of much of the equipment used in theatres.

At the same time, Erpi reports a gain in the installation of Western Electric sound equipment of nearly

(*Continued on page* 2)

Bank Nights Legal, N. Y. Court Rules

High Tribunal Says Game Not a Lottery

ALBANY, Jan. 1.—Bank Night was ruled legal in New York State in a decision of the Court of Appeals handed down on Thursday here.

The decision held in effect that a theatre which offers a cash prize, the award to be decided by a drawing, to persons who have registered at the house, is not to be considered operating of a lottery.

The court was divided, four to three, on the decision, which resulted from an appeal from the Monroe County Court, the latter being upheld in its reversal of the conviction of Samuel Shafer by the Rochester City Court for violation of the penal law last summer. It was indicated that the ruling of the state's highest court might have been different if the theatre had included only purchasers of

(*Continued on page* 2)

Set Plans for Para. Production Meeting

HOLLYWOOD, Jan. 1.—Final plans for the annual Paramount production meeting were completed here yesterday. The meeting will be conducted by William LeBaron with special sessions to be in charge of Adolph Zukor, Barney Balaban and Neil F. Agnew.

A preliminary survey of the 1937-1938 product will be made with special attention to such major productions as DeMille's "Buccaneer," "Men with Wings," "Long Traverse," "Show Business" and others.

In addition to the New York executives the meeting will be attended by Paramount theatre partners John Balaban of Chicago, E. V. Richards of New Orleans, Karl Hoblitzelle of

(*Continued on page* 3)

Hold Mexico Station Violated Radio Act

HOUSTON, Jan. 1.—The Radio Control Act of 1934 was upheld by Federal Judge T. M. Kennerly here when he ruled that the act was violated by XENT, Nuevo Laredo, Mexico, in connection with broadcasting electrical transcriptions from phonograph records transported across the border. Norman Baker, F. R. Hood and Roy

(*Continued on page* 3)

Radio on Page 3

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1,164 Theatres in Greater N. Y. Area

Indicating an appreciable increase over last year, there are now 1,164 theatres in the Greater New York territory. This includes the list of closed theatres which total over 100. The New York Film Board is now working on its annual directory.

"Camille" Gets Permit

Chicago, Jan. 1.—After considerable discussion "Camille" was given a general permit by the censor board. The first vote of the board was divided, some wanting many cuts made and a "pink ticket" given it and others asking for a general permit. The final balloting resulted in a "clean bill of health" being given the film.

WANTED—ARTIST

with trailer experience. One with modern idea of layouts and capable of supervising art department. One who can plan animations and can tell camera man how to shoot them. Laboratory experience preferred but not essential. Steady job with great future for right man. Must make his home in Chicago. See Irving Mack, Hotel Astor, Sunday.

Bank Nights Legal, N. Y. Court Rules

(*Continued from page* 1)

admission tickets among those eligible for awards.

Will Re-Hear Kansas Case

Kansas City, Jan. 1.—The petition of Roland Boynton, attorney for the Fox Kansas Theatre Co., for the privilege of filing an application for a re-hearing of the Kansas Supreme Court's decision on Bank Night has been granted by the high tribunal. Boynton has three weeks to file, and it will take the court about a week, it is estimated, to take action.

The court held that Bank Night was in the nature of a lottery, that it indisputably had the lottery elements of chance and prize and that increased admissions admittedly resulting from use of the promotion was sufficient consideration to make up the third element of a lottery.

The decision was made in a *quo warranto* proceeding filed by Attorney General Clarence V. Beck against the Fox Liberty at Fort Scott, Kan., specifically and all Fox Kansas theatres in general, last spring.

Boynton was assisted by Sam P. Halperin, Minneapolis, counsel for affiliated Enterprises, Inc., Bank Night patentees.

Should the Kansas high tribunal uphold its decision, the case could be appealed to the U. S. Supreme Court. However, the Fox circuit will not take such an appeal, although Affiliated Enterprises may.

In the meantime, only three or four Kansas exhibitors have discontinued Bank Night as a result of the decision, according to R. W. McEwan, Bank Night distributor, pending final settlement of the Fox Kansas Theatre Co. case. The presumption is that until that time, exhibitors may proceed with the promotion, although Beck two weeks ago told Motion Picture Daily he would not wait, that two of three weeks after the decision he would notify county attorneys to proceed against such chance games.

Gets Chicago Injunction

Chicago, Jan. 1.—An injunction restraining Mayor Kelly and Chicago police from interfering with Bank Night at the Iris was granted by Judge Walter Stanton of Superior Court here Thursday, because the theatre did not demand that registrants have tickets to the theatre to be eligible for the prizes. Other Chicago houses still are under the police ban. The co-owner of the Iris is Harry K. Smythe, local distributor for Bank Night.

Takes Three More Games

Kansas City, Jan. 1.—R. W. McEwan, Bank Night distributor in Missouri and Kansas, has contracted for the distribution of three new chance games in Oklahoma, Missouri and Kansas. They are Hollywood, Wahoo and Banko.

"Theodora" Starts Well

Portland, Ore., Jan. 1.—On its initial day at the Paramount, "Theodora Goes Wild," took in $2,000. Indications point to an extended run.

Projector Business Gain Is 15% in 1936

(*Continued from page* 1)

100 per cent in 1936 over 1935. Both figures are seen as strongly indicative of the improved business in theatres in 1936, especially in the last half of the year.

The Herman De Vry Co., another equipment firm, although unable to give specific figures, declared that business showed a definite gain in 1936 as compared with the previous year. International Projector Corp., which manufactures the Simplex projector, reported gains also, but indicated that National Theatre Supply, who handles their product, would be in a better position to supply figures.

Erpi reported a total of 955 installations of sound equipment in 1936, compared with 521 in 1935. The greatest part of the unusual gain in the year just ended came in the final four months, with the installation of 611 sound equipments of the new mirrophonic type.

Breen Film in Second Week Does $108,000

(*Continued from page* 1)

to $1.50. At the same hour, the Strand adopted a new scale of $1.25 top. The Rivoli increased its regular 99-cent holiday admission to $1.50 at 6 P.M., while the Roxy from 6 to 8 P.M. charged $1.10 and from 8 P.M. to midnight, the tariff was $1.50.

The Capitol, which usually charges 55 cents for midnight shows on weekends, continued the 99 cents admission, while the Music Hall for a special midnight show dropped the 99-cent price to 55 cents.

Flash Previews

"Green Light"—A story with deep emotional appeal and spiritual value, this film should be endorsed by the clergy, the laity and the medical profession.

"Woman Wise"—A romantic comedy-drama drawn against a prize-fight background, slightly far-fetched but good average stuff.

"Under Cover of Night"—A really exciting murder mystery woven from a threadbare story and helped by some excellent cast performances.

"Yiddle With His Fiddle"—A Yiddish film starring the inimitable Molly Picon, this is tuneful entertainment for those who know the language.

These films will be reviewed in full in a coming issue of Motion Picture Daily.

Import Film on Christ

The Golgotha Corp., of which Captain George McL. Baynes is head, has brought the film, "Golgotha," which tells the story of Jesus Christ, to this country, and has completed an English version. It was produced in France by Jules Duvivier. Plans for its premiere in this country are being negotiated.

Lehman to Attend Dance

Governor Lehman has accepted an invitation of Harry Brandt to attend the annual ball of the I.T.O.A. at the Waldorf-Astoria Jan. 16.

Morrison Talent Head

Hollywood, Jan. 1.—Charles Morrison yesterday was named head of the talent scout department at Selznick International.

◂ Purely Personal ▸

SI FABIAN, who received an invitation to attend the Zukor Jubilee dinner on the coast, can't make it. Harry Shiffman and George Walsh, local theatre partners of Paramount, are leaving by plane Monday.

•

Lily Pons, star of "That Girl from Paris," attended the opening of the film at the Music Hall on Thursday evening with a party of guests. A New Year's Eve party followed at Miss Pons' apartment.

•

Hal Horne left for the coast by plane last night for conferences with Walter Wanger after signing new talent here. Horne plans to be back here Tuesday night, also via the airways.

•

Francine Larrimore leaves today by train for the coast for additional scenes in B. P. Schulberg's "John Meade's Woman." She will return here in two weeks.

•

Al Margolies on Monday will assume his new duties as publicity head for G. B. Myron Beck is now in charge of publicity at U.A., succeeding Margolies.

•

Edward L. Alperson plans to head for Hollywood again around the middle of January. Ed Finney may go west about this time.

•

Frank Phelps, Warner theatre executive, will leave for the coast today to look over the circuit's California units.

•

Estelle Schrott, who has resigned from G.B., on Monday, will join the local Walter Wanger office, handling publicity.

•

Stephen Pallos, general manager of London Films, is due back from the coast Jan. 10.

•

Jules Levy, general sales manager for RKO, is back from those Chicago conferences.

•

Joe Rivkin is in town from Hollywood on talent acquisitions for the Roach studio.

•

I. Levinson of the Warner legal staff has returned from a business trip to Miami.

•

Fernand Gravet, French actor, leaves Hollywood next week en route to Paris.

•

Hamilton Basso's novel, "Courthouse Square" has been purchased by M-G-M.

•

John Van Dycke's story, "The Wildcatter" has been acquired by Universal.

•

Bob Perkins will return Monday from a vacation at Virginia.

Gates New 20th-Fox V-P

William Gates, who has been acting as an assistant to Joseph M. Schenck and Darryl F. Zanuck on the coast, was elected a vice-president of 20th Century-Fox at the last directors' meeting.

Hold Mexican Station Violated Radio Act

(Continued from page 1)

Richardson have been indicted. The ruling is said to be the first of its kind.

Alexander Quits WMCA

A. L. Alexander on Thursday resigned his position at WMCA, for which station he conducted the "Good-Will Court" sessions. Coincident with Alexander's resignation, WMCA stated the "court" program, scheduled to return there as a sustaining feature, would not be broadcast.

It was indicated, however, that the "Good-Will Court" would be revived after the return from Europe of Donald Flamm, president of WMCA. He is expected back in three weeks.

Colbert and MacMurray

Claudette Colbert and Fred MacMurray have been set for the Lux program again, this time for Jan. 11. They will offer a version of "The Gilded Lily," in which they both starred on the screen.

I. A. T. S. E. Sued by Three Cameramen

Los Angeles, Jan. 1.—Three cameramen filed suit in Federal Court here yesterday asking $204,750 damages from I.A.T.S.E. and M. P. Machine Operators of the U. S. and Canada and others. The plaintiffs, who allege conspiracy to deprive them of the right to earn a livelihood, are: Roland C. Price, Philip E. Cantonwine and Arthur J. Fitzpatrick. The defendants named were: Local 659, I. A. T.S.E., the A. F. L., the M.P.M.O., Harlen Holmden and a number of John Does.

The cameramen also requested a court order requiring the defendants to show that they are a representative group of workers in the industry and commanding them to accept the membership applications admitting the plaintiffs to union membership.

The figure asked for special damages is $109,750, plus $25,000 general damages and $25,000 exemplary damages because of the fact that a five-year Paramount contract had been turned down at the behest of the I. A. during 1933 strike upon a promise of membership. Cantonwine and Fitzpatrick asked $25,000 each, claiming that they were informed by I. A. that the union was closed and membership therefore impossible.

The action has been referred to Federal Judge Harry A. Hollzer for early hearing date.

Set Plans for Para. Production Meeting

(Continued from page 1)

Dallas, N. A. Nathanson of Toronto, Frank Walker of New York; M. A. Schlessinger of Johannesburg, South Africa; Sam Pinanski of Boston, A. H. Blank of Des Moines, Martin Mullin of Boston, R. B. Wilby of Atlanta, J. J. Fitzgibbons of Toronto, Sam Goldstein of Massachusetts and M. A. Lightman of Pennsylvania.

Attending from the studio, in addition to those presiding, are: Eugene Zukor, A. M. Botsford, H. H. Hurley, Jeff Lazarus, Fred Leahy, Mel Shauer, George Bagnall, A. C. Martin, Bernard Herzbrun, Jacob Karp, Manny Wolfe, Boris Morros and Sam Frey.

Powell Off "Hotel"; Hinted Change May Bring Him Back

Billy Bacher, producer of "Hollywood Hotel," on Thursday admitted that Dick Powell, as matters now stand, would make his final appearance on that program Jan. 8 and explained in detail the steps that led up to the present situation and the changes which may follow.

According to Bacher, Powell is being returned voluntarily to Warners by the Campbell Soup Co., which has Powell under a two-year contract. It was to discuss the release that Bacher came east several days ago.

Bacher states the player had signed the two-year radio contract five months ago, despite the fact that he had also signed a Warner contract previously, calling for his services both for screen and radio. With Warners now planning to use Powell on its own radio chain, Campbell Soups could, if it so wanted, enjoin Powell from appearang on any other web, according to Bacher.

There is a strong possibility, however, that a change in air time from Friday to Sunday may result in keeping Powell on the "Hollywood Hotel" program. According to Bacher, Warners' radio contract with Powell only has week-day jurisdiction. In the event that "Hollywood Hotel" can be shifted to a Sunday night spot, preferably a half-hour one, Powell will remain irrespective of his air contract with Warners, Bacher maintains.

From other sources it was learned that Transamerica, the Warner radio subsidiary which owns KFWB, Hollywood has not made much progress in its efforts to build a new national radio chain. It is understood that several station purchases have been made, the drawback being, however, that none is sufficiently important to warrant serious consideration as network material thus far.

One startling report has it that Warners, or Transamerica, will eventually make a deal with the newly formed coast-to-coast Mutual-Don Lee chain, and in this way gain their objective.

Schaeffer Signs Reisman

Leo Reisman's orchestra and Ray Heatherton, baritone, have been signed for a new series by Schaeffer's Beer, which will be heard over WOR from 9 to 9:30 P. M. The starting time and day of the broadcast has not been set as yet.

Batten, Barton, Durstine and Osborne is the agency.

New England CBS Signs

Contracts for two new sponsored programs over six New England CBS stations were closed yesterday. "Homemakers Council of the Air," a musical-script show, begins Jan. 19, and will be heard regularly thereafter Tuesdays and Thursdays. James Fay & Co. is the agency.

"Margery Mills Home Hour," a twice weekly Tuesday and Thursday presentation, starts Jan. 5.

Both programs will organize in the studios of WEEI, CBS Boston affiliate, and will be broadcast over the network's stations in Providence, Worcester, Hartford, Springfield and Bangor.

3 Networks on F. D. R. Speech

The nation's three national networks, NBC, CBS and Mutual will carry the President's speech on the state of the nation on Wednesday, Jan. 6, when the Chief Executive appears before the joint session of the Senate and House. The President will be heard from 2:00 to approximately 2:45 P.M., E.S.T.

Also scheduled for complete coverage by the three networks is the opening of the 75th session of Congress on Jan. 5. The details are not yet complete, but it is expected that the broadcasts will be heard from 1:30 P.M. to approximately 2:15 P.M., E.S.T.

Change Phillip Morris Show

The Phillip Morris Tuesday NBC program will undergo extensive alterations Jan. 5, at which time the Eton Boys and the girl trio known as the "Sweethearts" will be dropped. They will be replaced by the "Rhythm Rascals" and a novelty trio. Phil Duey will be the only vocalist untouched by the change in personnel.

Bernie, Corwin, Et Al

Short Shots: Herman Bernie has closed with the following to appear as guests on Ben Bernie's American Can program: Bert Wheeler and Ella Logan on Jan. 5; Gregory Ratoff Jan. 12, and Anna Sten Jan. 19. . . . Emile Corwin of NBC's local press division is back at his desk after a two-week Florida vacation. . . . Joe Thompson of NBC's San Francisco production staff, has been shifted to Hollywood handling the same assignments. . . . Amos 'n' Andy have sold their Chicago possessions and will reside permanently in Palm Springs.

Disposal of RKO Claims Is Confirmed

(Continued from page 1)

mately $4,200,000. The claims were filed originally for a total of $7,424,348 by Hoblitzelle Investment Co., Hoblitzelle Realty Corp. and Hoblitzelle Corp. The claims were based on an RKO guaranty on defaulted 25-year leases on three theatres located in Dallas, Houston and San Antonio, dating from 1930. The court allowed the claims on rentals due up to September, 1934.

A claim of $2,152,500 filed by Walter Reade's Broadway & 47th St. Corp. on a disavowed lease on the Mayfair was reduced by the court to $337,500. The Hippodrome Bldg. Corp. petitioned the court to set an allowance on a Hippodrome lease claim, but the petition was denied and no allowance was made.

Other claims and their disposition are Ft. Worth Properties Corp., $450,000 asked, $17,595 allowed; Mudd & Mooney, $115,832 asked, disallowed in toto; Criterion Advertising, claim of $4,903 allowed; George B. Lamb, claim of $14,500 allowed; Proctor Holding Corp., claim of $50,000 disallowed; Illinois Central R. R. claim of $157 allowed; Cora E. Gregg, claim of $160,000 allowed, and Gordon Burnett, claim of $200,000 disallowed.

Decisions on these claims advance the status of the RKO unsecured creditor group to near completion.

Finish Setup Simplification Of "U", Radio

(Continued from page 1)

years. Five other Universal subsidiaries were dissolved earlier and there is a possibility of one more company being disbanded, except for which Universal's program of corporate simplification is now completed.

RKO's program of corporate simplification also was formally completed with the filing of papers in Delaware merging seven RKO Radio and RKO Pathe subsidiaries with RKO Radio Pictures, Inc. No changes in officers of the latter company are occasioned by the consolidations.

R. F. Crawford Dies

Des Moines, Jan. 1.—R. F. Crawford, 52, connected with the film business here since 1906 and for the past eight years a salesman for RKO, is dead of a heart attack.

Mayer, Strickling East

Hollywood, Jan. 1.—Louis B. Mayer, accompanied by Howard Strickling, is en route to New York on the Chief for home office conferences.

Guild Show Closing

"Prelude to Exile," which opened at the Guild Theatre Nov. 30, closes its run Jan. 9. It will have rounded out six weeks by that date.

Wall Street

Slight Losses Spot Year End Board

	High	Low	Close	Net Change
Columbia	36⅞	36	36	.....
Columbia, pfd.	42¾	42¾	42¾	+ ¼
Consolidated	5¼	4⅞	5	— ¼
Consolidated, pfd.	17	17	17	— ¼
Eastman Kodak	175	173½	175	+3
Loew's, Inc.	67⅛	65¾	66¼	— ¾
Paramount	24¾	24⅜	24½	— ½
Paramount 1 pfd.	173¼	170⅞	172½	—1½
Paramount 2 pfd.	22⅝	22⅛	22⅛	— ⅝
Pathe Film	10⅛	9⅝	9¾	— ¼
RKO	8½	8⅛	8⅛	— ⅛
20th Century-Fox	35¾	35⅜	35⅝	— ⅛
20th Century, pfd.	44¼	43¾	44	+ ⅜
Warner Bros.	18⅛	17¾	17¾	— ⅛

Curb Gains Slightly

	High	Low	Close	Net Change
Grand National	3⅝	3⅜	3⅝	— ⅛
Sentry Safety	13/16	¾	13/16	+1/16
Sonotone	2	2	2	+ ⅛
Technicolor	21⅞	21⅜	20	.....
Trans-Lux	4½	4½	4½	+ ⅛

RKO Bonds Gain a Point

	High	Low	Close	Net Change
Loew's 3½s '46	101¼	101	101¼	.....
Paramount Pict. 6s '55	100⅜	100⅛	100⅜	+ ⅛
RKO 6s '41 pp.	115½	115½	115½	+1
Warner Bros. 6s '39 wd	99⅝	99	99½	— ½

(Quotations at close of Dec. 31)

$162,636,250 Is Film Stock Gain in 1936

(*Continued from page 1*)

preceding year of $666,820,000, and $402,973,125. at the close of 1934.

Net gains in points ranged from ½ to 80 in the film shares, with the most sensational increases in market values being registered during the two weeks immediately following the national elections in November. In that period film stocks soared $82,172,500.

Resumption of dividend and bonus payments by leading companies, many of them the first in the past five years, occurred during 1936. Eastman Kodak declared dividends of $5,175,000 and distributed a bonus of $2,220,000. Loew's dividends amounted to $2,400,000 and an employes' bonus was paid. Paramount paid dividends of about $3,400,000 and an employes' bonus, and 20th Century-Fox paid $1 a share on its common, amounting to approximately $1,600,000, and a bonus to employes. Technicolor, Trans-Lux and Du Pont Film Mfg. Co. were others in the dividend paying columns.

Earnings of other companies, such as Warners and RKO, reached their best levels in years.

The 1936 attendance gain brings the estimated average weekly attendance figure to 81,000,000, as compared with 71,000,000 in 1935 and a low of 54,000,000 in 1933. Further gains in grosses and earnings appear to be assured for 1937.

The total number of film shares traded on the N. Y. Stock Exchange during 1936 was 15,149,580, as compared with 9,169,000 shares in 1935; 1,937,600 film shares were traded on the Curb Exchange, as compared with 919,960 in 1935, while sales of film bonds aggregated $28,891,000.

B. & K. Books Cagney

CHICAGO, Jan. 1.—"Great Guy" will have its local premiere at the Chicago starting Jan. 22.

This is the first Grand National picture to play the B. & K. circuit and will be released in their subsequent run theatres after the Loop engagement.

National-RCA in Deal

National Theatres has closed a contract with RCA Mfg. Co. for High Fidelity installations in 12 Fox houses and for servicing 300 houses. The new installations are: California, Pomona; Carthay Circle and Grauman's Chinese, Hollywood; Granada, Ontario, Cal., and the following Wisconsin houses: Majestic, Cudahy; Garrick and Orpheum, Madison; Roosevelt, Milwaukee; Vogue, Monroe; Adler, Reida and New Adler, Marshfield.

Ponder McVickers Deal

CHICAGO, Jan. 1.—Latest reports indicate the Chicago Board of Education will decide whether or not to lease the McVickers theatre at its next meeting, scheduled for this month.

Stock Market Sales Reach 15,149,580

	1936							1935		1934		1933		1932	
Stocks and Dividends	**Sales**	**High**	**Date**	**Low**	**Date**	**Last**	**Net Change**	**High**	**Low**	**High**	**Low**	**High**	**Low**	**High**	**Low**
Columbia Pictures, vtc. (1A)	281,400	45½	Jan. 22	31	May 20	36	— 7½	81	34¼	41⅜	21½	28	6⅝	14⅞	4¼
Columbia Pictures pfd. (2¾)	35,400	51¼	Jan. 23	39½	Dec. 19	42¾	— 5¾	49⅞	43½	not listed		not listed		not listed	
Consolidated Film	247,500	7⅛	Feb. 13	4⅛	Sept. 28	5	— ¾	7½	3¼	6¼	1⅝	5¾	1¾	5⅜	1
Consolidated Film pfd. (2B)	166,500	20⅛	Feb. 13	15¼	Apr. 30	17	— 1	22⅛	14¼	20¼	10⅜	14¾	5⅞	11¾	2¾
Eastman Kodak (5A)	128,400	185	Aug. 8	156	Apr. 28	175	+18⅞	172¼	110½	116½	79	89¾	46	87⅞	35¼
Eastman Kodak pfd. (6)	4,090	166	Jan. 18	152	July 24	163½	+ 3½	164	141	147	120	130	110	125	104¾
Keith-Albee-Orpheum pfd. (12¼B)	2,100	110	Nov. 18	80	Jan. 7	110	+30	90⅛	34	37½	20	25	8	30	7
Loew's, Inc. (2A)	1,272,000	67⅛	Dec. 31	43	Apr. 21	66¼	+14¼	55⅞	31¼	37	20⅜	36½	8½	37¾	13¼
Loew's, Inc. pfd.	15,100	108⅞	July 17	104½	Feb. 28	107	......	108¾	102	105	72	78⅛	35	80	39
Paramount	3,667,200	25	Dec. 30	7⅛	Aug. 22	24½	+14⅜	12	8	not listed		not listed		not listed	
Paramount 1st pfd. (6)	399,100	174	Dec. 30	59	June 3	172½	+94½	101¾	67	not listed		not listed		not listed	
Paramount 2nd pfd. (60c B)	1,070,000	22¾	Dec. 30	8⅛	Aug. 19	22⅛	+10⅛	14¼	9¼	not listed		not listed		not listed	
Pathe Film Corp.	898,000	11⅞	Apr. 2	6⅝	June 20	9¾	+ 1¾	8⅛	4⅛	not listed		not listed		not listed	
Radio-Keith-Orpheum	1,659,000	10⅞	Nov. 17	5	Jan. 2	8⅛	+ 3⅛	6	1¼	4¼	1½	5¾	1	7¾	1½
20th Century-Fox (2C)	716,000	38⅝	Nov. 17	22½	June 1	35⅝	+13⅛	24¾	13	not listed		not listed		not listed	
20th Century-Fox pfd. (1½)	389,200	47¾	Nov. 16	31⅜	Apr. 27	44	+12	32	24⅝	not listed		not listed		not listed	
Universal Pictures pfd.	15,390	115	Apr. 7	50	Jan. 7	101	+49	73	29	46½	16⅞	35	10	50	10¾
Warner Brothers	4,159,000	18⅜	Dec. 14	9¼	Apr. 30	17¾	+ 7⅞	10⅜	2¼	8¼	2¾	9⅛	5¼	4½	½
Warner Brothers pfd.	24,200	69	Dec. 16	44	Apr. 29	67	+16	52	14½	31⅞	15	24½	15½	20	4

Sales in Curb Total 1,937,600

	1936							1935		1934		1933		1932	
Stocks and Dividends	**Sales**	**High**	**Date**	**Low**	**Date**	**Last**	**Net Change**	**High**	**Low**	**High**	**Low**	**High**	**Low**	**High**	**Low**
Columbia Pictures Common	2,200	45	Jan. 18	34	Dec. 19	34	— 8⅛	73	38	35	24½	27¼	8¼	15	4½
Grand National Films	564,400	4⅝	Sept. 8	2⅛	July 9	3⅝	not listed '35	not listed		not listed		not listed		not listed	
Sentry Safety Control	64,800	1⅝	Feb. 10	½	Apr. 24	13/16	—1 5/16	⅞	¼	½	⅛	⅝	⅛	1	⅛
Technicolor (50c B)	784,500	32½	Mar. 5	17¾	Jan. 4	20½	+ 1⅞	27	11⅝	14¾	7⅝	14	2⅝	5¼	⅝
Trans-Lux DPS (20c A)	460,200	5½	Jan. 31	3¼	Jan. 6	4½	+ 1	4⅜	2	3⅛	1⅛	3¾	1⅛	3¼	¾
Universal Pictures	61,500	16¾	Nov. 18	4¼	Jan. 10	9½	+ 4	8	2	5½	3	4	1	6	1

Bond Sales for Year $28,891,000

	1936							1935		1934		1933		1932	
Bond and Maturity	**Sales**	**High**	**Date**	**Low**	**Date**	**Last**	**Net Change**	**High**	**Low**	**High**	**Low**	**High**	**Low**	**High**	**Low**
Keith 6s '46	$ 963,000	100	Nov. 25	92	May 4	90½	— 4½	95¾	67½	73½	51	61	29½	63	24
Loew's 3½s '46	7,832,000	102	Nov. 12	96	June 25	101¼	not listed '35	not listed		not listed		not listed		not listed	
Paramount 6s '55	8,896,000	101¼	Dec. 8	83	Apr. 27	100⅜	+ 8¼	97⅜	84¾	not listed		not listed		not listed	
Paramount-Broadway 3s '55	864,000	73	Dec. 8	55	Apr. 9	72¼	+15	63	54⅛	47	30	38	27½	not listed	
Radio-Keith-Orpheum 6s '41	2,715,000	122	Nov. 25	63	Apr. 29	115½	+38⅛	88¾	26½	41	18¼	30	8½	19	14½
Warner Brothers 6s '39	7,621,000	100¼	Dec. 14	86	Jan. 2	99½	+13⅝	89½	48½	67	40⅞	48	12	40	9¼

A—Not including extras; B—Accumulated dividends; C—Paid this year.

Comparison of Valuations of Stock Issues, 1935-1936

(As of December 28, 1936)

Stock	Approx. Shares Listed	Close 1935	Valuation	Close 1936	Valuation	Net Change	
Columbia Pictures vtc.	290,000	43½	$12,615,000	35½	$10,295,000	— 8	— $2,320,000
Columbia Pictures pfd.	75,000	48½	3,637,500	40½	3,037,500	— 8	— 600,000
Consolidated Film	530,000	5¾	3,047,500	4¾	2,517,500	— 1	— 530,000
Consolidated Film pfd.	400,000	18¼	7,300,000	16½	6,600,000	— 1½	— 700,000
Eastman Kodak	2,300,000	156⅛	359,087,500	172	395,600,000	+15⅞	+ 36,512,500
Eastman Kodak pfd.	60,000	160	9,600,000	160½	9,630,000	+ ½	+ 30,000
Keith-Albee-Orpheum pfd	65,000	80	5,200,000	110	7,150,000	+30	+ 1,950,000
Loew's, Inc.	1,600,000	52	83,200,000	63	100,800,000	+11	+ 17,600,000
Loew's, Inc. pfd.	140,000	107	14,980,000	106¼	14,875,000	— ¾	— 105,000
Paramount	1,600,000	10¼	16,400,000	22⅝	36,200,000	+12⅜	+ 19,800,000
Paramount 1st pfd.	250,000	78	19,500,000	158	39,500,000	+80	+ 20,000,000
Paramount 2nd pfd.	650,000	12	7,800,000	20⅝	13,406,250	+ 8⅝	+ 5,606,250
Pathe Film Corp.	600,000	8	4,800,000	9⅜	5,625,000	+ 1⅜	+ 825,000
Radio-Keith-Orpheum	1,400,000	5	7,000,000	7⅝	10,675,000	+ 2⅝	+ 3,675,000
20th Century-Fox	1,600,000	22½	36,000,000	35	56,000,000	+12½	+ 20,000,000
20th Century-Fox pfd.	1,000,000	32	32,000,000	43½	43,500,000	+11½	+ 11,500,000
Universal Pictures pfd.	20,000	52	1,040,000	101	2,020,000	+49	+ 980,000
Warner Brothers	3,900,000	9⅞	38,512,500	16¾	65,325,000	+ 6⅞	+ 26,812,500
Warner Brothers pfd.	100,000	51	5,100,000	67	6,700,000	+16	+ 1,600,000
			$666,820,000		$829,456,250		+$162,636,250

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 2 NEW YORK, MONDAY, JANUARY 4, 1937 TEN CENTS

G. B. to Have Own Exchange System Here

Kent's Move Is Seen As Hastening Step

G. B. will have its own exchanges in all key cities, it was learned on Saturday. Just when these branches will be established is a matter of time, but the move is certain in view of expansion plans by the company.

This season's G.B. lineup provides for 24 pictures, an increase of eight over last year. Included in the 24 are five from B.I.P., John Maxwell's company, five from Herbert Wilcox and one from Capital.

Officials of 20th Century-Fox, through whose exchanges G.B. is physically distributing its product, have notified G.B. that insufficient vault space in the 20th Century-Fox branches makes it impossible for the company to handle other than G.B. product.

Sidney R. Kent is said to have so

(*Continued on page* 4)

'36 Attendance Was Up 12½%—Cochrane

A 12½ per cent increase in theatre attendance is estimated by R. H. Cochrane, president of Universal, to have been made during 1936 and is credited by him with the bulk of the industry's gain in gross receipts over 1935.

Cochrane estimates the gross increase for 1936 at $250,000,000, bringing the figure for the year, he says, to approximately one billion dollars, the largest total of the past five years. Admission scales registered only "a very modest" increase during the year just closed, with the average for the country amounting to 24 cents, or about four cents higher than the preceding three-year low level, according to the Universal president's estimates. The average admission just prior to the depression was 30 cents, he says.

Cochrane points out that the princi-

(*Continued on page* 4)

Hays Tells Suvich Pact Pleases U. S.

WASHINGTON, Jan. 3.—An expression of the industry's satisfaction with the culmination of the new trade pact governing import and financial regulations between the industry and Italy was delivered here over the week-end by Will H. Hays to Fluvio Suvich, Italian Ambassador to the U. S.

Hays and Mrs. Hays arrived from

(*Continued on page* 4)

MGM Against Stars on Air During Good Theatre Hours

HOLLYWOOD, Jan. 3.—M-G-M is expected to declare itself in opposition to the appearance of film stars on radio programs during hours which place them in competition with theatres, it was learned here today.

The company's statement of policy on radio is expected to be made within the next few days and will include a declaration of general policy which it will put into effect for the guidance of its own players and clarification of its position insofar as exhibitors are concerned.

Indications are that Metro's action will be the forerunner of similar declarations of policy by other studios which, it is assumed, will eventually crystallize into an established industry attitude on Hollywood's contribution to radio competition with theatres.

Metro recently rejected a deal proffered by the William Morris office under which its stars were to be made available exclusively for a one-hour

(*Continued on page* 8)

More on Radio—Page 8

Studios Busy with 41 Features Going

HOLLYWOOD, Jan. 3. — Production registered only a slight drop last week showing 41 features and two shorts in work against 43 features and four shorts for the preceding week. Only three new pictures went into work due to the holiday. Five films finished and went into the cutting rooms. Twenty-seven pictures will start shooting on the major and independent lots within the next two weeks, presaging a continuation of top activity for this time of the year.

The new features starting were

(*Continued on page* 5)

Burroughs-Tarzan to Make 18 Next Season

Burroughs-Tarzan Pictures will increase its production schedule from 12 to 18 next season, Jesse J. Goldburg, executive of the company, stated Saturday. He is now in New York.

Donald Novis, who has been signed for three pictures, will appear in one on the current lineup and in two next season. Clyde Elliott will direct "Asia Roars" in the Malay jungles. He sails on the *Asma Maru* on Feb. 1.

In addition to working on the new schedule, Goldburg is completing foreign deals for "Tundra," one of the current releases.

675 Approved

Hollywood, Jan. 3. — The Production Code Administration approved and granted seals to 675 films in 1936. Of these, 115 were reissues and 318 short subjects.

Congress May Act on Seven Picture Bills

By BERTRAM F. LINZ

WASHINGTON, Jan. 3.—A long program of important legislation will be faced by Congress when it convenes Tuesday for the 1937 session.

Aside from measures aimed directly at the film industry, many of the bills with which Congress will be asked to deal during the coming months will affect both producers and exhibitors.

Although no program has yet been developed for the session, at least seven subjects of importance to films are certain to come up. They are:

Block booking: With proponents claiming a greater following than ever before, anti-block booking legislation along the lines of the Pettengill bill on which hearings were held last session is due to receive consideration. The Indiana Congressman is expected to reintroduce his measure and undoubtedly other members also will have bills embodying their ideas of how to deal with the booking problem. While the legislation may have increased support among the civic and

(*Continued on page* 4)

Chicago Bank Night Resumed by B. & K.

CHICAGO, Jan. 3.—Bank Night was resumed in eight B. & K. theatres here last night. Other houses are expected to follow, having decided to reinstate the games after the Iris gained an injunction preventing the police from stopping its drawings.

B. & K. will now operate Bank Night under the original plan which does not require the purchase of a ticket for participation. Previously, all patrons were required to have tickets to be eligible for a prize.

Walter Immerman, vice-president

(*Continued on page* 5)

Loew's Grants Ten Per Cent Cancellation

Stands Firm, However, On Score Charges

Loew's-M-G-M agrees to grant an unrestricted 10 per cent cancellation, to offer a short form of contract and to cooperate in the establishment of local conciliation boards as part of its participation in the M.P.T.O.A. trade practice program, Al Lichtman, vice-president of Loew's, Inc., advises Ed Kuykendall, head of the exhibitor organization, in a letter released for publication today.

The distributor characterizes the M.P.T.O.A. request for elimination of the score charge as "in effect, a request to lower film rentals" and declines any concession on that point. No hope of relaxing M-G-M's policy of requiring preferred playing time for percentage pictures is offered in Lichtman's letter, and the right to establish and maintain an individual short subject sales policy is reserved by the company in answering the M.P.T.O.A. request for assurances that shorts will not be forced with features.

Cooperation is offered by the distributor for the elimination of overbuying, unfair competition between theatres and non-theatrical competition. Lichtman's letter also states that

(*Continued on page* 5)

UMPTO Date Strike Postponed in Phila.

PHILADELPHIA, Jan. 3. — The UMPTO's much advertised and publicized date strike against Loew's failed to materialize yesterday when it was scheduled to go into effect.

According to George P. Aarons, secretary of the exhibitor organization, negotiations are pending between the organization and home office officials of the distributor.

"Be prepared in event of failure of satisfactory and acceptable terms to

(*Continued on page* 4)

$75,000 Roxy Record Seen for "Million"

"One in a Million" is expected to wind up its first week at the Roxy with $75,000, a new high for the theatre under Howard S. Cullman's direction. On Thursday and Friday, two new records were established under Cullman's regime, one in point of dollars and the other on attendance.

On Thursday, Dec. 31, the picture

(*Continued on page* 4)

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Legion Approves All Of Six New Pictures

The National Legion of Decency, in its list for the current week, approved, either for general patronage or adults, all of the six new films reviewed and classified. Five were approved for general patronage, and one for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"The Great O'Malley," "One in a Million," "Reckless Buckaroo," "Sandflow," "White Legion." Class A-2, Unobjectionable for Adults—"Friesennot" (German).

Warner Fetes Ball Team

HOLLYWOOD, Jan. 3.—The University of Pittsburgh football team, Rose Bowl victors, will be guests at the Warner studios here tomorrow. Pat O'Brien will play host to the team.

Brady Show Closes

"Matrimony, Pfd.", which opened at the Playhouse Nov. 12, closed Saturday night after a run of seven and one half weeks.

◂ Purely Personal ▸

NEIL F. AGNEW, J. J. UNGER and MILT KUSELL were scheduled to leave for the coast Saturday via American Airlines. Although AGNEW planned to go by way of Kansas City, where he would meet BOB GILLHAM, he took the southern route where the party was to pick up CHARLES REAGAN. GILLHAM will continue to the coast from Kansas City.

•

BARNEY BALABAN, president of Paramount, will leave for Chicago today and spend tomorrow there before heading for Hollywood. He is going by train with a party of home office executives. BALABAN said Saturday he plans to spend 10 days on the coast.

•

WILLIAM GOETZ, and not WILLIAM GATES as incorrectly published in Saturday's paper, has been elected a vice-president of 20th Century-Fox.

•

SAM SCHWARTZMAN, theatrical attorney, is making a nice recovery from an appendectomy performed at the Park East Hospital late last week.

•

MARY BORDEN'S recent novel, "Action for Slander," has been purchased by London Films.

•

HARRY C. ARTHUR arrived from St. Louis on Saturday, via train.

•

. . . London

WALTER FUTTER'S discovery in a Soudanese village, Princess Kouka, to play opposite ROBESON for Capitol, doing her stuff for the press at Claridge's.

CHARLES LAUGHTON and ELSA LANCHESTER playing "Peter Pan" in the Palladium revival of the Barrie standby.

SAM ECKMAN in Switzerland for Christmas holidays. JACK DAVIS, C. F. BERNHARD, and SYD HYAMS all cruising.

CECIL HEPWORTH, pioneer producer of the 'nineties, lecturing on trade history at Newcastle.

ROBERT GARRETT recovering from flu.

Finds Nebraskans Apathetic on Taxes

OMAHA, Jan. 3.—Charles E. Williams, president of the MPTOA of Nebraska and western Iowa, has mailed letters to 100 members asking them if they wanted to meet to discuss plans to combat any possible tax legislation which might arise in the session of the unicameral legislature, which opens Jan. 5.

Announcing himself as "disgusted" with the apathetic attitude of exhibitors toward previous efforts to call the meeting, Williams said he mailed the letters only at the insistence of an exhibitor who has continued actively in the association. Williams said that exhibitors should prepare for any eventuality by organizing committees. The one-house legislature, which will have only 43 members and thus will shoot bills through almost before objectors can rally their forces, is rather a worry to all organizations.

Minneapolis Theatre Bills Less Drastic

MINNEAPOLIS, Jan. 3.—Following weeks of battling among members of the City Council committee on ordinances and legislation, a revised and less drastic ordinance won the unanimous approval of the committee. The new theatre regulations will be given to the Council for vote at the next meeting.

The softened provisions of the ordinance specify a distance of only 300 feet from church or schools for new theatres, similar to the restriction recently set for beer and liquor establishments.

Where originally the measure made mandatory the denial of a theatre license to an applicant for a location in which it would create a greater traffic or fire hazard, the altered measure substitutes the word "may" for "shall" and gives the Council discretionary power.

On receipt of application for a theatre license, the ordinance provides the city planning department shall investigate the district to determine whether the builders should also be compelled to provide parking facilities for patrons.

Existing theatres will not be affected by the proposed ordinance and it would apply only to theatres outside the loop district. Theatre men who urged enactment of the original ordinance declared frankly they were interested in limiting the number of theatres in the city.

Argentina to Make 50 Films This Year

BUENOS AIRES, Dec. 23 (*By Airmail*).—More than 50 features will be produced in the Argentine during 1937, according to trade estimates here. The total working companies will be swelled by the indicated transfer of important production activities to this city from Spain, particularly Madrid and Barcelona, where virtually all production has been halted as a result of the Spanish civil war.

Metropolitan Studios here has enlarged its facilities and installed sound and photographic departments under American supervision to accommodate the expected influx. Negotiations are now under way with Spanish producers for use of the rental studio, now the largest in South America. Distribution offices of major American companies are discussing arrangements for adding a number of locally produced films to their South American release schedules, such as has been done in the past by Universal and Paramount. United Artists also plans to enter the local production field during 1937.

FWC Starts Drive

LOS ANGELES, Jan. 3.—Fox West Coast has started a new 13-week drive, known as the "Managers' Drive." It will run to March 27.

Named Tobis Associate

HOLLYWOOD, Jan. 3.—Arthur Klein, Ltd. has been appointed west coast representative of American Tobis handling "Carnival in Flanders."

Lenauer Takes Shorts

Lenauer International Films has acquired American distribution to "Skiing with Hans Schneider," "Beautiful Tyrol" and "Rain," foreign shorts.

Cleveland Pondering 1 Cent Admission Tip

CLEVELAND, Jan. 3.—A petition is being drafted for signatures of all Cleveland exhibitors in an agreement to raise admissions at least one cent.

A meeting of the Cleveland M. P. Exhibitors Ass'n, called originally to advocate passing on to the public the recently enacted three per cent gross receipt tax in the shape of a one cent boost in admission prices, developed into a general discussion of boosting prices six cents. Cashing in on the alleged tax-mindedness of the public members advocate odd-price scales such as 11 cent, 16 cents, 21 cents, 26 cents and 31 cents. To be effective, the policy must be universal, it was claimed and to that end, a petition will shortly be circulated for signatures.

The plan to pass the three per cent tax on to the public is state-wide. P. J. Wood, business manager of the Independent Theatre Owners of Ohio says the passing of this tax will mean $1,500,000 saving to the exhibitors of the state.

Wood for Increase

COLUMBUS, O., Jan. 3.—Members of the Ohio I.T.O. are being urged to discontinue absorbing the admission tax and pass it on to the public in the form of odd-rate admissions. If this practice is universally adopted throughout the state, exhibitors can save over $1,500,000 annually, it is pointed out by P. J. Wood.

Seattle Cooperation On Censoring Agreed

SEATTLE, Jan. 3.—Closer cooperation between the Seattle City Council and the board of theatre censors will prevail in 1937, it was stated following a meeting of the council license committee.

The difficulty was brought to public attention a few weeks ago when the City Council directed John Danz to cease exhibiting "Ecstacy" at his Winter Garden, after the film had been approved by the censor board.

In 1937, the council license committee will be asked to assist in previewing "questionable" films, and the word of the censor board following the preview will be final.

Peter Magaro Dead

HARRISBURG, PA., Jan. 3.—Peter Magaro, pioneer exhibitor here, who in 1906 opened the first film exchange in central Pennsylvania, died yesterday at Miami, Fla., according to word received here today. Magaro had been ill since 1935 when he was seriously injured in an automobile accident near Atlantic City. He was at one time a member of the executive board of the M. P. Operators of America.

James H. McLaughlin Passes

TAMPA, Jan. 3.—James H. McLaughlin, 56 years old, former manager of Tampa theatres, is dead after a long illness. Mac came to Tampa years ago to manage the Franklin for Publix.

RKO Takes DuWorld Film

The DuWorld release, "The Crimson Circle," has been booked by the RKO circuit, opening at the Terminal in Newark, Jan. 23.

And Did YOU Count How Many Times Your Radio Played

"WITH PLENTY OF MONEY AND YOU"
"ALL'S FAIR IN LOVE AND WAR"

By Harry Warren & Al Dubin

"LET'S PUT OUR HEADS TOGETHER"
"SPEAKING OF THE WEATHER"

By Harold Arlen & E. Y. Harburg

Harms, Inc. Publishers

It's just one little part of the gigantic national exploitation bringing the season's biggest crowds to the 300 theatres now topping all previous "Gold Diggers" grosses with

WARNER BROS.'

Gold Diggers of 1937

Starring
DICK POWELL
JOAN BLONDELL
With VICTOR MOORE • Glenda Farrell • Lee Dixon • Osgood Perkins Rosalind Marquis • Music and Lyrics by Harry Warren & Al Dubin and Harold Arlen & E. Y. Harburg • Directed by LLOYD BACON • Musical Numbers Created and Directed by Busby Berkeley
A First National Picture

SEARS DRIVE
Dec. 20 to April 4

Congress May Act on Seven Picture Bills

(*Continued from page 1*)

other organizations which have consistently fought for it, exhibitor support may have been weakened by the recent agreement with the producers, and would undoubtedly be further abated if Congress enacted the Patman bill.

Producer-exhibitors: The Patman bill, designed as a companion measure to the Robinson-Patman price discrimination act, of which the Texas Representative was co-author last session, would require producers to divest themselves of all theatre holdings within three years and would prohibit manufacturers or producers in any line from engaging in retail distribution. Adoption of this measure would give a clear-cut solution to the problem brought up by charges of the independents that the producer-distributors favored their own houses.

Sirovich to Renew

Copyright: All set for another round in the copyright fight, Representative Sirovich of New York is expected to reintroduce his copyright bill, the subject now for several years of extended hearings but no action in the House. If, as in past years, his committee is split by dissension, the subject will get no further than the hearings which Sirovich is expected to call in the near future. As a matter of fact, there is little probability that copyright legislation will be enacted this session, the Duffy bill, passed by the Senate in 1935, having died when Congress adjourned last summer, so that it must come up as new legislation if the Senate is to act.

Industrial control: An involved subject on which many groups have as many views, probably a score of bills will be introduced, ranging from proposals for a constitutional amendment giving the Government some of the authority to deal with labor conditions which it thought it had under the NRA, through suggestions for expansion of the anti-trust acts to make low wages and long work weeks unfair methods of competition and the bill for Federal incorporation and licensing of concerns engaged in interstate commerce introduced by Senator O'Mahoney of Wyoming, to revival of the NRA itself in such form as to meet the criticisms of the Supreme Court on the original act.

Taxes to Be Considered

Taxes: The admission tax is expected to remain unchanged; some of the nuisance taxes producing little or no revenue in excess of costs of collection will be dropped; holes in the administrative provisions of the 1936 tax on the undistributed income of corporation will be plugged up but the principle of that tax will be retained.

Social Security: Amendments to the social security act designed to avert court invalidation as unconstitutional and to make it more workable are expected to be offered, but the principle of the legislation will be retained and if it is held invalid by the Supreme Court new legislation along the same lines will immediately be sought.

Tariff: The reciprocal tariff act under which President Roosevelt has negotiated reciprocal trade agreements with various countries will expire on June 30, next. Its continuance is to be asked by the President, who, however, will oppose proposals which are anticipated for amendments in the law restoring to the Senate its former power to ratify or reject all treaties.

In addition to these major issues, bills will probably be introduced to lift the ban on the importation or interstate transportation of fight films, and a number of other subjects, of interest but of lesser importance to the picture industry, will be brought up.

With the appropriation bills, relief and other routine matters, Congress is expected to have a very heavy schedule which will keep it in session for at least six months.

Out Hollywood Way

Hollywood, Jan. 3.—The David O. Selznicks, the Gene Markeys, Dr. and Mrs. Joel Pressman, Robert Riskin and George Cukor among those who spent New Year's at Sun Valley, Ida., the new winter resort.

John Stone vacationing at El Paso. . . . Hal Roach to celebrate 23rd anniversary in picture business Jan. 8. . . . Ed Sedgwick and Mal St. Clair both down with influenza. . . . Barney Carr, assistant Roach director, missed that fatal plane from San Francisco by five minutes and took the one which followed.

Brian Donlevy and Marjorie Lane to repeat their civil marriage with a religious ceremony next Thursday. . . . Jack Warner to entertain the visiting Pittsburgh football team at lunch Jan. 4. . . . Walter Wanger starts Technicolor tests of furs to be used in "Vogues of 1937," with Richard Jaeckel of New York assisting. . . . Oscar and Elmer, radio team, signed by Republic to do sketch in "Hit Parade" . . . Print of C. B. DeMille's "The Plainsman" shipped to Manila by Pan American plane. . . . Jack LaRue's sister, Emily, signed for role in "The Love Trap" by B. P. Schulberg.

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Casting — Slim Summerville, Spring Byington, Ferdinand Gottschalk and Lionel Atwill in "The Road Back," Polly Rowles in "Night Key," Universal. . . . Miles Mander and Douglas Fowley in "Wake Up and Live," 20th Century-Fox. . . . M-G-M castings include Ian Wolfe and Claude King in "Mantime," Harry Lash in "Dangerous Number," and Claudia Colman in "Men of the People." . . . Nine players cast in "Fifty Roads to Town," 20th Century-Fox—Don Ameche, Jane Darwell, Walter Catlett, Stepin Fetchit and Douglas Fowley among them.

✚

Director—Leon Barsha given long term contract by Columbia; first assignment "Edit or Supervise."

✚

Title Change—"We, the Jury" changed to "We're on the Jury" by Radio.

Hays Tells Suvich Pact Pleases U. S.

(*Continued from page 1*)

New York on New Year's day and attended the President's diplomatic reception at the White House Saturday night. They will return to New York today and plan to leave Monday for Los Angeles where they will arrive in time to attend the jubilee dinner there for Adolph Zukor on Thursday. Hays plans to remain in Hollywood until early in March, returning east for the annual meeting of the M.P.P.D.A. during that month.

To Study Air Conditions

The scientific study of correct temperatures in theatres is to be undertaken by the American Society of Heating and Ventilating Engineers as part of a research program to extend over the next two years.

Set "Robber" Opening

"The Robber Symphony" will have its New York premiere on Jan. 18. No theatre has been set but it is reported the film may open at the Venice, formerly the Jolson.

'36 Attendance Was Up 12½%—Cochrane

(*Continued from page 1*)

pal upward scaling of admissions was confined for the most part during 1936 to putting the advanced afternoon and evening scales into effect at earlier hours and eliminating "bargain" or "early bird" shows. Further moderate increases of this kind may be expected during 1937, he says, but will be limited by new theatre building in many localities as well as by the operation of the Federal amusement tax above the 40-cent level.

With the average weekly attendance having gained 9,000,000 over the 1935 average of 72,000,000, according to Cochrane's estimates, the peak levels prevailing prior to the depression have about been regained, he says. While he estimates the average attendance gain for the year at 12½ per cent over 1935, Cochrane points out that attendance at the close of 1936 was running 15 per cent ahead of the corresponding period of the year before and represented a recovery of 50 per cent from the depression low of approximately 54,000,000 in 1933.

"The Best 12 Months"

Estimating the total domestic and Canadian theatre gross for 1936 at $900,000,000, *Box Office,* a weekly regional trade publication, calls the period "the best all-round 12 months which the industry has ever had."

The publication estimates that distribution companies grossed approximately $300,000,000 during the year, "of which $200,000,000 would be applicable to the credit of producing companies."

RCA in 13 F. & M. Spots

RCA Photophone has completed arrangements for the replacement of sound equipment in 13 F. & M. theatres with the new high fidelity apparatus. Twelve houses are located in St. Louis, the other in Granite City, Ill.

G. B. to Have Own Exchange System Here

(*Continued from page 1*)

advised Arthur Lee, vice-president of the American G.B. company who is in Miami Beach and due back tomorrow. Queried as to his plans, in view of the outside commitments, Lee telegraphed Motion Picture Daily, as follows:

"Have not had any notice from Kent as yet or the opportunity of seeing him, but if 20th Century-Fox will not physically distribute what we have exhibited, we will then open our own offices right away as it is only a matter of time before we would have to do this anyway, due to our growing business."

That the English company would organize its own exchange system in this country for the handling of G.B. and B.I.P. has been reported since Oct. 5, but Lee's statement is the first official acknowledgement that the company may set up the branches immediately.

UMPTO Date Strike Postponed in Phila.

(*Continued from page 1*)

be offered by M-G-M, to go out on strike," a message to members said.

Following a meeting of William F. Rodgers, general sales manager of Loew's; Tom Connors, eastern division manager; Bob Lynch, district manager; and Salem Appelgate, for Loew's; and Lewen Pizor, president of UMPTO; Charles Segall, and Abe Sablosky, at Rodgers' office last week, the sales head stated there was no mention of a strike, although discussions revolved around the problems of independent exhibitors in Philadelphia.

It was pointed out that Segall and Sablosky had purchased M-G-M product and that their mission did not concern complaints on their behalf, but for others in the territory.

$75,000 Roxy Record Seen for "Million"

(*Continued from page 1*)

garnered $21,000. The New Year's Eve price was scaled as high as $1.50. On Friday, $14,000 was taken in when 23,179 persons paid their way into the theatre. Leon Errol and his Hollywood Revue comprises the stage attraction.

Mariano Named Referee

Supreme Court Justice Cotillo on Saturday appointed John Mariano, an attorney, official referee to take testimony in the suit for $13,796 brought by Monogram against Pathe. The plaintiff charges breach of contract alleging the money is due for distribution of certain short subjects made by Pathe and other companies. No date has been set for ensuing hearings.

General Opens in Hub

Boston, Jan 3.—General Pictures, whose franchise in this territory is now held by Harry Asher, has opened an exchange.

Loew's Grants Ten Per Cent Cancellation

(Continued from page 1)

the company is opposed to unreasonable clearance but declares that the problem relates to individual cases and no general rule to cover all is practicable.

Lichtman's letter covering the distributor's position on the 10-point program follows:

"1—Loew's commits itself to the proposition that it will grant an unrestricted ten per cent (10%) cancellation on all contracts whenever the exhibitor leases all the product that is offered to him for exhibition.

"2—We are in thorough sympathy with your request for the establishment of local conciliation boards and a central appeal board in New York City. The principle is an excellent one and its promotion shall receive our hearty support.

"3—We are also opposed to unreasonable clearance. No general statement, however can be applicable to all cases. The question of what is reasonable clearance depends upon the facts in the individual case and can only be determined with those facts before us.

Opposes Overbuying

"4—We are in complete harmony with your viewpoint on the question of over-buying and will gladly lend our aid in its elimination. This is one of the questions in respect to which the conciliation boards could render most effective service.

"5—We will give our utmost cooperation in the elimination of unfair competition between theatres. Here again the conciliation boards can be most helpful.

"6—Our position in regard to non-theatrical exhibitions is, I am sure, very well known to you and in thorough accord with your desires.

"7—We favor the idea of a short form contract; in fact, our legal department is now endeavoring to revise our contracts so that we may achieve this purpose.

Can't Eliminate Score Change

"8—In setting film rental in license agreements the exhibitor and the salesman have invariably taken into consideration the provision for score charges. Consequently, your request for the elimination of score charges is in effect a request to lower film rentals. We do not think that this request could consistently be made since it has always been and must be a question of negotiation between the individual exhibitor and the sales department what the individual exhibitor shall pay for his film license.

"9—The request for the elimination of preferred playing time for percentage pictures is not now well grounded. With the adoption of the strict production code, all pictures are appropriate for exhibition on any day, and surely quality pictures are entitled to preferred play dates.

"10—It has been our desire to provide for balanced programs, realizing that a substantial percentage of the theatres requires short subjects. We are certain that you desire that short subjects shall be provided so that the remaining theatres shall not be compelled to go to double features in order to provide an evening's program. The short subjects, of course, will have to be supported if produced. We have adjusted our short reel product to meet not only the requirements of the theatres using only single features but to those using double features as well."

4 Distributors Reply to Date; MPTOA Finished Talks Last May

M.P.T.O.A.'s score against major distributors on its 10-point trade practice program, tallied since the close of its roundtable conferences with sales heads here in May of 1936, follows in the order in which each was made:

Nov. 8—Universal, first company to reply, offers an unrestricted 10 percent cancellation, elimination of the score charge, support for establishment of local conciliation boards and cooperation for other phases of the program.

Nov. 26—20th Century-Fox offers an unrestricted 10 percent cancellation, approves the establishment of conciliation boards but offers no score charge relief.

Dec. 7—United Artists agrees to eliminate the score charge and approves the establishment of local boards. Holds that its individual producer contracts make the granting of a cancellation privilege impossible.

Jan. 4—Loew's offers an unrestricted 10 percent cancellation, a short form of contract and approves establishment of the local boards. Declines score charge of preferred playing time relief and reserves the right to sell shorts on its own basis.

Chicago Bank Night Resumed by B. & K.

(Continued from page 1)

of B. & K., stated, "We are instructing our managers to operate under the plan sanctioned by the injunction granted the Iris."

Corporation Counsel Barnet Hodes stated that he expected that trouble would result if the plan is started again. Hodes said, "Judge Stanton's Iris decision does not cover all theatres in the city and the city's legal department will continue to prosecute all violators of the city code which is against any gifts being offered in theatres." Hodes added that the plan of action regarding the Iris injunction would be determined next week. An appeal may be taken or dissolution of the injunction asked. Meanwhile, police officials stated that they will continue to hand out summonses to violators.

Theatres of the Warner circuit and others are expected to start Bank Night immediately in accordance with the revised plan.

Would Call Bank Night Gambling

Milwaukee, Jan. 3.—Announcement of a bill to be introduced into the 1937 Wisconsin legislature defining slot machines and Bank Night as gambling has been made by Assemblyman Martin Franzkowiak.

The proposed measure would provide for a maximum penalty of six months in jail and a $500 fine. Assemblyman Franzkowiak has declared that the regulation of these games must be on a state-wide basis rather than through municipal ordinances.

Four in Jackson Suspend

Jackson, Miss., Jan. 3.—Declaring recent adverse court decisions affecting Bank Night have caused untold confusion, four local theatres have suspended further weekly drawings.

The announcement read: "Rather than run the hazard of jeopardizing the confidence and goodwill of our patrons, and the public in general, Bank Night drawings will be suspended until such time as the atmosphere has been cleared and the situation thoroughly clarified."

However, the statement asserted that the manner in which the drawings were conducted took them out of the lottery class.

Proxy Card Angle Dropped

Beloit, Wis., Jan. 3.—T. M. Ellis, Jr., operator of the Majestic and co-operator of the State theatres here, has advised the district attorney's office that he is discontinuing proxy card privileges in connection with Bank Night at his houses.

As a result of this stand, District Attorney John H. Matheson has moved for dismissal of two state actions aimed at the prize drawings, which has been granted by the court. Matheson had sought an injunction restraining the operation of Bank Night and had also filed suit for judgment against a recent Bank Night prize winner.

Elimination of the proxy card feature together with the announcement of all prize winners outside the theatre will bring bank night operations within the scope of the law as outlined by the state attorney general, Matheson believes.

Restrain Auto Giveaways

Beatrice, Neb., Jan. 3.—Granting the application of a number of local business men who charged operation of a lottery, District Judge F. W. Messmore has issued a temporary injunction against J. D. Petty and Louis B. Sponsler of the Rivoli and George W. Spiegel of the Spiegel Automobile Co. restraining them from conducting auto giveaway nights. Hearing on an application for a permanent restraining order will be held later.

Discontinues Bank Night

Camilla, Ga., Jan. 3.—The Camilla has discontinued Bank Night for the present. At the last drawing, the money was divided into small amounts in 16 drawings.

Ask Ruling in N. C.

Charlotte, N. C., Jan. 3.—State's Attorney General A. A. F. Seawell has been flooded with requests for a ruling on the legality of chance games in the theatres of the state, following the banning of Bank Night by Chicago police.

Seawell said that in some cases he had ruled that the theatres were violating the anti-gambling laws of the state, while in others the games were handled in such a way as to be within the law.

Studios Busy With 41 Features Going

(Continued from page 1)

"Murder Goes to College" at Paramount, "Stepping Toes" at Radio and "Diamonds and Bullets," a Maurice Conn production.

M-G-M had the heaviest activity with eight pictures before the cameras.

Columbia had two features in work, four preparing and nine editing. M-G-M had eight, two and 10; Paramount, six, five and seven; Republic, two, two and four; Radio, five, three and five; Roach, one, zero and two; Selznick International, zero, zero and one; 20th Century-Fox, six, three and four; Universal, three, two and two; Walter Wanger, one, zero and one; Warners, six, five and 12; independents, one, one and two.

In the shorts division Columbia had none shooting, two preparing and three in the cutting rooms. M-G-M had one, one and five; Radio, one, one and one; Roach, zero, one and one.

Memphis Drops Previews

Memphis, Jan. 3.—Previews have been discontinued last week by Memphis loop district theatres by agreement.

The Warner and the New Strand were the only city theatres using a regular preview schedule, showing each new picture after the last show on the night before the regular engagement.

Buchanan Joins Malco

Memphis, Jan. 3.—M. M. Buchanan, formerly associated with Erpi, has been named a district manager of Malco Theatres. Buchanan will supervise Lightman theatre activities in Tupelo, West Point and Columbus, Miss., and Helena, Ark. Headquarters will be maintained at Columbus.

Allow Charity Show

Beatrice, Neb., Jan. 3.—Sunday films are forbidden here by "blue law," which several special elections have failed to remove from the books, but the law was overlooked to allow the American Legion to sponsor a complete program at one house in the interests of charity.

Sparks Pays Bonus

Tampa, Jan. 3.—Employes of the Sparks circuit received an extra week's pay, in the form of a holiday bonus. It went to every one in the organization from manager to scrubwomen and was the first the theatres had given since 1930.

Graham Baker Better

Hollywood, Jan. 3.—Graham Baker has returned to the Wanger studio after a severe case of pneumonia. He will leave for an extended vacation in Mexico City shortly.

Variety Club

Cleveland

Cleveland, Jan. 3.—M. B. Horwitz has been elected president of the Cleveland Variety Club for the coming year. He succeeds I. J. Schmertz. Other officers elected at the annual business meeting were: First vice-president, Dave Miller; second vice-president, Frank D. Drew; treasurer, J. S. Jossey; secretary, Frank H. Boyd.

Directors for the year, in addition to the officers, are: Col. Harry E. Long, Nat Holt, Jerome Friedlander, Harry H. Goldstein and Jack Schulman.

Des Moines

Des Moines, Jan. 3.—Lew Levy manager of the local Grand National office, was elected chief barker at the annual meeting of the local Variety club.

Other officers elected were: G. L. Friedman, first assistant barker; Harry Hiersteiner, second assistant barker; David H. Dewey, secretary, and L. McKechneay, treasurer. These officers and Lew Elman, Ray Copeland, Jack Kennedy, G. Ralph Branton, Harry Hermann and Joe Deitch compose the board of directors..

Detroit

Detroit, Jan. 3.—H. M. Richey, president-elect of Variety Club, has appointed the following committees to serve during the coming year:

Entertainment—William Carlson, chairman; Carl Buermele, Milton Cohen, William Flemion, Charles Perry.

House—Charles Perry, chairman; George Berger, William Hurlbut, Harlan Starr, Lester Sturm, Mac Krim.

Welfare—Alex Schreiber, chairman; William Flemion, E. E. Kirchner, Ralph Ruben, Arthur Robinson, Jack Stewart, Harris Silverberg.

Bar management—J. O. Brooks.

Slot machines—E. E. Kirchner.

Membership—R. E. Moon, chairman; Nat Levy, Jack Ryder, Joe Lenaha, Frank Downey, Charles Komer, M. Gottlieb, Carl Shalit.

New members—Gottlieb, chairman; Wade Allen, Tom Eland, Irving Pollard, Carl Shalit, Charles Nathanson, Bert Tighe, Eddie Wescott, George McCoy.

Publicity—Gene Rich, chairman; Frank Smith, W. G. Bishop.

Two Get RCA Licenses

Bell & Howell and the Oscar Depue Co. have been licensed under RCA patents to manufacture and market improved non-slip printers, which are said to insure accurate processing of the sound track for uniform release prints.

Induction Jan. 6

Induction of new officers of the New York Film Board of Trade will be held Jan. 6 at the Lincoln Hotel, following which local exchange managers will see "The Show Is On."

Deal with Felder

Leo Brecher has closed a deal with Max G. Felder for the Theatre Profit Sharing plan in six theatres in Harlem.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Green Light"

(First National)

Hollywood, Jan. 3.—With the dignified tone of a well preached sermon, this film offers endless exploitation possibilities. By nature the picture is an intelligent discourse on material versus spiritual value, yet a sympathetic love story is cleverly interwoven which should capture the interest of the masses, making the offering suitable to both for its prestige and entertainment. The emotional appeal is not unlike that of "Pasteur" or "The Miracle Man," and in many respects, the picture resembles each.

The story concerns a fatal surgical operation performed on Spring Byington. Errol Flynn, a young surgeon, is charged with the error which cost the patient's life, although the blame really rests on Henry O'Neill. Their lives changed entirely by the tragedy, Flynn, Anita Louise, daughter of the victim; Margaret Lindsay, a nurse; Walter Abel, a bacteriologist, and O'Neill become involved in a long fight to conquer spotted fever in the west. Hovering importantly in the background is Sir Cedric Hardwicke, a minister, whose spiritual ministrations contrast with the scientific efforts of the others.

The direction of Frank Borzage blends the elements in the best taste and Milton Krim's screen play from the Lloyd C. Douglas novel transposes the speeches of the characters effectively, also making the romance between Flynn and Miss Louise a powerful motivating force. The production by Hal Wallis and Henry Blanke, his associate, supplies a deluxe mounting and the musical score arranged by Max Steiner adds to the spiritual illusion. The St. Luke Choristers, appearing briefly, are spotted effectively.

Both the clergy and the medical professions should endorse the picture and be of consequent help in attracting attention.

Production Code Seal No. 2,450. Running time, 85 minutes. "G."

"Woman Wise"

(20th Century-Fox)

Hollywood, Jan. 3.—Although new angles have been added to the familiar sports world-newspaperman theme the result accomplished here is not likely to stir any excitement.

Essentially the film is a combination of romantic drama, comedy and exciting action against a prize fight background. Much in the nature of a racket expose yarn, Sports Editor Michael Whalen has two objectives. The first is a vigorous attempt to show up shyster promoters who pit "has been" pugs against promising newcomers and so fix things that they can clean up on bets. The second is to make a man of publisher George Hassell's son, Thomas Beck.

Aiming to get Alan Dinehart, king pin of the racket, Whelan uses a punch drunk fighter, Pat Flaherty, as chief stooge. To bring Beck under the proper influence, Whelan hires Rochelle Hudson as a reporter. Things move along until Whelan, who is not averse to occasional graft, finds himself behind the eight ball. To blast his threat to the racket, Dinehart frames Beck into gambling, but Miss Hudson is the wise woman and also pretty much of a two-fisted battler who digs up the information along with Flaherty. There ensues a battle between Whalen and Dinehart in which the former demonstrates he is quite a fighter. With the racket smashed, Beck, on a fair way to regeneration, realizes he has loved Miss Hudson all the time.

While the film has topical value, its far-fetched motivation is at times difficult to follow. Under Allan Dwan's intensive direction, however, the cast, principally Dinehart, Whelan, Miss Hudson, Flaherty, Beck and Virginia Field, contribute performances acceptable in "B" type attractions. Sports writer Mark Kelly did the original and Ben Markson the screenplay.

Production Code Seal No. 2,981. Running time, 75 minutes. "G."

Arrange Union Party

New Haven, Jan. 3.—Committees have been appointed for the show being planned in cooperation with Harry Shaw for the annual ball of Local 74. I.A.T.S.E., at the Hotel Taft on Jan. 9. William P. Barry, president is general chairman; Morris Wasserman, program chairman; Harry Feldman, tickets and Samuel Wasserman, finance.

A. S. Stolte Promoted

Des Moine, Jan. 3.—Arthur G. Stolte, manager of Tri-States Paramount and Strand in Waterloo, Ia., since August, has been named district manager in the Des Moines district that includes Des Moines, Newton, Ottumwa and Waterloo, to replace Rockey Newton, who has resigned to go into business for himself in Cedar Rapids.

Short Subjects

"Ski-Esta"

(Pictorial Films)

Interesting, but nothing unusual. This subject embraces the winter sport — skiing — and shows various scenes which have been on the screen more than once. The narrative is unexciting. It is timely because of the skiing season.

Previewed without a production code seal. Running time, 10 mins. "G."

Daigler Is Advanced In Evergreen Shifts

Seattle, Jan. 3.—Hal Daigler, arrived in this city to become assistant to John Hamrick. Daigler was formerly associated with Hamrick locally, but for two years has been connected with Evergreen State theatres in the Portland territory. He was at one time director of Paramount-Publix theatres in the Minneapolis and St. Paul regions.

He replaces Ted Barbour, who has resigned.

George Appleby, manager of Hamrick-Evergreen's Coliseum, will move to Portland to become managing director of the Music Box, Blue Mouse and Playhouse theatres, Evergreen's second run theatres there. Appleby will succeed Herbert Sobottka in that position. Sobottka will become manager of the Paramount, Portland's key first run in the Evergreen circuit.

Named Drama Editor

Washington, Jan. 3.—Katherine Hillyer has been named drama editor of the Scripps Howard *Daily News*, replacing Don Craig, who has been promoted to the Congressional staff.

Larry Moran to Frisco

Hollywood, Jan. 3.—Larry Moran, formerly with Warners in New York as a theatre booker, will go to San Francisco as a booker for Universal. Moran will take over the job Jan. 1.

Wall Street

Paramount Issues Off Slightly

	High	Low	Close	Net Change
Columbia	35½	35½	35½	— ½
Columbia, pfd.	5¼	5¼	5¼	+ ¼
Consolidated Film	17	17	17	.....
Eastman Kodak	175⅛	175⅛	175⅛	+ ⅛
General Theatre Equipment	30⅛	30	30⅛	— ¾
Loew's, Inc.	66⅛	65	65⅛	—1⅛
Paramount	24¾	23½	24¼	— ¼
Paramount 1 pfd.	173¼	170¼	170¼	—2¼
Paramount 2 pfd.	22⅛	21½	21¾	— ⅜
Pathe Film	9⅝	9½	9½	— ¼
RKO	8⅜	8	8¼	+ ⅛
20th Century-Fox	35	34⅞	34⅞	— ¾
20th Century, pfd.	43⅞	43⅞	43⅞	— ⅛
Universal, pfd.	102	100	102	+1
Warner Bros.	17⅝	17⅛	17¼	— ½

Little Curb Movement

	High	Low	Close	Net Change
Grand National	3⅝	3⅝	3⅝	.....
Sonotone	2	2	2	.....
Technicolor	21⅜	21¼	21¼	— ¼
Trans Lux	4½	4½	4½	.....

Bonds Decline Lightly

	High	Low	Close	Net Change
Loew's 3½s '46	101¼	101¼	101¼	.....
Paramount Pictures 6s '55	100¼	100¼	100¼	— ⅛
Warner Bros. 6s '39 wd.	99½	99	99	— ½

(Quotations at close of Jan. 2.)

"Rembrandt" Los Angeles Hit, $9,113

Los Angeles, Jan. 3. — "Rembrandt" topped a week which proved to be excellent in spite of the holiday competition and heavy rain. It grossed $9,113 at the 4 Star, over normal by $5,863.

"Three Men on a Horse" and "Fugitive in the Sky" went $3,900 above par at Warners' Downtown and $3,000 over at the Hollywood. "Stowaway" and "Charlie Chan at the Opera" did $2,479 above par at Loew's, but dropped below the line at the Chinese.

With "Rainbow on the River" and "The Plot Thickens" the Hillstreet beat average by $1,200 and the Pantages was up by $700.

Total first run business was $105,179. Average is $107,950.

Estimated takings for the week ending Dec. 30:

"LLOYDS OF LONDON" (20th-Fox)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 5th week. **Gross:** $6,500. (Average, $17,000)

"STOWAWAY" (20th-Fox)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
CHINESE — (2,500), 30c-55c, 6 days. **Gross:** $11,387. (Average, $12,500)

"REMBRANDT" (U.A.)
4 STAR—(900), 30c-55c, 6 days. **Gross:** $9,113. (Average, $3,250)

"ECSTASY" (Eureka)
(Return Engagement)
GRAND INTERNATIONAL (750), 35c-40c, 7 days, 3rd week. **Gross:** $1,700. (Average, $1,200)

"RAINBOW ON THE RIVER" (Radio)
"THE PLOT THICKENS" (Radio)
HILLSTREET—(2,700), 30c-65c, 6 days. **Gross:** $9,200. (Average, $8,000)

"STOWAWAY" (20th-Fox)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
LOEW'S STATE—(2,500), 30c-55c, 6 days. **Gross:** $16,479. (Average, $14,000)

"RAINBOW ON THE RIVER" (Radio)
"THE PLOT THICKENS" (Radio)
PANTAGES—(3,000), 30c-65c, 6 days. **Gross:** $8,700. (Average, $8,000)

"PENNIES FROM HEAVEN" (Col.)
"EASY TO TAKE" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days, 2nd week. Stage: F. & M. revue, Famous Meglin Kiddies. **Gross:** $19,200. (Average, $18,000)

"3 MEN ON A HORSE" (F.N.)
"FUGITIVE IN THE SKY" (W.B.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 6 days. **Gross:** $17,000. (Average, $14,000)

"3 MEN ON A HORSE" (F.N.)
"FUGITIVE IN THE SKY" (W.B.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 6 days. **Gross:** $15,900. (Average, $12,000)

Take Baltimore Theatre

Baltimore, Jan. 3. — Title to the Rivoli has been taken by the East Baltimore Theatre Corp., of which Joe B. Field is president. It was sold by the Savings Bank of Baltimore for about $175,000. There is a small ground rent.

Humphries in New Job

Vienna, Ga., Jan. 3. — Oliver Humphries of Toccoa has recently been named manager of the Vienna to succeed A. F. Avey, who has resigned. W. E. Griffin, owner of the local theatre of Hogansville, has been acting as manager.

Manages Georgia House

Macon, Ga., Jan. 3.—John Youngblood is the new manager of the Capitol here, succeeding Harvey H. Whaley, transferred to the Grand.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Under Cover of Night"

(M-G-M)

Hollywood, Jan. 3.—Under the capable direction of George B. Seitz and with good portrayals by the cast, a mediocre story is made into thrilling murder drama. The picture should be tops in neighborhood, small town theatre duals and do well as a programmer in the first runs. Lucien Hubbard, producer, departs from usual formula by identifying the murderer at the beginning.

It is set in a college where the head of the physics department, Harry Davenport, is resigning. From his assistants, a successor will be chosen. The most likely candidate is Henry Daniell, a widely-known authority on physics but really dependent upon Sara Haden, his wife, for her research work. Learning of Daniell's intimacy with Marla Shelton, one of his students, Miss Haden condenses her notes into a small book and threatens to leave him, taking the book. Daniell, knowing of his wife's weak heart, frightens her to death but is unable to find the book. With the aid of Miss Shelton he starts a search. In succession he murders three people. Edmund Lowe, an alumnus turned detective, is at the school for commencement and is soon on the trail of the murderer. He captures him as he is about to murder his fourth victim, Florence Rice, the president's daughter, who, unaware of it, has been in possession of the book.

Lowe, rapidly becoming typed as a debonair detective, handles his part in agreeable fashion, as does Miss Rice. Dean Jagger, who with Miss Rice supplies the romantic lead, shows well. Nat Pendleton's portrayal of the dumb detective is well done and Daniell, as the murderer, is convincing. Minor parts by Harry Davenport, Dorothy Peterson, Theodor Von Eltz and Frank Reicher deserve mention.

Production Code Seal No. 2,954. Running time, 71 minutes. "G."

Looking 'Em Over

"Les Petits"
"The Children"

(Franco-American)

The tragedies and comedy of childhood form the story basis of this French film, produced by Cid Co., and not to be considered an outstanding contribution to the importations to this country from foreign studios.

The film has its moments of drama, its amusing incidents, but, in general, has little that might be expected to hold the attention in more than casual fashion. The tragedy of one lonely child in a boarding school has been done before and in rather better style.

A word of praise is warranted for the work of the child, E. Roncier, as the small boy who is placed in the school by his widower father when the latter finds it too much of a burden to take care of him. But when his father falls in love, he neglects the child, who turns to a little girl for the affection which he needs. Notes the two had written to each other, in which he calls the girl his "wife," are found and the two are sent home. Running away from a servant, the boy throws his belongings into the river, his father becomes frantic at police word, and the boy is found, a happy home assured for both him and the girl.

Reviewed without production code seal. Running time, 80 minutes. "G."

Walton Gets Ad Post

Pittsburgh, Jan. 3. — Herbert Walton has just been named chief advertising artist for Warners under Publicity Director Joe Feldman. He comes from New York, where he has spent the last 10 years working in various film offices.

Walton succeeds Sam Stern, who has been transferred to Warners' New York headquarters. For a going-away gift, Stern, who has been in Pittsburgh since 1932, was presented by the local office a traveling bag and portfolio.

More Free Shows at K. C.

Kansas City, Jan. 3.—Beginning Jan. 10, the Katz brothers, Isaac and Michael, cut rate drug store operators, will sponsor a series of Sunday afternoon concerts by the municipal orchestra of Kansas City in the new Municipal Auditorium, admittance free. The orchestra played last summer in the city's parks, to big audiences. The Auditorium has radio station KCMO's community sing every Sunday evening, which is free, and which goes out over the air. The sing has been drawing big crowds.

"Dance" Only Draw of Week At Cleveland

Cleveland, Jan. 3. — "Born to Dance," in its second week at Loew's Stillman, was the only attraction in town to get to first base in the face of the Christmas shopping competition. It grossed $8,500, up by $2,500.

All other houses were below par.

Total first run business was $38,800. Average is $51,000.

Estimated takings for the week ending Dec. 24:

"WITHOUT ORDERS" (Radio)
ALLEN—(3,300), 30c-35c-42c, 6 days. **Gross:** $4,300. (Average, $5,000)

"JUNGLE PRINCESS" (Para.)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $8,000. (Average, $15,000)

"BORN TO DANCE" (M-G-M)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days, 2nd week. **Gross:** $8,500. (Average, $6,000)

"POLO JOE" (W. B.)
RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: "Holiday Revels." **Gross:** $10,000. (Average, $15,000)

"THEODORA GOES WILD" (Col.)
WARNERS' HIPPODROME — (3,800), 30c-35c-42c, 7 days, 2nd week. **Gross:** $8,000. (Average, $10,000)

Arlington Opens Sundays

Boston, Jan. 3.—Sunday shows in Arlington, favored at a recent referendum, have gotten under way with the granting of special Sunday licenses. Licensing authorities are limiting the permits they grant to apply to one Sunday at a time.

Title New Davis Film

Hollywood, Jan. 3. — "Marked Woman" has been selected as the final title for the new Bette Davis picture which has resumed production at the Warner studios.

THEATRE ACCOUNTING
by WILLIAM F. MORRIS

Tells all the facts about your business each week.

- **Payroll data for Social Security Taxes.**
- **Profit at a glance—Daily or Weekly.**
- **All expenses deducted—Including Rent, Taxes and Depreciation.**
- **Complete record of advance bookings.**
- **Itemized Schedule of All Assets and Equipment with Table of Depreciation Rates.**
- **Does not require a bookkeeper to handle it.**

$3 ENOUGH FOR A FULL YEAR'S BOOKKEEPING

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER
NEW YORK

On the Air

Victor Moore, Helen Broderick and Buddy Rogers' orchestra bowed in as the new stars of the "Twin Star" revue, Hollywood's latest radio offering, Friday night. The series, sponsored by the National Biscuit Co. was heard over the NBC-Blue network from 9:30 to 10 P. M., E.S.T.

The chief feature of the opening script was an argument between the moon-eyed musical comedy president and his chief comic foil, Miss Broderick, as to which one was actually the star of the program. It was a futile argument, for whatever accolades were earned on the opening session belong to Buddy Rogers, who sang acceptably several choruses of currently popular numbers and whose band, if not startlingly rhythmic, was at least better than average. And the radio average for bands, remember, is uncommonly high.

Moore's halting, uncertain style of reading lines does not lend itself happily to the microphone. Beyond that, the script was as barren of funny lines as a Congressional report. On stage and screen it may be possible for a comedian to get by despite the weakness of the script; in radio this is impossible. Some day perhaps the radio tycoons may realize the foolhardiness of signing a million dollars' worth of talent and then entrusting the destinies of the program and stars to 5-and-10-cent store scripts.

"Twin Stars" will have to improve considerably if it wants to hold its listeners. BANNER

Rex Chandler's First

Stepping into his first big-time air shot, Rex Chandler got off to a generally auspicious start in his first 30-minute "Universal Rhythm" program for Ford Friday night. Filling the 9 to 9:30 P.M., E.S.T. period over the NBC-Blue, held for so long by Fred Waring and His Pennsylvanians, the debut show was tuneful and well-geared in the modern musical tempo.

When Chandler and his aggregation of 42 tunesmiths played, the show was lively and well-done. When Robert, the butler, and Milady piped in to bridge the various numbers in what was designed as comedy interlude, the show began not to fare so well. The idea may have been all right, but the execution was something else again. Even the studio audience failed to respond after one particularly flat gag and the result was one of those painful dead spots on the air which those in radio have learned long since to dread and to shrink from.

Rather Tactless

The usual sponsor plug, of course, was there. But there was also an effort by a male trio singing "The Nut That Holds the Wheel." In jingle and tune, it poked presumably good-natured fun at the bad boys of the road, the drivers who cut in and the like. It occurred to this reviewer that, psychologically, a happier mood might have been struck. Taking the air audience and, presumably, prospective customers in it to task on the one hand and trying to sell them the next minute failed to total any great volume of salesmanship. But Chandler's orchestra is very good, if some of the other interludes were questionable. The conclusion ought to be obvious.

Metro Against Stars on Air In Film Hours

(Continued from page 1)

weekly program to be sponsored by Ford Motor Co. The program was to have replaced the Fred Waring program and was to run for 52 weeks at $25,000 per week.

In addition, E. J. Mannix of Metro recently was made chairman of the Producers' Ass'n radio committee which declined to approve a proposal of General Mills Corp. for exclusive broadcasting rights from Hollywood studio stages. The naming of the Producers' Ass'n radio committee is the only move which the organized industry has made to date in response to nationwide protests from exhibitors on the competition with theatres afforded by film star broadcasts during hours of peak theatre attendance.

A recent survey by MOTION PICTURE DAILY revealed that 80 per cent of the film personalities participating in broadcasting appear on radio programs between the evening hours of 8:00 and 9:30, the peak attendance period for theatres.

Air Contracts Set On Baseball Games

CHICAGO, Jan. 3.—Deals were completed last week with Chicago baseball clubs for broadcasts of games next season. For the first time the Chicago Cubs and White Sox will receive payment from radio stations for broadcasting rights.

Stations WBBM and WGN will pay $15,000, or $7,500 to each club, for permission to broadcast. Stations WCFL and WIND, which are of lower power, will pay $6,000, or $3,000 to each club for the broadcasts. All disputes regarding the broadcasts will be settled by arbitration, the contracts state.

"Showboat" Has New Guest Star Policy

The Maxwell House "Showboat" program inaugurates a new guest star policy Thursday, when Robert Benchley and Margaret McCrea will be the featured guests. It is expected that many film stars will appear as guests on subsequent "Showboat" broadcasts during the winter.

Another new "Showboat" feature beginning Thursday will be the use of players selected from the studio audience to portray leads in a melodrama written especially for the program each week.

Weismuller on Cook Bill

Johnny Weismuller, the "Tarzan" man, and Babe Ruth, are the headline guests whom Joe Cook will feature in the second broadcast of his new Shell Chateau show Saturday, Jan. 9. Others who will be featured on the program are Paul Gallico, sports writer; William Moran, former head of the U. S. Secret Service; Ray Dooley, musical comedy star, and Jean Lussier, whose chief claim to fame is that he has gone over Niagara Falls in a barrel.

With Nobody Home

Chicago, Jan. 3.—Adverse weather conditions have caused several postponements of the broadcast from Exline, Ill., during which all 20 of the town's residents will fly over their deserted village in a plane. The latest date set for this special broadcast is Jan. 5 at 10:30 a.m. CST over the NBC-Red. The broadcast will be from the airplane telling how things look at Exline while everyone is away.

Three NBC Programs Renewed for Year

Three NBC programs were resigned for 52-week renewal periods as the sand in the hourglass of 1936 was running out. The programs are Lowell Thomas' news broadcasts for Sun Oil, the Cities Service sessions, and "Sidewalk Interviews."

Thomas, heard Mondays through Fridays from 6:45 to 7 P. M., E.S.T. over the Blue, renews as of Feb. 2. Roche, Williams & Cunnyngham is the agency.

Cities Service, 8:30 to 9 P. M., E.S.T., Red network, renews as of Feb. 5. Lord & Thomas is the agency.

"Sidewalk Interviews" for Molle Shaving Cream, 9 to 9:30 P. M., E.S.T., Red network, renews as of today. Stack-Goble is the agency.

Air Waves Mixed Up

Radio antics have never been as bewildering as they are of late. First the "Good-Will Court" plays hide and seek on the air. Then Jimmy Braddock fades from his program without even so much as a chirp in the way of explanation and now, to cap the climax, Jimmy is returned to his program, still without an explanation and without advance notice.

A week ago Tuesday Braddock arrived in the NBC studios, prepared to go on with his program, only to find that his services were no longer required. Additionally, there had been a change in agencies, the Tastyeast account being transferred from J. P. Muller to the Peck Advertising Agency.

Tuesday night Jimmy was recalled. The present indication is that he will remain on the show until his 13-week contract is up. Radio Row yesterday was lending ear to the report that the sponsor had been unable to discover any flaws in Braddock's $1,500 a week contract and, therefore, has returned the champ to the program.

Planning Jungle Broadcasts

Jesse J. Goldburg, executive of Burroughs-Tarzan, is completing negotiations with a national sponsor to broadcast a series of talks by Clyde E. Elliott from the interior of the Malay jungles during the production of "Asia Roars." The series, one a week, is expected to start in February, the first broadcast being from the N.Y.K. liner. *Asama Maru*, on which Elliott will sail Feb. 1.

Gish, Logerman, Et Al

Short Shots: Lillian Gish will guest star on the "Magazine of the Air" program Jan. 8 and will discuss "The Future of the Movies" . . . Don Logerman and Marge Brunell of the WABC publicity division are bedded with flu . . . Paul Douglas has been signed to "em cee" the new Hal Kemp Chesterfield cigarettes program . . . Milton Berle's Loew State opening has been deferred until until Jan. 15 . . . Anne Jamison is in the hospital as a result of an appendectomy . . . Cornelia Otis Skinner begins her personal appearance tour Jan. 14 . . . Song publisher Jack Mills and his wife are en route to England . . . Ferde Grofe's associates will honor him with a cocktail party Jan. 8. Grofe's Carnegie Hall concert has been set for Jan. 19 . . . Les Mawhinney, former news editor of KNX (Hollywood) has taken his new duties as manager of the Los Angeles Press-Radio bureau. John Clark, formerly his assistant, has taken over the KNX editorship. . . . Connie Boswell arrived in Hollywood over the weekend to start her featured vocalist spot on the "California Hour." . . . Lucille Ball, Hollywood find who is now appearing in the Lily Pons picture, "That Girl from Paris," will be Tommy Dorsey's guest on the WOR "Morning Matinee" program this Thursday. . . . George Damerel, Jr., Myrtle Vail's 18-year-old son, will join the cast of "Myrt and Marge" tonight when the program debuts over the CBS network. . . . Dr. Allan Roy Dafoe will be medaled by *Parents Magazine* on his Friday, Jan. 15 program. The medal will be accepted by Edward Plaut, president of Lehn and Fink, sponsors of Dr. Dafoe's program. . . . Dr. Victor Heiser, author of "An American Doctor's Odyssey" will be interviewed between tonight's Lux Radio Theatre scenes by Cecile B. DeMille. . . . Bert Lahr, Paul Whiteman, Edgar Bergen, and Elsworth Vines and Fred Perry have been set as guests on the Rudy Vallee program this Thursday. . . . Glen Morris of NBC's special events department, has been awarded the annual Sullivan Memorial Trophy as the outstanding amateur athlete of 1936. . . . Arthur Whiteside, WBT (Charlotte) announcer, has resigned.

And in Hollywood

Short Shots—Jackson Wheeler joins the Joe Penner show as chief announcer. . . . Phil Kramer to the same program as Penner's stooge. . . . Andy Devine, the gravel voiced comedian, in all probability, will join the Jack Benny program. . . . Milton Berle is due on the coast shortly and will do a picture for Radio as well as his broadcasts.

Longest Remote Control Pickup

MILWAUKEE, Jan. 3.—Broadcasting of the Marquette-Texas Christian Cotton Bowl football game New Year's day over WISN from Dallas, marked the longest remote control pickup in the history of any local station. With WISN as the key station, other Wisconsin stations carrying the game included WTAQ, Green Bay; WIBA, Madison, and WKBH, La Crosse. Alan Hale, WISN ace sports announcer, handled the broadcast.

Providence Stations Shift

PROVIDENCE, Jan. 3.—Providence radio stations swung into a new lineup New Year's Day. WPRO now is the outlet for Columbia with WJAR retaining the Blue NBC network. WEAN, which formerly was the CBS station here, has the Red NBC network now.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 3 NEW YORK, TUESDAY, JANUARY 5, 1937 TEN CENTS

Wage and Hour Bills Holding Capital Stage

Regulation Seen Feature Of Congress Opening

By **CLARENCE LINZ**

WASHINGTON, Jan. 4.—Industrial regulation legislation tonight bid fair to take the center of the stage when Congress convenes tomorrow, with proponents of various methods of reviving Federal control prepared immediately to introduce their bills.

While Senator Black of Alabama introduces his bill for the 30-hour week in the upper house, Representative Ellenbogen of Pennsylvania will re-introduce his measure providing an NRA for the textile industry, to be followed by similar legislation for other industries if his initial effort is successful.

On Wednesday, Industry Coordinator George L. Berry will meet with his legislative committee to whip into shape a bill which will cover the recommendations made last month at the meeting of the Council for Industrial Progress.

While a number of bills on industrial control are expected to be introduced at the opening of the session, the views of President Roosevelt will not be made known until Wednesday afternoon, when he delivers his annual message. The actual form taken by the legislation to be enacted of course will depend upon the President's recommendations in his message.

N. Y. Critics Select "Deeds," "Carnival"

The New York Film Critics had a time of it yesterday, but in a session which ran into the early evening voted "Mr. Deeds Goes to Town," the best English-speaking picture of 1936 and "La Kermesse Heroique," ("Carnival in Flanders") best in the foreign-language division.

Under the by-laws or whatever it is by which the critics govern themselves and their ballots, a two-thirds vote is

(*Continued on page* 28)

Two Pictures Here Nearing New Marks

"Great Guy" at the Criterion and "One in a Million" at the Roxy are heading for new house records, it was indicated yesterday after a checkup on weekend business at both theatres.

For the first three days of "Great Guy," the Criterion took in $20,000

(*Continued on page* 28)

Paramount Product Meet Starts Friday

HOLLYWOOD, Jan. 4.—The annual production conference of Paramount executives and theatre partners will be held at the Ambassador Hotel in Los Angeles on Friday and Saturday, immediately following the Adolph Zukor silver jubilee dinner to be held at the studio Thursday evening.

William LeBaron, managing director of production, will conduct the meetings, with special sessions in charge of Barney Balaban, president;

(*Continued on page* 28)

Broadway Merchants Plan a Zukor Dinner

The Broadway Merchants' Ass'n will tender Adolph Zukor a testimonial dinner in New York in commemoration of his silver anniversary on or about Jan. 25. The date is contingent on Zukor's arrival in New York from the coast.

The association met yesterday and discussed preliminary arrangements and is now awaiting word from Zukor when he will arrive in the east. William Brandt is chairman of the film division. The affair most likely will be held at the Waldorf.

Soskin Sails with Columbia Deal Set

Having completed arrangements with Columbia for borrowing talent and for a call on scripts, Paul Soskin, head of Soskin Prod., which will make seven pictures in England next season for Columbia international release, will sail today on the *Berengaria* after three months in this country.

Negotiations are continuing for the services of Monta Bell, Soskin said yesterday. While here Soskin also signed a number of players. He will make an official announcement upon his arrival in England.

RKO Heads to Hold Talks on the Coast

RKO executives will hold a general production conference in Hollywood Jan. 14-15 at which plans for 1937-38 will be roughed out. Leo Spitz already is on the coast while Ned E. Depinet leaves Monday and Jules Levy the end of this week.

Nate J. Blumberg, general theatre operator for the RKO circuit, will likewise attend. He leaves Thursday accompanied by his wife and, additionally, will inspect circuit houses in Los

(*Continued on page* 28)

Denver Flu Spreads; Theatres May Close

DENVER, Jan. 4.—Along with the warning from health officials advising adults to stay away from public gatherings during the influenza epidemic, came hints that theatres may be closed until the outbreak is over.

Public and parochial schools in Denver and several surrounding counties are closed this week. Hospitals are being forced to refuse more patients. Members of the police force still on duty were deprived of days off, more than 50 being on sick leave. Sixty firemen are also off duty.

Cinema Club Ends; Members Apathetic

The Cinema Club, founded originally as an organization for film executives in New York, has ceased all activity, following the expiration of the lease on the club quarters at the Hotel Algonquin.

The club was formed early last year. It was explained that the reason for the demise of the organization was not one of finances but was due to lack of interest and attendance on the part of members. Efforts to restore interest in the club proved unavailing and it was decided to cease all activity.

FCC Study Expected to Ask New Broadcasting Control

By **BERTRAM F. LINZ**

WASHINGTON, Jan. 4.—A new broadcasting setup will be recommended to the Federal Communications Commission next week in a preliminary report of the engineering division on the October broadcasting hearings, it was forecast today by the National Ass'n of Broadcasters.

The report will be based purely on the technical evidence submitted at the hearings, which were devoted to a consideration of broadcasting problems, and will recommend the removal of the present power limitation of 50,000 watts and a reduction in the number of clear channels, now 40, to 28 or 29.

It is also anticipated that the

(*Continued on page* 26)

Additional Radio — Page 26

Sale Tax Case To Be Heard During Month

Frederick W. Wood at Work on His Brief

The distributor's appeal from the Appellate Court's decision holding film rentals derived from theatres within New York City limits to be subject to the two per cent municipal sales tax has been placed on the Court of Appeals calendar for argument on Jan. 18. Although the case may not be reached on that date, any delay that may be encountered is not expected to defer the hearing more than a day or two, attorneys identified with the appeal said yesterday.

Frederick H. Wood of Cravath, de Gersdorff, Swaine & Wood, special counsel for the distributors, completed his appeal brief yesterday and indications are that it will be served on the corporate counsel today.

Wood was retained on behalf of all major distributors to oppose the application of the sales tax to local film rentals. The appeal, however, is actually being taken by the local United Artists exchange, against whose revenue a tax assessment was levied by the city some time ago, thus providing a test case for all local distributors. The law firm of O'Brien, Driscoll & Raftery represents United Artists in the action.

An appeal is being taken simultaneously by the city from that part of the Appellate Court's decision which exempted from the tax rentals derived by local exchanges from theatres located beyond the city limits.

306-ITOA Agreement Is Near Completion

Attorneys representing Local 306 and the I.T.O.A. are nearing the completion of the final form of the agreement on wage scales and the like which virtually will end the multiple union situation in New York, it was learned yesterday. It was explained that following the completion of that arrangement, another will be made between Local 306 and the Allied Union,

(*Continued on page* 28)

Predicts Best N. E. Business in 8 Years

NEW HAVEN, Jan. 4.—James W. Hook of this city, New England Council president, predicts that 1937 New England business will be "the most promising in eight years." He foresees a 10 per cent improvement in

(*Continued on page* 27)

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Lesser May Not Build

Hollywood, Jan. 4.—Sol Lesser may not build a new studio after all, as announced in New York. He is understood to be negotiating for one of the local plants and will probably close the deal upon his return from Europe late in February. Lesser will continue to make nine features next season, three of which will star Bobby Breen and six outdoor westerns for distribution through 20th Century-Fox.

MITCHELL MAY, Jr.
CO., INC.
INSURANCE
Specialists To
The Motion Picture
Industry
•
75 Maiden Lane, N. Y. City
510 W. 6th St., Los Angeles, Cal.

◀ *Purely Personal* ▶

JIM ENGLANDER of the M-G-M advertising department is due back today with his family from Havana. Sam Forgotston of the same department is down with the grippe. Ditto for Mel Heymann of the publicity department. Pat Reiss has just returned after being away three days with a bad cold.

•

A. W. Smith, Jr., and Monroe Greenthal back on the job yesterday, following a quick warm water cruise on the *Champlain.*

•

J. Robert Rubin, Jr., has switched from the M-G-M publicity department to the scenario department, under Bertram Bloch.

•

Toots Shor has taken over the Tavern from Billy LaHiff, who will leave for the coast in about a week.

•

Martin Moskowitz and Aubrey Schenck returned yesterday from an 11-day cruise to the West Indies.

•

A-Mike Vogel left for Scranton yesterday to speak to the Comerford managers in convention today.

•

Reg Wilson, central division manager for G. B., has left for his territory after a 10-day visit here.

•

Bill Sussman, eastern division sales head for 20th Century-Fox, left yesterday for Miami, via car.

•

Charles Einfeld has again delayed his departure to the coast. It's getting to be one of those things.

•

Barney Briskin, general sales manager for Sol Lesser, will return to the coast on Sunday.

•

The Earl of Warwick will leave by plane for Hollywood and the M-G-M studios today.

•

George Schaefer returned to his desk yesterday after being out a few days with the grippe.

•

Louis B. Mayer and Howard Strickling are due from the coast sometime this week.

•

Walter Cassell will head for the Warner studio today via American Airlines.

•

Ed Finney went to Boston yesterday for one day. He is due to return today.

•

Robert W. Perkins will return from a vacation at his Virginia home today.

•

Harry Ham of the Myron Selznick office sails today on the *Berengaria.*

•

O. Henry Briggs, president of Pathe, has returned from Miami.

•

Moss Hart has been signed by M-G-M to do an original musical.

•

Etta Klein on the mend after an attack of the grip.

•

Sonja Henie leaves today for a skating tour.

•

Hy Daab ill at home with the flu.

JAMES A. FitzPATRICK and Norman G. Loudon left for the coast yesterday via train. Just before he boarded a train, FitzPatrick completed recording three new Traveltalks for M-G-M: "India on Parade," "Bombay, the Gateway to England," and "The Rocky Mountains." He is due back Feb. 10 to sail on the *Queen Mary* for England to start production on "The Life of William Shakespeare."

•

Edgar Moss, 20th Century-Fox, Philadelphia; Sam Wheeler, 20th Century-Fox, Washington; Joe Felder, Sidney Picker, Nat Cohn, Moe Kurtz, Louis Nelson, Abe Leff and Herman Weingarten of New York are among the film people in Miami. Nelson and Weingarten have purchased a lot at 5th St. and Shore Rd., where they will build an eight-story hotel.

•

Abe Blumstein, Richard Gledhill, Seymour Florian and Will Schutzer, all salesmen at the local 20th Century-Fox exchange, returned yesterday with their families from two-week vacations at Miami.

•

Victor Heiser, author of "The "Odyssey of an American Doctor," current non-fiction best seller, sails tomorrow on the *Franconia* for a five-month trip around the world.

•

Sophie Tucker, fresh from a three-month tour of England, will leave today for a week's engagement in Chicago after which she will head for Hollywood.

•

Spyros Skouras, William T. Powers, Ed Zabel and Irving Barry will leave Jan. 15 on a two-week swing of National Theatres key operating points.

•

Stephen Pallos, general manager of London Films, has delayed his departure east from Hollywood indefiitely.

•

Arthur Greenblatt left Miami yesterday for Washington where the will visit the G.B. exchange.

•

Will H. Hays left for the coast yesterday to be gone about two months.

•

Whitford Drake, executive vice-president of Erpi, is confined to his home with the flu.

•

Max Cohen of Universal leaves Miami today to resume his duties at the New York exchange.

•

Noah Beery and Dr. Herbert Erlanger sail today on the *Champlain.*

•

. . . Pittsburgh

Ben Jaffe is ill at his home and George Jaffe, his father, is managing the Casino again.

Joe Feldman's parents have gone back to New York after spending the holidays with him.

Florence Fisher Parry has returned to her critic's post on the *Press* after a two-week absence.

Sol Goldberg, the Elkins, W. Va., exhibitor and father of Pitt's sensational halfback, Marshall Goldberg, bet $1,000 on the Panthers in the Rose Bowl game.

Quigley Says Deal Made for 12 Films

Contracts calling for the production of 12 features in Keller-Dorian color to be produced during the current year were closed with a large production company yesterday, George E. Quigley, fiscal agent for financial interests identified with the Keller-Dorian process, stated.

Quigley declined to identify the producing company, asserting that it had requested the right to make the announcement when it had completed arrangements for the first of the productions.

Quigley leaves for Europe today on the *Berengaria* and will make arrangements in France, where the color process was originated, for technical aid to be brought here to supervise the Keller-Dorian color work for the American producer. About six technicians will be sent here under the cooperative arrangements between the Keller-Dorian company and the American producer. The color concern plans to open a laboratory here and another in Hollywood during the next few weeks, it was said.

To Consummate Financial Deal

While abroad, Quigley will also complete arrangements for the acquisition of control of approximately 450,000 shares out of 600,000 shares, or 75 per cent, of the Keller-Dorian stock outstanding. The purchasing group, whom Quigley represents, has already paid a substantial amount for its option, it was said. The group consists of French and English financial interests. Quigley will be gone about five weeks.

Eastman Kodak has until Feb. 22 to meet the royalty requirements for the retention of its exclusive license for the manufacture of the special film stock used in the Keller-Dorian process, it was stated yesterday. If the royalty requirements are not met, the manufacturing rights become non-exclusive. Under the color process, a special sensitive stock and color filters for camera and projection machine are said to be the only special equipment required.

Using B. N. in Chicago

Chicago, Jan. 4.—Bank Nights are being conducted here in violation of police orders by all circuits with the exception of Essaness. No arrests are being made but summonses are being given to all managers who violate the existing rule.

Alexander Rites Friday

Hollywood, Jan. 4.—Funeral of Ross Alexander, star of the forthcoming "Ready, Willing and Able," who died by his own hand Saturday night, will be conducted next Friday. Details are being held in abeyance pending the arrival of his parents.

The coroner's inquest into the death of the actor will be held tomorrow.

Charles Hertzman Dies

Louisville, Jan. 4.—Funeral services for Charles L. Hertzman, 54, formerly of this city, who died in Atlantic City, were held here yesterday.

Kansas Manager Replaced

Kansas City, Jan. 4. — Frank Whittam has replaced R. S. Helson as manager for the Glen W. Dickinson circuit at Osage City, Kan.

Birmingham Women Review West Picture

BIRMINGHAM, Jan. 4.—Whether or not Mae West in "Go West, Young Man," will be permitted to show in Birmingham will be decided by a committee of 10 women appointed from the general reviewing committee named by Mrs. Harriet B. Adams, city amusement supervisor.

Five members of the special committee will be appointed by Mrs. Adams and five by R. M. Kennedy, manager of the Wilby Theatres. This decision was reached by the City Commission at conference with Kennedy and Mrs. Adams recently. Commission members said they would abide by the decision of the special committee which will be asked to make its report on the picture in writing. Kennedy informed the commission that Mrs. Adams notified him several weeks ago that the picture would be banned.

Confirm RKO Claims

Three claims filed by Karl Hoblitzelle interests in the RKO reorganization proceedings for a total in excess of $5,000,000 have been allowed at approximately $500,000 under a decision handed down late last week by Federal Judge William Bondy, confirming an earlier ruling by Special Master Thomas D. Thacher. It was erroneously reported in MOTION PICTURE DAILY on Saturday that the claims had been allowed at $4,200,000.

20th-Fox Denies Plagiarism

A general denial was issued yesterday by William C. Michel, vice-president of 20th Century-Fox, and Franklin Underwood, eastern story editor of the producing organization, in answer to the suit of Morgan Wallace and Lawrence Shubert Lawrence charging plagiarism of their story, "Congratulations," in the preparation of 20th Century-Fox's "Thanks a Million."

Michel testified that the story of "Thanks a Million" was prepared by employes of 20th Century-Fox. Underwood admitted having received the play, "Congratulations," on Jan. 2, 1934, and testified that he returned it on Jan. 30, 1934.

The suit asks $500,000 and an injunction against the showing of "Thanks a Million."

Television Hearing Off

Hearing on an application by Attorney General Bennett for an injunction restraining Television Corp. of America, its president and six other defendants from transactions in the company's stock, was postponed yesterday by N. Y. Supreme Court Justice Lydon until Jan. 18.

Flash Preview

"Revolutionists"—In which Amkino gives its version of the founding of the Bolshevists' movement which resulted in the present U.S.S.R.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Loew's Transfers Two

BOSTON, Jan. 4.—Joseph Boyle has been brought in from Loew's State in Providence and made treasurer of Loew's State here. Robert Etchberger has been transferred to Providence.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Off to the Races"

(20th Century-Fox)

HOLLYWOOD, Jan. 4.—Continuing the entertainment quality established by the preceding members of the "American Family" series, this stacks up with a desirable attraction for the family trade. The film blends humor and youthful romance with the thrill of harness horse racing.

Slim Summerville and Russell Gleason have been added to the cast which features all the usual players in the series. The show moves swiftly and teems with surprises. It winds up with an action climax.

As the Jones family, Jed Prouty, Spring Byington, Shirley Deane, Kenneth Howell, George Ernest, June Carlson and Florence Roberts journey to a county fair. Summerville appears as an irascible uncle who owns a trotting horse. He is accompanied by a glib-tonged daughter, Ann Gillis. An unwelcome guest because he has a shady reputation and is broke, Summerville is the center of a family turmoil and provokes plenty of laughs.

Hornswoggling Miss Deane's fiance, Gleason, into using his marriage money to pay for his horse's feed bill and entrance fee, Summerville starts some hectic confusion when Ruth Gillette, a honky tonk dancer, has him arrested for alimony default. To redeem the family honor, Prouty drives Summerville's steed to victory in a race packed with thrills, thereby saving Gleason's money and bringing some semblance of order to the family affairs.

Played with zest by the entire cast, the show has the earmarks of a surprise feature that will enthuse many other than the regular "American Family" clientele. It was adapted from an idea furnished by Katherine Kavanaugh. The screen play is by Robert Ellis and Helen Logan. It is replete with humorous dialogue and provides pleasing situations in which the cast appears to advantage. Frank R. Strayer's direction accentuates the comedy.

Production Code Seal No. 2,928. Running time, 60 minutes. "G."

Looking 'Em Over

"Yiddle with His Fiddle"

(Green-Kalich)

This is tuneful, amusing entertainment, in Jewish but with plentiful English subtitles, which should be enjoyable screen fare for any audience understanding the language.

Made in Poland by Joseph Green and distributed here by Green and Jacob Kalich, the film's greatest asset is the inimitable star of the Jewish stage and screen, Molly Picon. She is an asset both from the standpoint of quality of production, and as a selling feature for Jewish audiences. Supported by an able cast and with excellent music, both as to background and rendition by Miss Picon, the film tells of a girl who dresses as a boy in order to make things easier in her effort to help her aged father earn a living for them as street players, she with her violin, he with his bass 'cello.

They meet and merge with a father and son combination earning their way in the same fashion. Romance enters, with difficulty, and the four save a young girl from a marriage she detests. Miss Picon becomes jealous, but it is all straightened out when she gets her chance on the stage and is a tremendous success.

No production code seal. Running time, 80 minutes. "G."

Conn. Allied to Meet

NEW HAVEN, Jan. 4.—Allied Theatres of Connecticut will meet Jan. 12 at headquarters in the Film Bldg. Dr. J. B. Fishman, elected to represent Connecticut on the Allied board, will attend the board meetings scheduled Jan. 21 and 22 in Baltimore, and will give a report on his return.

Creditors' Meeting Set

A creditors' meeting in the bankruptcy of Bud Pollard will be held in the office of Referee Irwin Kurtz at noon Jan. 15. Creditors may prove claims and examine the bankrupt.

G. T. E. Loan Repaid

General Theatres Equipment Corp. has paid off a $2,000,000 loan from the Chase National Bank made to finance the company's reorganization expenses, Earl G. Hines, president, stated. Funds for repayment of the loan were derived largely from the sale of subscription warrants for capital stock of the company, Hines said.

Hoffberg Gets "Jungle"

World distribution of "Queen of the Jungle," a 12-chapter serial with Reed Howes and Mary Korman has been acquired by J. H. Hoffberg.

Short Subjects

"Worm Turns"

(Disney-U.A.)

Mickey Mouse appears as a chemist. He concocts something in a test tube that sizzles, turns color, makes the tube bounce around and raise hob generally. He tries a shot of it on a fly caught in a spider's web and the fly winds the spider up in his own web and hangs him from a rafter. Then he douses a mouse being pursued by a cat, with riotous results. Pluto, the pup, gets a shower bath of the mixture after he is captured by the dog-catcher. The kids will howl. The grownups will try not to. Some may succeed.

Production Code Seal No. 2,496. Running time, 8½ minutes. "G."

"Don Donald"

(Disney-U.A.)

It's up to par—maybe over. Nothing else need be said, except that Donald Duck shows up on a mule in a cactus-studded background and starts a serenade with accompanying tango and rhumba music.

The girl friend bounces him over the head with his mandolin and he trades the donkey—or burro—for a motor car to make himself solid again. Donald is good, the music is good, the color is good.

Production Code Seal No. 2,342. Running time, 8½ minutes. "G."

Elvey Does Stage Play

LONDON, Jan. 4.—Maurice Elvey, British director, resumed stage work with his direction of '"Night Sky," now current at the Savoy.

Ann Harding will make her English stage debut in "Candida."

Sterling Board to Meet

Sterling directors will meet Thursday to decide whether to adopt Monogram as the name for the distributing company for 32 pictures planned next season. All directors are in the east.

Block Takes Trailer Job

Mark Block, New Jersey theatre owner and president of Theatre Trailer Service, has assumed the duties of general sales manager of the trailer company. Walter Frudenfeld recently resigned the post as sales head.

Bryant in Wanger Post

HOLLYWOOD, Jan. 4. — Frederick Bryant today joined the staff of Walter Wanger as executive in charge of all color films. He resigned from Technicolor to accept his present post.

G. B. Signs Samuels

Lesser Samuels has been signed by G. B. to do the screenplays for the next two musicals to star Jessie Matthews.

Van Praag Takes House

Morton Van Praag, former general sales manager for National Screen, is now an exhibitor. He has taken over the Howard, Howard Beach, L. I., with D. Herschkowitz. Both are officers of the new operating company, Alibar, Inc.

Skouras Acquires Victory

Skouras Theatres has taken over the Victory, Bayside W., L. I. The house formerly was operated by the late Jack W. Springer.

"Hideaway" Is High in Lull At St. Louis

St. Louis, Jan. 4.—The pre-Christmas lull had its usual adverse effect on box-offices. "Hideaway Girl" and a stage show at the Ambassador took $11,500, or about $2,500 above par, but this was far below what the house had been doing in recent weeks.

None of the other first runs managed to equal their box office pars, although "Born to Dance" in its second week at Loew's came through with $9,500, which was only $500 below the house average.

Total first run business was $53,050. Average is $58,500.

Estimated takings for the week ending Dec. 24:

"HIDEAWAY GIRL" (Para.)
AMBASSADOR—(3,018), 25c-40c-55c, 7 days, with pit orchestra and stage show. **Gross:** $11,500. (Average, $9,000)

"BANJO ON MY KNEE" (20th-Fox)
"CAREER WOMAN" (20th-Fox)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $11,000. (Average, $14,000)

"BORN TO DANCE" (M-G-M)
LOEW'S—(3,162), 25c-35c-55c, 7 days, 2nd week. **Gross:** $9,500. (Average, $10,000)

"BENGAL TIGER" (W.B.)
"MAN WHO LIVED TWICE" (Col.)
MISSOURI — (3,214), 25c-40c, 7 days. **Gross:** $8,600. (Average, $9,000)

"THREE MEN ON A HORSE" (W.B.)
"PENNIES FROM HEAVEN" (Col.)
ORPHEUM—(1,950), 25c-35c-55c, 7 days, 3rd week. **Gross:** $5,000. (Average, $6,000)

"PRESIDENT'S MYSTERY" (Republic)
"HEARTS IN BONDAGE" (Republic)
SHUBERT-RIALTO—(1,725), 20c-25c, 7 days. **Gross:** $2,200. (Average, $3,500)

"BIG BROADCAST OF 1937" (Para.)
ST. LOUIS—(4,000), 25c-40c, 7 days, 2nd run. Stage: Vaudeville. **Gross:** $5,250. (Average, $7,000)

"Thin Man" Proves Houston's Best Bet

Houston, Jan. 4.—"After the Thin Man" shot far ahead of the field Christmas week to take $10,500, which was $3,500 above par at Loew's State.

"College Holiday" raised Metropolitan grosses from $7,000 to $7,700, and " Rose Bowl," playing three days at the Kirby, raised that theatre's $5,000 weekly average to $5,250.

"Gold Diggers of 1937" at the Majestic failed to click, taking only $6,300. Average is $7,000. "Polo Joe" and "Three Cheers for Love" at the Kirby drew normal business.

Night clubs, hotels dances and home parties gave theatres little competition. Rainy but warm weather failed to halt holiday crowds.

Total first run business was $29,750. Average is $26,000.

Estimated takings for the week ending Dec. 26:

"POLO JOE" (W. B.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days $5,000)

"THREE CHEERS FOR LOVE " (Para.)
KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,000. (Average, 7 days, $5,000)

"ROSE BOWL" (Para.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,250. (Average, 7 days, $5,000)

"AFTER THE THIN MAN" (M-G-M)
LOEW'S STATE—(2,750), 25c-50c, 7 days. **Gross:** $10,500. (Average, $7,000)

"GOLD DIGGERS OF 1937" (F. N.)
MAJESTIC—(2,250), 25c-50c, 7 days. **Gross:** $6,300. (Average, $7,000)

"COLLEGE HOLIDAY" (Para.)
METROPOLITAN—(2,600), 25c-50c, 7 days. **Gross:** $7,700. (Average, $7,000)

"Diggers" At $18,000 Top In Pittsburgh

Pittsburgh, Jan. 4.—"Gold Diggers of 1937" at the Penn set a fast pace, with $18,000 against an average of $11,000, as the city's theatres had the best Christmas-New Year's week they have had in years. The total gross for the week went $20,000 over par.

"Banjo on My Knee" at the Alvin did $10,500 against a house average of $5,500; "Sing Me a Love Song" with a stage show at the Stanley went over the $18,500 average by $5,750.

Total grosses in five first-run houses were $65,300. Average is $44,500.

Estimated takings for week ending Dec. 31:

"BANJO ON MY KNEE" (20th-Fox)
ALVIN—(2,000), 25c-40c, 7 days. **Gross:** $10,500. (Average, $5,500)

"STOWAWAY" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $6,350. (Average, $4,500)

"GOLD DIGGERS OF 1937" (W.B.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $18,000. (Average, $11,000)

"SING ME A LOVE SONG" (F.N.)
STANLEY — (3,600), 25c-60c, 7 days. Stage: Herbert Mundin, Johnny Perkins, Eleanor Holm, Arthur Jarrett, Dick, Don and Dinah, Madelyn Killeen, Halliday and Clark, Balabanow Six. **Gross:** $24,250. (Average, $18,500)

"ALL-AMERICAN CHUMP" (M-G-M)
"FUGITIVE IN THE SKY" (W.B.)
WARNER — (2,000), 25c-40c, 7 days. **Gross:** $6,200. (Average, $4,500)

"Smartest," Show $4,000 at Spokane

Spokane, Jan. 4.—"Smartest Girl in Town," with five acts of eastern vaudeville, first in six months, at increased prices gave the Orpheum the week's lead with $4,000 for three days, $1,500 above par.

"Stowaway" and "Wedding Present" grossed $8,000 at the Fox, $1,000 over average. "Love on the Run," for five days in its second week at the State, barely pulled $3,200, not up to par.

Total first run business was $20,500. Average is $17,100.

Estimated takings:

Week Ending Dec. 28:

"LOVE ON THE RUN" (M-G-M)
STATE—(1,000) 30c-40c, 5 days, 2nd week. **Gross:** $3,200. (Average, 7 days, $4,800)

"POLO JOE" (F. N.)
FLYING HOSTESS" (Univ.)
ORPHEUM—(1,200), 20c-30c, 5 days. **Gross:** $4,000. (Average, $3,000)

"TUGBOAT PRINCESS" (Col.)
GRANADA—(600), 15c-25c, 3 days. **Gross:** $600. (Average, $500)

Week Ending Dec. 30:

"STOWAWAY" (20th-Fox)
"WEDDING PRESENT" (Para.)
FOX—(2,300), 25c-40c, 7 days. **Gross:** $8,000. (Average, $7,000)

"SMARTEST GIRL IN TOWN" (RADIO)
ORPHEUM—(1,200), 30c-40c. Stage: Five acts vaudeville. **Gross:** $4,000. (Average, at 20c-30c, $2,500)

"BIG SHOW" (Republic)
GRANADA—(600), 15c-25c, 4 days. **Gross:** $700. (Average, $600)

Dickinson Men Shifted

Kansas City, Jan. 4.—J. K. Shanahan has replaced Charles Hendrix as manager of the Dickinson, Olathe; while John Krieger has gone to Paola, Kan., to manage the Dickinson there.

"Stowaway" Leads Louisville Takes

Louisville, Jan. 4.—"Stowaway" made the best comparative showing at the Rialto on a short week, and pulled $6,500, $2,000 over the line.

"Three Smart Girls" at the Strand tallied $3,900, helped in a large measure by a fine Christmas Day business. This was $400 over the normal take. It will be moved to the Brown for a holdover.

"Gold Diggers of 1937" at the Mary Anderson made a fair showing, taking $3,800, over average by $300, and will be held for a second week. "The Garden of Allah" at Loew's State, coupled with "Sinner Take All," did $5,800, to top the usual take by $300.

The weather has been mild. Opposition was active, and included boxing and wrestling shows, charity performances, and a one night show by the Princeton Triangle Club at Memorial Auditorium.

Total first run business was $25,600. Average is $21,800.

Estimated takings for the week ending Dec. 31:

"BORN TO DANCE" (M-G-M)
BROWN—(1,500), 15c-25c-40c, 6 days, 3rd downtown week. **Gross:** $2,600. (Average, $2,500)

"BIG BROADCAST OF 1937" (Para.)
"15 MAIDEN LANE" (20th-Fox)
KENTUCKY—(900), 15c-25c, 6 days. **Gross:** $2,300. (Average, $1,500)

"THE GARDEN OF ALLAH" (U. A.)
"SINNER TAKE ALL" (M-G-M)
LOEW'S STATE—(3,000), 15c-25c-40c, 6 days. **Gross:** $5,800. (Average, $5,500)

"GOLD DIGGERS OF 1937" (F. N.)
MARY ANDERSON—(1,000), 15c-25c-40c, 6 days. **Gross:** $3,800. (Average $3,500)

"DEVILS DOGS OF THE AIR" (W. B.)
"ROMANCE IN MANHATTAN" (Radio)
"TWO FOR TONIGHT" (Para.)
"PAGE MISS GLORY" (W. B.)
OHIO—(900), 15c, 6 days, split week. **Gross:** $700. (Average, $800)

"STOWAWAY" (20th-Fox)
RIALTO—(3,000), 15c-25c-40c, 6 days. **Gross:** $6,500. (Average, $4,500)

"THREE SMART GIRLS" (Univ.)
STRAND—(1,500), 15c-25c-40c, 6 days. **Gross:** $3,900. (Average, $3,500)

Three Films, Show Leader in Lincoln

Lincoln, Neb., Jan. 4.—Major Bowes' amateur all-girl unit with three films, "Career Woman," "Our Relations" and "Follow Your Heart" on a split took the highest profit margin at the Orpheum this week. The $2,800 take was $1,050 above normal.

"More Than a Secretary" was strong at $1,800, $700 up, and "Born to Dance" hit pretty well with $3,700, $600 over par. These films were at the Varsity and Stuart, respectively.

Total first run business was $11,950. Average is $9,000.

Estimated takings:

Week Ending Dec. 30:

"KING OF THE PECOS" (Republic)
DON'T TURN 'EM LOOSE" (Radio)
"MYSTERIOUS CROSSING" (Univ.)
"THREE OF A KIND" (Invincible)
LIBERTY—(1,200), 10c-15c, 7 days. **Gross:** $950. (Average, $850)

Week Ending Dec. 31:

"COLLEGE HOLIDAY" (Para.)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,700. (Average, $2,200)

"CAREER WOMAN" (20th-Fox)
"OUR RELATIONS" (M-G-M)
"FOLLOW YOUR HEART" (Republic)
ORPHEUM — (1,350), 10c-15c-20c-25c-40c, 7 days. Stage: three days of Major Bowes' amateur all-girl unit. **Gross:** $2,800. (Average, $1,750)

"BORN TO DANCE" (M-G-M)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $3,700. (Average, $3,100)

"MORE THAN A SECRETARY" (Col.)
VARSITY—(1,100), 10c-20c-25c-35c, 7 days. **Gross:** $1,800. (Average, $1,100)

$17,200 Dual Best Draw in Frisco Week

San Francisco, Jan. 4.—"Pennies from Heaven" and "You Can't Get Away with It," dualled at the Orpheum, led the parade here with $17,200, which was $7,700 over par. Generally it was a smash week for local houses, all of them going over average.

"Gold Diggers of 1937" and "Fugitive in the Sky" in a dual at the Fox, went $7,000 over the $16,000 average to take $23,000. "College Holiday" and "Join the Marines" was good for $18,000 against a house average of $13,000 at the Paramount.

Severe rainstorms hurt business.

Total first run business was $119,700. Average is $85,000.

Estimated takings:

Week Ending Dec. 29:

"ISLE OF FURY" (W.B.)
"DOWN THE STRETCH" (W.B.)
EMBASSY — (1,400), 15c-30c-35c-40c, 7 days. **Gross:** $4,800. (Average, $4,500)

"RAINBOW ON THE RIVER" (RKO)
GOLDEN GATE—(2,850), 15c-30c-35c-40c-55c, 7 days. Stage, vaudeville. **Gross:** $21,000. (Average, $16,000)

"PENNIES FROM HEAVEN" (Col.)
"YOU CAN'T GET AWAY WITH IT" (Univ.)
ORPPHEUM—(2,440), 15c-30c-35c-40c-55c, 7 days. **Gross:** $17,200. (Average, $9,500)

Week Ending Dec. 30:

"GOLD DIGGERS OF 1937" (W.B.)
"FUGITIVE IN THE SKY" (W.B.)
FOX — (5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $23,000. (Average, $16,000)

"STOWAWAY" (20th-Fox)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days **Gross:** $10,500. (Average, $7,000)

"EAST MEETS WEST" (G.B.)
"SMART BLONDE" (W.B.)
WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $15,500. (Average, $13,000)

Week Ending Dec. 31:

"COLLEGE HOLIDAY" (Para.)
"JOIN THE MARINES" (Rep.)
PARAMOUNT—(2,740), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $18,000. (Average, $13,000)

"THREE MEN ON A HORSE" (W.B.)
"MAD HOLIDAY" (M-G-M)
ST. FRANCIS—(1,400), 15c-30c-35c-40c, 7 days, 3rd downtown week. **Gross:** $8,400. (Average, $6,000)

Week Ending Jan. 1:

"PA SOLSIDAN"
(Scandinavian Talking Pictures)
CLAY—(400), 15c-30c, 8 days. **Gross:** $1,300. (Average, $1,000)

Complete Beecroft Setup

Madison, Wis., Jan. 4.—The last step in financial reorganization of the Beecroft Bldg. Co., owner of the Orpheum, Parkway, Strand and New Madison, was taken with the filing of a final report showing successful operation of the theatre company during the period of litigation.

According to the report, the company now has $37,000 in cash, of which about $20,000 has been placed in a bond redemption fund. In addition, the company met its interest payments on Dec. 1. The rate of interest is four per cent per year on bonds totaling $839,000.

Smith Back at Dallas

Dallas, Jan. 4.—John Smith, for many years associated with Interstate in various capacities, has returned to the executive staff after a period with Warner theatres in Wilmington, Del. Smith's new title is home representative and his duties will include direction of exploitation on special pictures.

1912-37

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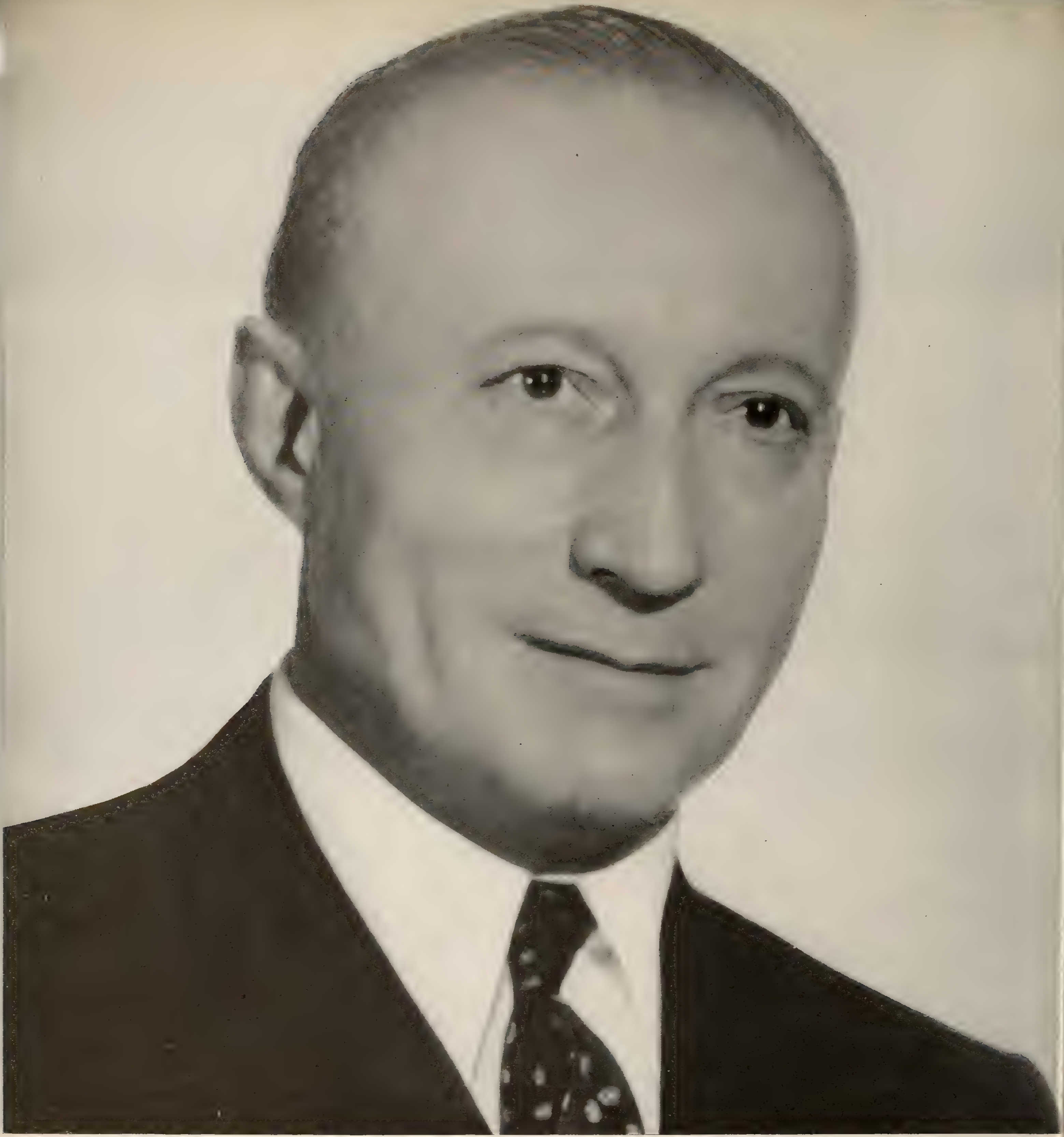

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Razor keen, bold, a dreamer, a builder... today, as always, the grandest showman in the business

By his deeds shall you know him

The story of Adolph Zukor's twenty-five years in motion pictures is the story of the motion picture industry itself. From old files, from the old prints, come the stills on the following pages, which, quaint to our 1937 eyes, yet mark brilliant moments in our motion picture past. From today's prints, from tomorrow's plans, come the stills which promise equally brilliant moments in our present and in our future. In every one of these, old and new, you will see great stars, joining with great productions to etch ever deeper, ever clearer, that famous hallmark of motion picture success: "Adolph Zukor Presents."

Paramount
Pictures

1912

SUPER-LINER "TITANIC"
SINKS ON MAIDEN VOYAGE

SHOWMAN ZUKOR'S FIRST TRIUMPH

While a conservative and timid show world holds its breath, Adolph Zukor pays the record high of $35,000 to bring the first big time feature to the screen, the French four reeler, "Queen Elizabeth", starring the one and only Sarah Bernhardt, grandest actress of the day . . . the picture is a smash hit!

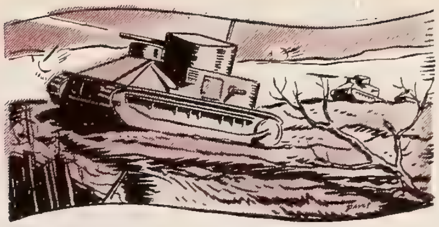
[1] Motion picture advertising gets under way. The poster Adolph Zukor had designed for the Bernhardt picture.

[2] How the Divine Sarah looked to the high hat audience jamming the Lyceum Theatre in New York for the invitation premiere of "Queen Elizabeth", July 12, 1912.

[3] The historic old Lasky barn where Showman Zukor's new partner made "The Squaw Man".

[4] When one showman meets another. Adolph Zukor and Jesse Lasky plan the new Famous Players-Lasky lot in Hollywood.

1916



FAMOUS PLAYERS GETS UNDER WAY

With Daniel Frohman's aid, Adolph Zukor goes after the big names of the legitimate theatre . . . and gets them for the first Famous Players feature pictures . . . in a series which has the whole show world standing on its head with amazement.

[1] America's Sweetheart talks it over with the Chief. An old photograph, printed through the courtesy of Photoplay Magazine.

EXTRA! EXTRA!
SOCIETY WOMAN STEALS
RED CROSS FUNDS
4

[2] The first actor to star in a Zukor picture. James O'Neil, father of playwright Eugene O'Neil, in "Count of Monte Cristo".

[3] Greatest American actress of her generation, Minnie Maddern Fiske brings her "Tess of the D'Ubervilles" to the screen.

[4] Fannie Ward and Sessue Hayakawa together in the rip-roaring melodrama, "The Cheat".

[5] Mr. Zukor shoots the works with Geraldine Farrar bringing her "Carmen" to the screen.

1917

A WORLD AT WAR
THE ZERO HOUR

A $25.000.000 CORPORATION

Bigger and better pictures making bigger and better profits cause Famous Players-Lasky to purchase Paramount, distributing unit...and now it's Zukor...Lasky...Goldwyn... De Mille...with the Paramount flag at the mast head...the grandest lineup of showmen ever under one banner.

[1] "The Miracle Man", with Thomas Meighan and Lon Chaney, marks a new high in motion picture drama.

[3] Enter Wallace Reid! His star rises for the first time in 1916 in "The Affairs of Anatol".

[2] Marguerite Clarke, one of the earliest box-office finds, in her famous picture, "The Goose Girl".

[4] Gloria Swanson as she appeared with members of the huge cast in Cecil B. DeMille's spectacular "Male and Female".

1926

PARAMOUNT PROUDLY PRESENTS

Exciting years . . . epic years . . . years which knew the glories of Rudolph Valentino, of Pola Negri . . . years which gave the world such mighty pictures as "The Sheik", "The Affairs of Anatol", "Manslaughter", "The Ten Commandments", "The Covered Wagon" . . . years which saw Adolph Zukor's company become the greatest in the industry.

[1] Adolph Zukor and Rudolph Valentino talk it over on the Paramount lot.

[3] Typical shot from the glorious story of the pioneers, "The Covered Wagon".

[2] Cecil B. DeMille, maker of miracles, rehearses part of the huge cast of "The Ten Commandments".

[4] Harold Lloyd in one of his earliest money makers for Paramount, "For Heaven's Sake".

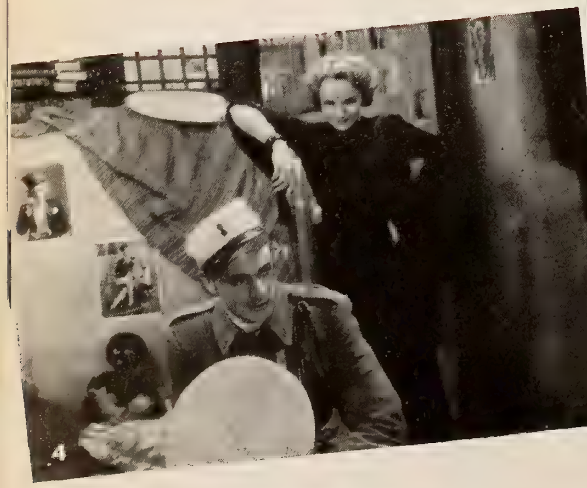
1927

THE GREAT DELUSION
BEAR MARKET

S.R.O....COAST TO COAST...

2

3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6

[1] Will Hays congratulates Adolph Zukor on the completion of the new Paramount Building.

[2] The defense of the fortress in the first great Foreign Legion picture, "Beau Geste".

[3] In with a bang! with Clara Bow, of course, in her first box-office smash "It".

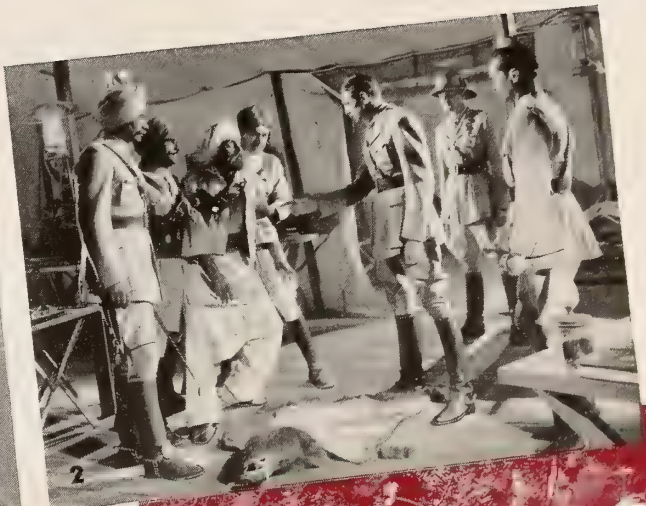
[4] Marlene Dietrich and Gary Cooper show a Legionnaire's life is not an unhappy one in "Morocco".

[5] Gary Cooper in his *first* starring vehicle, Owen Wister's American classic, "The Virginian".

[6] The first great aviation picture and, incidentally, the first Gary Cooper picture, "Wings".

1935

ROMANCE MODERN STYLE



[1] Maurice Chevalier, Mr. Zukor's famous import from La Belle France, with Claudette Colbert in the smash hit "The Smiling Lieutenant".

[2] Gary Cooper and Franchot Tone in "The Lives of a Bengal Lancer"... one of the *grandest* action pictures.

[3] The first box-office success in Technicolor, Fred MacMurray and Sylvia Sidney, in the Henry Hathaway version of "The Trail of the Lonesome Pine".

[4] Gary Cooper and Helen Hayes send Hemingway's best seller, "A Farewell to Arms", into the heavy money.

[5] Charles Laughton shows, with the aid of Charles Ruggles that "Ruggles of Red Gap" is still one of the best American stories ever written.

1936

IN THE SKY~
RETURNS

HAND ON THE THROTTLE...*Full steam ahead!*

June 1936 finds Adolph Zukor back on the West Coast in active charge of Paramount Production . . . July . . . August... September ... October ... and one after another come the big hit pictures which prove, at the box-offices of the nation, that Adolph Zukor is just as canny a showman, just as clever an operator, just as powerful a force in motion pictures as he was in 1912 . . .

Jack Benny, George Burns and Gracie Allen, three of the zanies who made "The Big Broadcast of 1937" a record breaker of the year.

Martha Raye and Bob Burns, two Paramount finds, in the first smash hit of the new Zukor regime, Bing Crosby's "Rhythm on the Range".

Gary Cooper and Madeleine Carroll fight and love in China as "The General Died at Dawn" wins more cheers for the Zukor command.

A scene from Emanuel Cohen's contribution to the Zukor parade, Mae West, Warren William and Randolph Scott in "Go West, Young Man".

Fred MacMurray, Jack Oakie, and Jean Parker in the second of the 1936 Zukor box-office winners, "The Texas Rangers".

Reaching into Broadway, as in the old days, Mr. Zukor picks leading actress, Gladys George, to triumph in "Valiant is the Word for Carrie".

ADOLPH ZUKOR'S

Silver Jubilee in Motion Pictures

Celebrating Adolph Zukor's twenty-five years in motion pictures, Paramount proudly presents the SILVER JUBILEE GROUP OF PICTURES produced under his personal supervision.

Jack fiddles
while Martha
yearns . . .

Adolph Zukor presents . . .

"COLLEGE HOLIDAY"

with **Jack Benny,**
George Burns and
Gracie Allen, Mary
Boland, Martha Raye,
Marsha Hunt, Eleanore Whitney,
Johnny Downs, Ben Blue
Directed by Frank Tuttle

Benny music for Boland ears . . .

Rah! Rah! Rah! Women!

Hey, Gracie! Wrong man!

Adolph Zukor presents . . .

Gary Cooper
and Jean Arthur in
Cecil B. DeMille's
"THE PLAINSMAN"

with
James Ellison, Charles Bickford,
Helen Burgess, Porter Hall.
Directed by Cecil B. DeMille

"Tip yore hat when you speak to a lady"

DeMille gives Custer battle orders

Yellow Hand puts Gary and Jean on spot

Battle of Beecher's Island

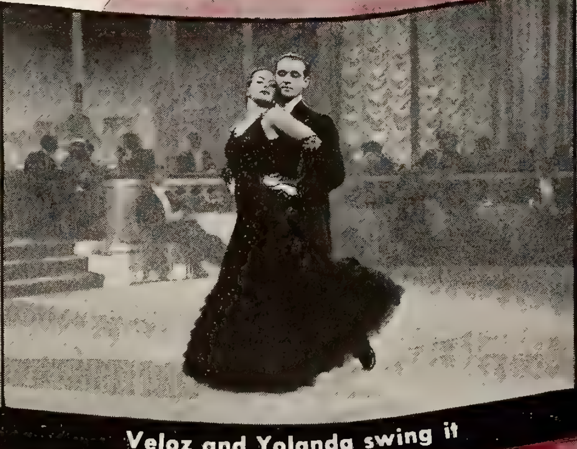
Adolph Zukor presents . . .

Gladys Swarthout
and Fred MacMurray
in
"CHAMPAGNE WALTZ"
with

Jack Oakie, Veloz and Yolanda, Herman Bing, Vivienne Osborne, Frank Forest, Benny Baker, Ernest Cossart.

Directed by A. Edward Sutherland

Love in Vienna



Veloz and Yolanda swing it

A bumper crop of comedy

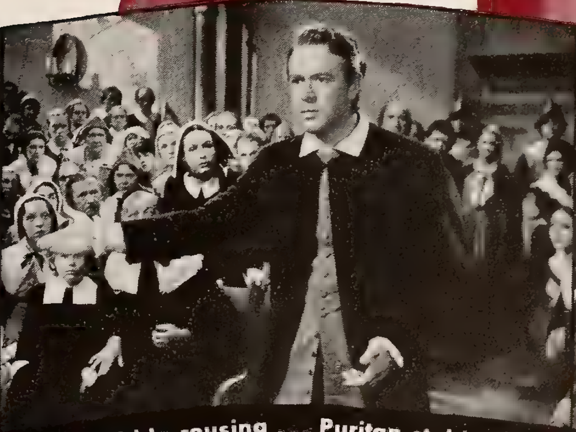
"Dance...dance ...dance...little lady..."

Adolph Zukor presents . . .

Claudette Colbert
and
Fred MacMurray
in Frank Lloyd's
"MAID OF SALEM"

with Harvey Stephens, Gale
Sondergaard, Louise Dresser,
Edward Ellis, Virginia Weidler,
Bonita Granville.
Directed by Frank Lloyd
Produced by Howard Estabrook

Love making . . . Puritan style . . .



Rabble rousing . . . Puritan style . .

Thanksgiving dinner . . . Puritan style . .

"Courage, darling . . . they can't hurt us..."

Adolph Zukor presents...

"WAIKIKI WEDDING"

with

Bing Crosby, Bob Burns, Martha Raye, Shirley Ross, George Barbier

Directed by Frank Tuttle

Strum fun for Bing and old Hawaii

Bing learns a new kind of swing on the beach at Waikiki

Adolph Zukor presents...

Irene Dunne

in

"HIGH, WIDE AND HANDSOME"

A Rouben Mamoulian Production

with

Randolph Scott, Dorothy Lamour, William Frawley, Akim Tamiroff, Benny Baker, Charles Bickford

Directed by Rouben Mamoulian

Music by Jerome Kern and Oscar Hammerstein II

Two new and shining stars...

The star of "Show Boat" ...in a big musical with the sweep of "Cimarron"...

Adolph Zukor presents . . .

Edward Arnold and
Francine Larrimore
in

"JOHN MEADE'S WOMAN"

with
Gail Patrick, George Bancroft, John Trent,
Sidney Blackmer
Directed by Richard Wallace
a B. P. Schulberg Production

"You're a strong man, John Meade"

"I told you I'd ruin you . . ."

He tried to buy her love...

A HAROLD LLOYD PRODUCTION
starring
HAROLD LLOYD

Spectacular!

And Lloyded with laughs . . .

The point is . . . it's another Lloyd laugh hit!

Adolph Zukor presents...

Claudette Colbert

in

"I MET HIM IN PARIS"

(Tent. Title)

Produced and directed by
Wesley Ruggles

"Lovin' you is just one long pain in the neck..."
"Which one of you buzzards started this?"
"Sister, I'm beginnin' to like Panama"...

Adolph Zukor presents..

Carole Lombard
and
Fred MacMurray

in

"SWING HIGH, SWING LOW"

with
Charles Butterworth, Jean Dixon,
Dorothy Lamour, Harvey Stephens
Based on a play by George Manker
Watters and Arthur Hopkins
Directed by Mitchell Leisen

Adolph Zukor presents...

Gary Cooper
and George Raft
in
"SOULS AT SEA"

with **Frances Dee**, Henry Wilcoxon, Olympe Bradna, Robert Cummings, Porter Hall, Harry Carey

Directed by Henry Hathaway

"This old sea ain't got me whipped yet"...

Francis Dee who plays the heroine

Henry Wilcoxon goes marine

Taking one of the difficult sea shots...

Before the tragedy ... dinner in England...

Yesterday

Today

Always

If it's a Paramount Picture

it's the best show in town

Paramount
Pictures

"Holiday" Is Top Draw in Twin Cities

MINNEAPOLIS, Jan. 4.—"College Holiday" led the way as theatre pulled out of the pre-Christmas slump, and with all houses in the Twin Cities doing better than average business. The film at the local Minnesota did $13,000 against an average $10,000. "Three Men on a Horse" at the St. Paul Orpheum grossed $6,000, bettering the average by $2,000.

"Banjo On My Knee" beat an average $3,500 by $1,500 at the Riviera and "A Midsummer Night's Dream" returning at popular prices grossed $3,300 as against an average $2,500 at the Minneapolis World. "Gold Diggers of 1937" boosted the average of $6,000 at the Minneapolis Orpheum by $2,000.

Total first run business in Minneapolis was $32,600. Average is $25,500. Total first run business in St. Paul was $20,500. Average is $14,500.

Estimated takings:

Minneapolis:

Week Ending Dec. 30:

"COLLEGE HOLIDAY" (Para.)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $13,000. (Average, $10,000)

"RAINBOW ON THE RIVER" (Radio)
STATE—(2,300), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

"MIDSUMMER NIGHT'S DREAM" (W.B.)
WORLD—(400), 25c-35c, 7 days, 2nd week. **Gross:** $3,300. (Average, $2,500)

"GOLD DIGGERS OF 1937" (W.B.)
ORPHEUM—(2,900), 25c-40c, 7 days. **Gross:** $8,000. (Average, $6,000)

Week Ending Dec. 29:

"ROSE BOWL" (Para.)
LYRIC—(1,239), 20c-25c, 7 days. **Gross:** $1,800. (Average, $1,500)

St. Paul:

Week Ending Dec. 30:

"THREE MEN ON A HORSE" (F.N.)
ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $6,000. (Average, $4,000)

"BANJO ON MY KNEE" (20th-Fox)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $5,000. (Average, $3,500)

Week Ending Dec. 31:

"LOVE ON THE RUN" (M-G-M)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $7,500. (Average, $5,500)

"POLO JOE" (W.B.)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $2,000. (Average, $1,500)

Missouri House Burns

KANSAS CITY, Jan. 4.—The Lambert, Frank Lambert's house at Princeton, Mo., burned to the ground last week after a fire in a lumber yard next door got out of control. The theatre, partially protected by insurance, was a total loss, which was estimated at $20,000. Lambert plans to rebuild.

Circuits Buy Theatres

SALT LAKE CITY, Jan. 4.—Purchase of the Fox-Orpheum and leasing of the Studio Theatre in Salt Lake City by Intermountain Theatres, Inc., is set. C. Clare Woods will manage the Orpheum and Paul Hendry will manage the Studio.

M. and P. in Hull, Mass.

BOSTON, Jan. 4.—M. and P. has taken over the Bayside, Hull, from Daniel Murphy who has run the theatre for the past quarter-century. Murphy also runs the Loring Hall, Hingham, where he is taking a Sunday ban to the public by referendum.

"Banjo" at $9,200 Cincinnati Leader

CINCINNATI, Jan. 4.—Grosses for the last week of the year were the best in many weeks, with "The Plot Thickens" plus the Olsen and Johnson unit on the RKO Shubert stage leading the field with $14,000 for six days, compared with a seven-day average of $12,000.

"Banjo On My Knee" played to a fine $9,200 for the best gross in months at Keith's and was held. Normal is $6,500. "Gold Diggers of 1937" did $13,000 for the RKO Albee, up $1,000, and moved to the RKO Lyric. The weather was good. The Federal Theatre project provided competition.

Total first run business was $64,800. Average is $58,700.

Estimated takings for the week ending Dec. 31:

"GOLD DIGGERS OF 1937" (F.N.)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $13,000. (Average, $12,000) Moved to RKO Lyric.

"THE STOWAWAY" (20th-Fox)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $11,000. (Average, $10,000) Moved to RKO Capitol.

"THE PLOT THICKENS" (Radio)
RKO SHUBERT—(2,150), 40c-60c, 7 days. Stage: Olsen and Johnson unit. **Gross:** $14,000 (Average, $12,000)

"BORN TO DANCE" (M-G-M)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $5,700. (Average, $6,500) Moved to RKO Grand.

"RAINBOW ON THE RIVER" (Col.)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $5,800. (Average, $6,500)

"PENNIES FROM HEAVEN" (Col.)
RKO GRAND—(1,200), 25c-40c, 7 days, 3rd downtown week. **Gross:** $3,100. (Average, $2,750)

"BOSS RIDER OF GUN CREEK" (Univ.)
RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,650. (Average, $1,250)

"NORTH OF NOME" (Col.)
RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,450. (Average, $1,200)

"BANJO ON MY KNEE" (20th-Fox)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $9,200. (Average, $6,500)

"Diggers" Leads in Portland at $8,700

PORTLAND, Jan. 4.—"Gold Diggers of 1937" in its second week at United Artists continued to draw heavily with take of $8,700, over par by $3,700.

"College Holiday" and "Charlie Chan at the Opera" were held for the holidays and a second week at the Paramount, securing $7,000, over house average by $2,000. The weather was clear and cold.

Total first run business was $37,300. Average is $24,700.

Estimated takings for week ending Dec. 26:

"AFTER THE THIN MAN" (M-G-M)
"DOWN ON THE STRETCH" (F. N.)
BROADWAY—(1,912), 30c-35c-40c, 7 days. **Gross:** $7,500. (Average, $5,000)

"CHARGE OF THE LIGHT BRIGADE" (W. B.)
"LADY BE CAREFUL" (Para.)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days (5th Week). **Gross:** $2,000. (Average, $1,700)

"LIBELED LADY" (M-G-M)
"CASE OF BLACK CAT" (F. N.)
MAYFAIR—(1,700), 30c-35c-40c, 7 days, (8th Week). **Gross:** $4,000. (Average, $3,000)

"STOWAWAY" (20th-Fox)
"SMARTEST GIRL IN TOWN" (Radio)
ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $8,100. (Average, $5,000)

"COLLEGE HOLIDAY" (Para.)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
PARAMOUNT—(3,008), 30c-35c-40c, 7 days, (2nd week). **Gross:** $7,000. (Average, $5,000)

"GOLD DIGGERS OF 1937" (W. B.)
UNITED ARTISTS—(945), 30c-35c-40c, 7 days, (2nd week). **Gross:** $8,700. (Average, $5,000)

'Thin Man' $16,500 Providence Winner

PROVIDENCE, Jan. 4.—A bonanza week followed the Christmas holidays with all of the downtown houses doing well. Loew's was tops at $16,500 with "After the Thin Man," bettering the usual take by $4,500. "Stowaway" at the Majestic was $3,000 to the good on a gross of $10,000 and "College Holiday" and "Gentleman From Lousiana" caught $9,000, over by $2,500, at the Strand.

"Rainbow on the River," on a dual with "The Plot Thickens," brought in $8,500 to the RKO Albee, bettering average by $1,500, and Fay's garnered $7,200 with "King of Hockey" and five acts of vaudeville.

The weather was warm and rainy with hockey and pro boxing providing most of the competition.

Total first run business was $51,200. Average is $39,500.

Estimated takings for the week ending Dec. 31:

"STOWAWAY" (20th-Fox)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $10,000. (Average, $7,000)

"KING OF HOCKEY" (W.B.)
FAY'S—(1,600), 15c-40c, 7 days. On stage: Five acts of vaudeville. **Gross:** $7,200. (Average, $7,000)

"COLLEGE HOLIDAY" (Para.)
"GENTLEMAN FROM LOUISIANA" (Republic)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $9,000. (Average, $6,500)

"RAINBOW ON THE RIVER" (RKO)
"THE PLOT THICKENS" (RKO)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $8,500. (Average, $7,000)

"AFTER THE THIN MAN" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $16,500. (Average, $12,000)

"College Holiday" Big in New Haven

NEW HAVEN, Jan. 4.—Holiday prices on Christmas and a good weekend shot. The Paramount, with "College Holiday" and "The Accusing Finger" up from a $4,800 average to $8,300.

"Three Smart Girls," on a dual with "Fugitive in the Sky," took $7,800. Normal is $4,700 at the Roger Sherman. The College grossed $4,000 with "Old Hutch" and "Can This Be Dixie." Although matinee business was good, "Stowaway" and "Laughing at Trouble" at the Poli fell slightly under par with a $6,500 gross.

The weather continued mild and business was conceded to be at least 10 per cent over Christmas week last year.

Total first run business was $26,600. Average is $19,300.

Estimated takings for the week ending Dec. 31:

"OLD HUTCH" (M-G-M)
"CAN THIS BE DIXIE?" (20th-Fox)
COLLEGE—(1,499), 25c-35c, 7 days. **Gross:** $4,000. (Average, $2.800)

"COLLEGE HOLIDAY" (Para.)
"THE ACCUSING FINGER" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $8.300. (Average, $4,800)

"STOWAWAY" (20th-Fox)
"LAUGHNG AT TROUBLE" (20th-Fox)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $6,500. (Average, $7.000)

"THREE SMART GIRLS" (Univ.)
"FUGITIVE IN THE SKY" (W. B.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $7,800. (Average, $4,700)

Assign McGuinness

HOLLYWOOD, Jan. 4.—James K. McGuinness' first as an associate producer at M-G-M will be a remake of "Madame X," starring Gladys George.

"Theodora" Up As Washington Grosses Slide

WASHINGTON, Jan. 4.—Washington theatres took it on the chin with only two houses showing anything like normal business.

The Metropolitan, playing "Theodora Goes Wild" on the second week of a return engagement, took $5,400 to top the first run average by $1,100.

"Rose Bowl" was a surprise at Loew's Columbia where $3,800 was taken, over par by $200.

Total first run business was $52,500. Average is $76,700.

Estimated takings, exclusive of tax:

Week Ending Dec. 22:

"WE WHO ARE ABOUT TO DIE" (Radio)
RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $7,400. (Average, $10,600)

Six Days Ending Dec. 24:

"DON QUIXOTE" (Nelson Film & Vandor Film) (Revival)
"THE LIFE OF EDWARD VIII" (G. B.) (Second week)
BELASCO—(1,140), 25c-65c, 6 days. **Gross:** $1,400. (Average, 7 days, $3,000)

Week Ending Dec. 24:

"POLO JOE" (W. B.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Josephine Huston, Claire & Shannon, Elizabeth Houston & Dan Harden, Ray Wilbert, Loyal's Royal Arabian Stallions. **Gross:** $13,000. (Average, $18,400)

"CHARLIE CHAN AT THE OPERA" (20th-Fox)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Elida Ballet, George Beatty, St. John Brothers, Lunnie & Lattenz, Moore & Revel. **Gross:** $14,500. (Average, $20,900)

"ROSE BOWL" (Para.)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days. **Gross:** $3,800. (Average, $3,600)

"THEODORA GOES WILD" (Col.)
METROPOLITAN—(1,591), 25c-40c, 7 days (return engagement, 2nd week). **Gross:** $5,400. (Average, first run, $4,300)

Eight Days Ending Dec. 24:

"BORN TO DANCE" (M-G-M)
LOEW'S PALACE—(2,370), 35c-55c, 8 days, (2nd week, plus 1 day on third). **Gross:** $7,000. (Average, first week, $15,900)

"Hideaway" Is Top In Montreal Slump

MONTREAL, Jan. 4.—"Hideaway Girl" at Loew's brought out the best crowds and grossed $9,500 with the help of vaudeville.

"Polo Joe," one of two features at the Princess, drew $5,500, under average by $1,500, to earn second place in the weak pre-Christmas standing.

"A Midsummer Night's Dream" at the Capitol took $6,500, $3,000 under.

Total first run business was $32,500. Average is $43,000.

Estimated takings for the week ending Dec. 26:

"MIDSUMMER NIGHT'S DREAM" (W. B.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $6,500. (Average, $9,500)

"SPY OF NAPOLEON" (British)
"IN TOWN TONIGHT" (British)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c. 7 days. **Gross:** $3,500. (Average, $5,000)

"HIDEAWAY GIRL" (Para.)
LOEW'S—(3,115), 25c-34c-40c-50c-60c, 7 days. Stage: Vaudeville. **Gross:** $9,500. (Average, $10,500)

"OLD HUTCH" (M-G-M)
"MR. CINDERELLA" (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $7,500. (Average, $11,000)

"POLO JOE" (W. B.)
"FUGITIVE IN THE SKY" (W. B.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $5,500. (Average, $7,000)

Londoners See First Theatre Television

London, Jan. 4.—Londoners saw the first television program to be put on in a theatre tonight. It was warmly received.

George Lansbury made an introductory speech from the screen, and Billy Bennett, comedian, and Hamer and Lee did a cross-talk act, one from the stage and the other from the screen. J. L. Baird also spoke from the screen.

Future bills will include various celebrities.

See New Air Setup Urged in FCC Study

(*Continued from page* 1)

engineering division will recommend that broadcasting stations be divided into six classes, consisting respectively of clear channel stations with a minimum of 50,000 watts power; joint-frequency stations, two or more of which would operate on the same channel with 50,000 watts power; regional stations with power ranging from 10,000 to 50,000 watts; stations with power of 1,000 to 5,000 watts; stations of 250 to 1,000 watts, and local stations of 100 to 250 watts.

Officials of the N.A.B. do not believe that the report will recommend that power increases be made mandatory if the present 50,000-watt limitation is removed but rather that it will suggest allowing such changes to be brought about gradually.

WOAI Sale to CBS Off

San Antonio, Jan. 4.—The proposed sale of WOAI to CBS by the Southland Interests is "off," according to G. A. C. Halff, head of the latter company. Exceptions to an examiner's adverse report on the sale were filed to place in the record answers to the adverse report, Halff said. The proposed sale was said to involve $825,000.

WOAI will continue to be operated by Southland Industries, it is reported. NBC programs are used.

Robert Jennings Marries

Cincinnati, Jan. 4.—Robert Jennings, assistant to Frank Smith, general sales manager WLW, will be married to Page Crosley the middle of January. Miss Crosley is the daughter of Powell Crosley, Jr., president of Crosley Radio Corp., operating WLW and WSAI here.

Sol Fleischman Weds

Tampa, Jan. 4.—Sol Fleischman, chief announcer of the *Tampa Times* station WDAE (CBS) was married to Paulyne Leibovitz, daughter of a Tampa merchant.

Thornburgh, Keston Leave L. A.

Hollywood, Jan. 4.—Donald W. Thornburgh and Paul Keston, officials of CBS, left today by plane for San Francisco on expansion business. Keston will return to New York Wednesday, completing two weeks of conferences here.

Waring on Coast

Hollywood, Jan. 4.—Fred Waring arrived here yesterday for conferences with two prospective sponsors. He will return to New York tomorrow.

On the Weekend Air

"Follow the Moon"

Another set of long absent radio favorites, Nick Dawson and Elsie Hitz, returned to the airways yesterday afternoon in a new series entitled "Follow the Moon." Their debut was an auspicious and pleasing one.

The opening chapter introduced Elsie as Jean Paige, a runaway bride who leaves the groom at the altar and flees to "Moonstone," her ranch in the Sierras. En route she is met by her colored maid, Calley Johnson, and by Sheriff McGill, who warn her that a notorious bandit, "The Parson," has been seen prowling about the ranch. However, Elsie and her maid continue on to the ranch where a voice from the dark gives hint that they have met "The Parson."

Perhaps the plot thus far treads on familiar ground, but with neat direction coupled with good lines spoken well, it sounded believable. Nick Dawson wasn't formally introduced in the opening script but the voice in the dark, one suspects, is Nick's.

"Follow the Moon" is a five-time-a-week presentation over the NBC-Red, from 4:30 to 5 P. M., E.S.T. Woodbury Soap sponsors.

Myrt and Marge Return

The Myrt and Marge premiere yesterday afternoon was almost utterly ruined by the sponsor's high-powered, lengthy, and scarey commercials. Immediately after the opening theme, announcer Jean Paul King delivered an almost two-minute blurb which left little doubt as to who was sponsoring and the benefits to be derived by using the product. Worse still was the inference that unless the housewife used Super Suds, the germs would get her. To this reviewer it seemed poor psychology to try to sell a product by frightening the listener.

Getting into the program itself, Myrt and Marge offered little, if anything new, in the way of script. Instead of taking the audience behind the footlights as was done when broadcasting for Wrigleys, the program this time was set in a broadcasting studio. The story within a story opened in a radio playhouse as Myrt and Marge were rehearsing for Super Suds. The rehearsal was interrupted by a gabby woman reporter, Mrs. Twitty; even the screen's silliest sob sisters are Dorothy Parkers compared with her. The interview was curtailed by a silly character named Tiffinghuffer—how or why he crashed the script is one of those mysteries—who convinced Mrs. Twitty that he was a better subject for an interview than Myrt and Marge.

One of the better features of the program was Marge's song "Tripaway," and the manner in which it was worked into the script. Billy Artz's orchestral background was thin, but serviceable.

To get back to the commercials—the closing announcement ran a little less than a minute and a half.

The program is offered five times each week, Mondays through Fridays over the CBS network, from 2:45 to 3 P. M., E.S.T. Colgate-Palmolive-Peet, for Super Suds, sponsors.

Cook and Shell Chateau

Somebody must have told the production man on the Shell Chateau program that there is strength in numbers, for in the opening session of the refurbished series (Saturday from 9:30 to 10:30 P.M., E.S.T., over the NBC-Red) he tossed in everything but trained seal in an effort to get the program launched auspiciously.

In addition to Joe Cook and the inevitable supporting orchestra, this one piloted by Ernie Watson, the program featured "Bojangles" Bill Robinson. Admiral Richmond Pearson Hobson (he bottled up the Spanish fleet by sinking the *Merrimac* in the narrow channel of Santiago Harbor in the Spanish-American War), the "Three Horsemen" of Notre Dame (the fourth was unable to appear), radio's Vass Family, the non-radio but numerically staggering families of Don Rose and Mac Parker (28 strong), and a special band composed of some of the most famous maestri in radio, comprising Rudy Vallee, Ozzie Nelson, B. A. Rolfe, Dave Rubinoff, Ray Noble, Harry Sosnick, Guy Lombardo, Eddie Duchin and Ferde Grofe.

Just what the man who planned the program had in mind when he booked the "Horsemen" and the Parker and Rose families is not yet clear. Neither act had anything to offer. From the latter we learned that it was jolly to have a large family, but the jollity was somewhat dampened for us when it was revealed that it takes 700 pounds of butter, 98 pairs of shoes, a half-ton of bread, etc., etc., to feed and clothe 24 children each year. And considering that the "Horsemen" were graduated from Notre Dame 10 years ago, the warmed-over stories of their exploits were a bit aged.

Dusky Bill Robinson stole the honors of the evening as easily and as effortlessly as he dances. "Bojangles" offered several tap routines that drummed out of the loudspeaker flawlessly, keeping up a running fire of chatter and song as he danced. The re-enactment of Admiral Hobson's heroic achievement was good melodrama, considerably heightened by the fact that the episode is based on history. Cook was an affable and pleasing "em cee," while Ernie Watson's band put to shame the aggregation of bandleaders.

"1937 Radio Show"

The first of the Mutual-Don Lee sponsored programs was offered over the nation's newest coast-to-coast network Sunday at 6 P.M., E.S.T. Formerly known as the "National Amateur Hour" and piloted by Benny Rubin, the series bowed in as the "1937 Radio Show" with a new cast headed by Ray Knight and his "Cuckoos."

The results were a bit disappointing. Knight is a network veteran and when good he is very, very good. Sunday night he was far from his usual standard. Arnold Johnson's band, too, suffered a let-down from its usual efficient musical level. Probably the boys were trying too hard.

An excellent Knight feature, however, was the "Firing Squad" idea, created to do away with national pests. The victim was the back-thumping Old College Pal. This feature is bound to prove popular.

Two additional comedy dramatizations by Knight and his "Cuckoos"

(*Continued on page* 27)

Initial Lee-Mutual Show Begins Sunday

The first of the Don Lee offerings over a partial Mutual network begins Sunday from 10 to 11 A.M., E.S.T. The series is sponsored by the Gospel Broadcasting Ass'n.

Originating in the studios of KHJ, Los Angeles, the program will be broadcast over the additional Don Lee stations and over Mutual stations WMT, Cedar Rapids; KSO, Des Moines; KOIL, Omaha; KVOD, Denver; and WIND, Chicago.

Heatter in 2 Weeks Shot

A short-short in radio contracts has just been secured by Gabriel Heatter, who will be on the air daily for two weeks for the Modern Industrial Bank of New York beginning tomorrow afternoon at 5:15 P.M., E.S.T. The program will be heard over WOR.

Berle, Eton Boys, Et Al

Short Shots: The entire cast of Milton Berle's "Community Sing" program goes to Hollywood late this month and the program will continue from the studios . . . The Eton Boys have been set as Ed Wynn's guests this Saturday . . . Jimmy Fidler tonight will introduce the two screen players who, in his estimation, will attain stardom in 1937 . . . Buck and Bubbles are the first guests set for Sunday's RCA "Magic Key" program . . . The "Hit Parade" has been renewed for an additional 13 weeks . . . Carmella Ponselle will open a dramatic school of her own next week . . . Walter Huston will appear on Kate Smith's "Bandwagon" program Jan. 14 . . . Walter Cassel flew to Hollywood yesterday to be color-tested by Warners . . . Johnny Davis, Fred Waring's "scat" singer, has quit the band and will join up with the "Three T's," who are heard twice weekly over WEAF . . . Ferde Grofe will guest appear on the "Modern Romance" program Jan. 13 . . . Jackson Wheeler, announcer on Joe Penner's series, has been re-signed for an additional 13 weeks . . . Joe Cook will play host to the New York baseball writers at his "Sleepless Hollow" home next week . . . Kay Kyser's band, now touring the south, returns to Chicago Feb. 15, where he will have a Mutual wire.

From San Francisco

Short Shots—Darrell Donnell, *Examiner* radio editor, will be back broadcasting news flashes over KYA, local Hearst station, soon. Donnell's throat went back on him some weeks ago. . . . New Year's Day saw several well known NBC network offerings, heard locally on KPO, moved over to KGO, the Blue outlet, among them the "House of Melody," Lum and Abner, Ben Bernie, Bob Ripley and Easy Aces. . . . Gordon Brown, who made his local reputation as Night Owl for Ralph Brunton's KJBS transcription programs, in the future will change his sleeping hours to conduct KJBS "Alarm Klok Klub," which airs at 7 A. M., P.S.T., every day. . . . Bill Pabst, at KFRC, has been pinch-hitting as station manager for the Don Lee outlet now that Tom Breneman has shifted to Columbia's new KSFO. The Don Lee offices have not appointed a new station manager yet. Owen Dresden, well known in California air circles, was offered the job, it is understood, but turned it down.

McClure Top Man in Fox Midwest Contest

Kansas City, Jan. 4.—Harry McClure, manager of District No. 2 for Fox Midwest, was top man in the 17-week contest ending Dec. 26 conducted by the circuit. Fred Souttar, manager of District No. 4 at St. Louis, placed second. These two district managers and 21 house managers participated in the prize money awarded.

"McClure Week" in Topeka, Kan., key town of McClure's district, won for him, McClure said. During this promotion the mayor of Topeka issued a proclamation urging Topekans to aid McClure and Topeka units of the Fox circuit in winning top prize money by attending Fox shows during the period; the newspapers plugged the idea with plenty of free publicity, and the theatres built all their advertising around the theme.

McClure's district is made up of 28 houses in 14 towns, most of them in Eastern Kansas, three in Missouri and one in Nebraska. Lewis Sponsler, manager at Beatrice, Neb., placed first among McClure's managers, with Tom Steele, Coffeyville, Kan., second.

District Managers Edward Shanberg (outstate Missouri), H. E. Jameson (Wichita and that part of Kansas), and Martin Finklestein (Kansas City houses) placed in that order.

K. C. Tower Boosts Scale; Shifts Show

Kansas City, Jan. 4.—Coincident with an increase in admission from straight 25 cents to 25-35 cents, the Tower, William Reinke-Fox Midwest first run, has shifted its policy. Bigger names will appear in the stage shows and the dance ensemble has been increased from 10 to 12.

Ruth Wynn, formerly with F. & M., recently at the Paramount, Los Angeles, becomes dance director with Ernie Rayburn.

Ted Cook has ben engaged as m.c. for an indefinite period. He has just completed 65 weeks at B. & K.'s. Oriental, Chicago.

The house will begin reseating the lower floor (1,260 seats) immediately and within the next several weeks will reseat the entire theatre.

Fox Midwest Theatres, Inc., today increase admissions in approximately 25 to 30 theatres throughout the circuit. There will be no increase in Kansas City units other than the Tower. The increase will be five cents in each instance.

Cut Price in Omaha

Omaha, Jan. 4.—After experimenting with its first attempt in this territory to return to a single feature, 55-cent top policy, Tri-States has cut admission for the recently reopened 2,900-seat de luxe Paramount to 25 cents to 6 P. M. and 40 cents evenings. The single feature policy is retained, however.

Tip Baltimore Ad Rates

Baltimore, Jan. 4.—Starting Jan. 1, the *Sunday Sun* and Hearst's *Sunday American* here will raise the film rate 10 cents per agate line, making the rate 45 cents and the *Evening Sun* will raise its amusement rate 10 cents per agate line to 60 cents, thus conforming with the *News-Post* rate.

Out Hollywood Way

Hollywood, Jan. 4.—Hal Horne left by plane today for New York following completion of a conference with Walter Wanger yesterday.

Final shooting scripts on four Grand National features to start in January are completed. They are: "23½ Hours Leave," "Gold," "Texas Terror" and "Two Shall Meet" (tentative title).

Milton Bren, former agent, has been installed at the Hal Roach Studio as an assistant producer in charge of directors and writers . . . Bert Kalmar and Harry Ruby signed by Hal Roach to write one song during 1937 with an option for one in 1938 . . . Felix Feist spending two weeks at the M-G-M studio before returning to New York to start a Robert Benchley short, "Romance of Indigestion."

Production halted on "Robber Barons," Radio, because of illness of Alexander Hall, director . . . Warners halt "Marked Woman" because of Lloyd Bacon's illness . . . Charles R. Rogers and Harry Rapf at Yosemite for winter sports.

Terry Walker borrowed by Douglas MacLean from Paramount for feminine lead in "23½ Hours Leave" . . . Omar Kiam back from New York . . . Brandon Tynan spending New Year's in New York with family . . . Ronald Colman to report to Selznick International Feb. 1 for "The Prisoner of Zenda."

✚

Casting—Raymond Walburn and Vesy O'Davern in "Weather or No," Columbia . . . Kitty Gallian in "Stepping Toes," Radio . . . Paramount castings include Francis Sayden in "Souls at Sea," Roscoe Karns replacing Ray Milland in "Murder Goes to College," Charles Judels in "Swing High, Swing Low," and Nick Lukats and Terry Ray in "Internes Can't Take Money."

Arthur Lake in "23½ Hours Leave," Douglas MacLean . . . Franklin Pangborn and Bob Murphy in "Dangerous Number," Betty Furness, Ted Healey and William Henry in "The Old Soak," and Skeets Gallagher, Ann Rutherford and Margaret Marquis in "Epionage," M-G-M . . . Joan Blondell assigned to feminine lead in "Marry the Girl," Warners.

✚

Writers—Frank Kohner on adaptation of "Of Lena Geyer," Columbia . . . Carl Harburgh to collaborate with George Waggoner on "Three Legionnaires," General Pictures . . . A. D. Otvos and Paul Perez given term contracts by Universal.

✚

Story Buy—Universal acquires "Immortal Love," an original by John Rich.

✚

Title Change—Robert Benchley's "How to Eat" retitled "Romance of Indigestion."

Reopen Northwest Club

Seattle, Jan. 4. — The newly-remodeled quarters of the Northwest Film Club will be opened this week with an elaborate pre-holiday open house.

During the past two weeks the barroom has been entirely redecorated and refurnished, and the social quarters remodeled and enlarged. B. Marcus Priteca, theatre architect, planned and supervised the alterations.

Cinema Club to Meet

Boston, Jan. 4.—The Cinema Club, industry organization, is scheduled to hold a business meeting Jan. 20. A charity dance is being planned, according to William Cuddy

Nat Wolf to Run Ball

Cleveland, Jan. 4. — Col. Nat Wolf, Warner zone manager, has been appointed chairman of the committee on arrangements for the President's Ball to be held Jan. 30.

On the Weekend Air

(*Continued from page 26*)

fell flat. The first consisted of a burlesque on Shirley Temple playing opposite Leslie Howard in a mythical picture, "The Eternal Triangle." If Ray doesn't receive a barrage of protests from Shirley Temple lovers because of this we'll be badly mistaken. The second was a burlesque of the perennial "Uncle Tom's Cabin." 'Nough said.

Anne Lester, a hot rhythm singer, offered several numbers, as did Charles Bolton. Average is the category in which their voices must fall.

The "1937 Radio Show" will have to improve considerably if it expects to rank as a "big-time" unit. The series is sponsored by National Health Products, makers of Feenamint.

The KNX-KSFO Salute

All dedicatory programs are alike. A lot of big name stars, plenty of speech making and self-praise and routines that are warmed over from previous offerings on other programs. The CBS salute to its latest additions, KNX and KSFO (Saturday, 10:30 P.M. to 12:30 A.M., E.S.T.), was no different from its predecessors.

The program was divided in two equal parts, the first hour coming from New York, the second from Hollywood. Interspersed between the New York and Hollywood point-of-origin switches were the speeches of William S. Paley, president of CBS, and Donald W. Thornburgh, each of whom extended felicitations to the incoming stations.

Headed by Major Bowes as "em cee," the strong cast offered Milton Berle, Benny Fields, Pick and Pat, Phil Baker, Nino Martini, Rubinoff, Burns and Allen, East and Dumpke and Al Pearce. From Hollywood came offerings from Eddie Cantor and Al Jolson in a duet, Joe Penner, Cecil B. DeMille, Jack Oakie, Gertrude Niesen, Bobby Breen, Deanna Durbin, Martha Raye and Sid Silvers.

Banner

Predicts Best N. E. Business in 8 Years

(*Continued from page 1*)

trade, 10-15 per cent in industrial activity and 15 per cent in earnings.

The increase in new automobile sales for 1936 in New England was computed at 32 per cent, building at 60, and department store and other retail sales at 10 per cent.

Reports Trade Brisk

Omaha, Jan. 4.—E. R. Cummings, district manager for Tri-States, reports the best holiday business in his district since he has been connected with the industry.

Houses in Sioux City and Omaha suffered but little from the usual Christmas slump, but the business in smaller out-state towns was of record-breaking proportions during the holiday season.

Jobs Gain in Wisconsin

Madison, Wis., Jan. 4.—Private employers absorbed over 40 per cent more workers placed on jobs by the Wisconsin state employment serving during November than they did during that month last year, according to a report by E. R. Davis, manager of the agency.

Theatre Men Enthusiastic

Chicago, Jan. 4.—New England's theatre business is definitely on the upgrade, Samuel Pinanski and M. J. Mullins, largest operators of theatres in that section, declared on their arrival in Chicago from Boston en route to the coast to attend the Adolph Zukor jubilee celebration.

Sue Insurance Firm

Bucyrus, O., Jan. 4.—Otto and Eva Vollrath, owners of the Vollrath Opera House, which burned a year ago, have brought suit in Common Pleas Court against the Richland County Insurance Co., seeking to collect $5,000, claimed to be due as insurance on the building.

Wall Street

Most Off; "U" 2 Points

	High	Low	Close	Net Change
Columbia	34⅞	34¾	34¾	— ¾
Columbia, pfd. ...	43	42	43	+ ¼
Consolidated	5⅛	5	5⅛	— ⅛
Consolidated, pfd..	17	16⅝	17	.....
Gen. T. Equip. ..	30	29¼	29¾	— ⅜
Loew's, Inc.	65	64½	64⅝	— ½
Paramount	24⅜	23½	24¼	.....
Paramount 1 pfd..	170	166	170	— ¼
Paramount 2 pfd..	22	21⅜	22	+ ¼
Pathe Film	10⅛	9½	9⅞	+ ⅜
RKO	8⅜	7⅞	8⅜	+ ⅛
20th Century-Fox.	34⅞	34¼	34¾	— ⅛
20th Century, pfd..	43	43	43	— ⅞
Universal, pfd. ...	102	100	100	—2
Warner Bros. ...	17⅜	17	17⅛	— ⅛
Warner, pfd.	67⅞	67⅞	67⅞	+ ⅞

Curb Has Small Losses

	High	Low	Close	Net Change
Grand National ..	3⅝	3⅜	3⅜	— ⅛
Sonotone	2	2	2	+ ⅛
Technicolor	21	20½	20¾	— ¼
Trans-Lux	4⅜	4⅜	4⅜	— ⅛

Bonds Rise Slightly

	High	Low	Close	Net Change
Keith B. F. 6s '46	98½	98	98	— ½
Loew's 3½s '46...	101⅛	101	101⅛	+ ⅛
Paramount Pict. 6s '55	100⅜	100¼	100¼	.....
RKO 6s '41.......	116	116	116	+ ½
Warner Bros. 6s '39 wd	99½	99	99½	+ ¼

(Quotations at close of Jan. 4)

N. Y. Critics Select "Deeds," "Carnival"

(*Continued from page* 1)

required. Eighteen critics, representing 13 New York daily newspapers, represented the constituency. "Mr. Deeds" won on two ballots and "La Kermesse Heroique" on the first.

The best female performance of the year when to Luise Rainer for "The Great Ziegfeld" on four ballots. The best male performance was adjudged to have been Walter Huston's for "Dodsworth" on five ballots. Huston always has been a favorite in this procedure, but, nevertheless, it took five castings to send him across the line. Opposition to him centered largely around Spencer Tracy which means some of the critics apparently like Tracy.

However, the battle of the torrid session really raged over the best direction of the year. It took 10 ballots to assemble the necessary two-thirds for Rouben Mamoulian in recognition of "The Gay Desperado." Fritz Lang for "Fury" was the Mamoulian nemesis in this division.

This year, taking on tone, the critics will signalize their own awards with a cocktail party at the Waldorf on Jan. 24. No particular program was evolved last night and probably there won't be one. A party will be held, it seems. Arrangements also are under way for a coast-to-coast NBC broadcast, probably from 4:30 to 5 P. M., E.S.T., on that same day when Richard Watts, Jr., will be master-of-ceremonies. The designation went to him as dean of the New York film critics prior to his appointment as dramatic critic of *New York Herald-Tribune,* succeeding the late Percy Hammond.

Assistants Also Voted

While 13 papers were represented, they totaled 18 critics. Some time ago, it was determined to admit the second-string reviewers, although in the instance of the double-headers, the papers generally cast their votes as a unit. The ballot-casting roster included:

Ed Price, *Brooklyn Citizen;* Winston Burdett, *Brooklyn Daily Eagle;* Leo Miskin, *Morning Telegraph,* who voted by telephone from a sickbed; William Boehnel, *New York World-Telegram;* Kate Cameron and Wanda Hale, *Daily News;* Regina Crewe and Robert Garland, *New York American;* Irene Thirer and Archer Winsten, *New York Evening Post;* Rose Pelswick, *New York Evening Journal;* Seymour Roman, *Brooklyn Times-Union;* Howard Barnes and Marguerite Tazelaar, *New York Herald-Tribune;* Dorothy Gates, *The Daily Worker;* Bland Johanesen, *New York Daily* Mirror; John T. McManus and Frank Nugent, *New York Times.*

Withdraw Carewe Report

Washington, Jan. 4.—The Securities and Exchange Commission today revealed the withdrawal of the registration statement of Edwin Carewe Prod., Inc., at the request of the registrant.

"Woman Alone" Here

G.B. is releasing "Sabotage" with Sylvia Sidney as "The Woman Alone" in this market. "Sabotage" is the British release title.

He Wonders

Maurice McKenzie, executive assistant to Will H. Hays, the other day, received a post-Christmas card from Terry Ramsaye, editor of *Motion Picture Herald,* who is on his annual pilgrimage to Hollywood.

It was postmarked Oracle, Ariz.

Now McKenzie wonders if there isn't something prophetic in the circumstance.

306-ITOA Agreement Is Near Completion

(*Continued from page* 1)

by which the membership of Allied will be absorbed by 306.

The completed agreement between the theatre group and the union will require ratification by the full membership of both bodies before becoming effective, and the same is true of the Allied-306 agreement, which is described as in the nature of a formality, made necessary by legal procedure, the initial arrangement being the important one. The final drafting of an agreement, now in progress, follows a recent meeting with the members of the survey board appointed by Mayor LaGuardia to solve the multiple union situation in the city. Points in dispute between the two groups in their original negotiations were settled at that time.

Pommer-Laughton Unit

London, Dec. 26.—Charles Laughton will in future make his British films for a new production unit in which he will be associated with Erich Pommer. They will make four pictures a year, Laughton playing in one of them, at London Films' Denham studio for United Artists world release.

Beck in U. A. Post

Myer P. Beck has been started as publicity manager for United Artists, working under the supervision of Monroe Greenthal, advertising and publicity director. Louis Berg has been placed in charge of the writing staff and Arthur Jeffrey in charge of newspaper contacts.

Spokane Tax Is Lumped

Spokane, Jan. 4.—The City Council has decided that theatres and junk dealers will pay their licenses in a lump sum starting 1938. The current practice is for theatres to pay in quarterly installments and junk dealers twice a year.

Signs More Rights

Al Friedlander of Fortune Films, who originally closed for the distribution of "The Robber Symphony" for the United States only, now has the rights for all of North and South America.

Erpi Increases Prices

A 10 per cent increase in price for W. E. Mirrophonic sound equipment will be placed in effect on Feb. 1, C. W. Bunn, Erpi general sales manager, has stated.

Paramount Product Meet Starts Friday

(*Continued from page* 1)

Zukor, board chairman, and Neil F. Agnew, vice-president in charge of distribution. A study of planned product for 1937-38 will feature the sessions.

Among the studio executives who will attend will be Eugene Zukor, A. M. Botsford, Harold Hurley, Bogart Rogers, Jeff Lazarus, C. J. Dunphy, Fred Leahy, Mel Shauer, George Bagnall, A. C. Martin, Henry Herzbrun, Jacob Karp, Manny Wolfe, Boris Morros and Sam Frey.

From New York will be Balaban, Agnew, J. J. Unger, Charles Reagan, Russell Holman, Austin Keough, Robert M. Gillham, Y. Frank Freeman, Albert Deane, George Weltner, John Hicks, Jr., Milton Kusell, John Graham and Walter Cokell. Gillham arrived today.

Paramount's theatre associates who will attend include John Balaban, Chicago; E. V. Richards, New Orleans; Karl Hoblitzelle, Dallas; N. A. Nathanson, Toronto; Frank Walker, New York; M. A. Schlessinger, Johannesburg, South Africa; Sam Pinanski, Boston; Martin Mullin, Boston; A. H. Blank, Des Moines; R. B. Wilby, Atlanta; J. J. Fitzgibbons, Toronto; Sam Goldstein, Springfield, Mass., and M. A. Lightman, Memphis.

John Balaban May Not Attend

Chicago, Jan. 4.—John Balaban, ill with influenza, may cancel his proposed trip to the Paramount meeting on the coast unless approval is given by his physician.

Columbia Meet Sunday

Columbia will hold its fourth and final mid-season divisional sales meeting Saturday and Sunday at the St. Moritz. Abe Montague, general sales manager, will preside at the gathering of eastern sales forces. Numerous home office executives will attend.

Loew Auditors Convene

First of a series of meetings of Loew's field auditors got under way yesterday at the Astor with Alan Cummings presiding. Every year the field auditors convene in New York for a three-day discussion of the year's activities.

RKO Heads to Hold Talks on the Coast

(*Continued from page* 1)

Angeles, San Francisco, Denver, Kansas City, Chicago, Cleveland, Rochester and Syracuse.

Reisman to Australia

Phil Reisman, head of the RKO foreign department, will sail today on the *Berengaria* for - Australia. He said yesterday he did not know how long he would be away.

Belmont a Film House

The Belmont, former legitimate house on W. 48th St., will open the middle of this month as a film house. It will be operated by S. S. Krellberg, with Edward Kern, former press representative of the Filmarte, in association with him. First run films in all languages will be the house policy.

Two Pictures Here Nearing New Marks

(*Continued from page* 1)

and is expected to do another $20,000 before the first week is ended. If the James Cagney picture gets the $40,000, it will top "Give Me Your Heart," which opened the house, by more than $2,000. The picture will run three weeks.

"One in a Million" tallied $58,000 in four days at the Roxy and yesterday got approximately $6,000, indicating a possible $80,000 week, a record under Howard S. Cullman's management. According to 20th Century-Fox, 114,134 persons visited the theatre during the first four days. The picture will be held for a second and final week. Leon Errol is the stage headliner.

"That Girl from Paris" garnered a buxom $80,000 in the first four days at the Music Hall. According to RKO-ites, the week will probably end with close to $115,000. This film, likewise, will be held over.

College Holiday Strong

The Paramount grossed $50,000 in five days of the second week of "College Holiday." The picture is being held a third week and Glen Gray and his Casa Loma orchestra will be replaced on the last seven days by Mario Braggiotti and his band. On Jan. 13, "The Plainsman" will open with Ray Noble on the stage.

"After the Thin Man" at the Capitol got $78,000 in its first week and approximately $40,000 on the three-day holiday weekend. The picture is definitely set for three weeks.

The Astor, for the fifth week of "Lloyds of London" on a two-a-day policy, grossed $13,000. It is possible the picture may be held beyond Jan. 17, when the 20th Century-Fox contract expires. Loew's is not ready to put in "The Good Earth" for at least another month or six weeks.

"The Man Who Lived Again" got about $11,000 at the Rialto. "Jungle Princess" took in around $9,000 the week before.

"Thin Man" Going Big

In 39 of the 42 key cities where "After the Thin Man" is current, grosses are running ahead of "San Francisco," according to Loew's. In Tulsa and Oklahoma City new house records were established.

In comparison with "Libeled Lady," the previous Powell-Loy combination film, "After the Thin Man" is 30 per cent ahead in the 42 cities.

Musicians' Union Elects

Cincinnati, Jan. 4.—Oscar F. Hild was elected president of the Musicians' Local No. 1 at the annual meeting here. Others elected were: William Bell, vice-president; Volney L. Hofmann, secretary; Charles Joseph, treasurer; Frank Yago, sergeant-at-arms. Directors are: Arthur Bowen, Theodore Hahn, Joseph Lugar, Robert P. Moore and Robert Snyder.

Imperial Set in 2 Weeks

Imperial Distributing Co. is expected to complete its exchange organization, with officers in 26 cities over the country, in about two weeks, it was indicated yesterday. Thus far, branches have been established in 14 cities.

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

MOTION PICTURE DAILY

Alert,
Intelligent
and
Faithful
Service to
the Industry
in All
Branches

VOL. 41. NO. 4 NEW YORK, WEDNESDAY, JANUARY 6, 1937 TEN CENTS

National Poll Grades Benny As Radio Top

Papers Pick Champions For Fame Ballot

By JACK BANNER

Jack Benny is the super-colossal radio champion of the year—the network star of stars, a scintillant among scintillants. Which is the way a radio announcer might reveal that the stock comedian who long has guided the destinies of the Jello program has walked off with the 1936 top honors in the first annual poll to determine the radio champions of the year.

The balloting was conducted by Motion Picture Daily on behalf of *Fame: The Box Office Check-Up* which is now in distribution and the outcome is only one of many features in this annual Quigley Publication.

More than 400 radio editors in the United States and Canada were consulted in determining the results of the *Fame* poll.

Fred Allen, the radio funster with the "down east" drawl, was voted second all-around best behind Benny but by a considerably lesser margin. Rudy Vallee, a seasoned veteran of innumerable popularity contests, placed a comfortable third.

Significant is the showing made by Major Bowes, whose name appears but once in all the 13 programs and personality categories set aside by *Fame*. While the decline of amateur programs has been duly commented

(*Continued on page* 10)

Constitutionality Of Sales Tax Hit

The constitutionality of the city sales tax is challenged in the brief prepared by Frederick H. Wood of Cravath, de Gersdorff, Swaine & Wood for the appeal being taken by major distributors from the Appellate Division's ruling that rentals collected by New York exchanges from theatres within the city limits are subject to the tax.

Wood's brief was served yesterday on the corporation counsel who has until Jan. 15 to reply. The distributors have an additional three days thereafter in which to file any further answer. The case has been scheduled for argument before the Court of Appeals at Albany on Jan. 18, or as soon thereafter as it can be reached.

The prior contentions of United Artists, whose appeal from the sales

(*Continued on page* 13)

Zukor: A Success Story

By RED KANN

THE marquees will blazon forth. By limitless box-offices, past limitless ticket-takers will parade the world's audience on its way, once again, to capture and to get respite from its cares of the day. The show will be on tomorrow night as on all other nights, unfolding in uninterrupted continuity the matured and maturing accomplishments of an industry rich in progress and in fulfillment.

Within the industry, January 7, however, marks something far beyond. It signalizes the sixty-fourth birthday of Adolph Zukor, the observance of his silver jubilee as a force in motion pictures. It reassures for him, on the indisputable computation of deeds achieved and made more formidable by the arrival of their twenty-fifth year, a permanency in whatever celluloid Valhalla may be created or discussed for men, their tasks well done.

▼

For the romance which is in motion pictures is largely the business romance of Zukor. Down through the years and from the days when he launched his unprecedented experiment, another name for "Queen Elizabeth," here is a name persistently and constantly associated with major

(*Continued on page* 2)

Station Total Of 656 Nears 1928 Figures

By BERTRAM F. LINZ

Washington, Jan. 5.—With more broadcasting stations licensed than at any time since 1928, the number of broadcasters bids fair in the near future to exceed even the 681 that were operating during the "period of chaos" in 1927 which led to the creation of the original radio commission, it is indicated by the annual report of the Federal Communications Commission, submitted to Congress today.

At the close of the fiscal year on June 30, last, the report disclosed, there were 656 stations licensed, an increase of 33 over the corresponding date in 1935 and the largest number since 1928, when there were 677.

The scarcity of frequencies for the various radio services continues to be a problem of the first magnitude, the commission told Congress.

"Even though the useful radio spectrum in the next seven years will be

(*Continued on page* 12)

A. J. Balaban, Chicago Group Enter F. & M.

St. Louis, Jan. 5.—A. J. Balaban, a founder of the B. & K. circuit in Chicago with Sam Katz, will return to the exhibition business with Jules Rubens, head of Great States, as partners of all F. & M. interests here, it is understood from reliable sources. The deal will preclude the possibility of B. & K. building or entering this city on its own, it is said.

Negotiations are reported under way for Balaban and Rubens to acquire a substantial interest in F. & M. Arthur Greene, who is interested financially in several Chicago circuits and who recently objected to the court sale of the St. Louis Amusement Co. to the first mortgage bondholders, will also be interested. Greene, Rubens, I. B. Perlman and Sam Meyers, brother-in-law to the Balabans, are said to have conferred here last week with Harry C. Arthur, operating head of F. & M., on the possibility of a

(*Continued on page* 16)

Congress Gets Started with 2,000 Bills

No Action to Be Taken During the Week

By CLARENCE LINZ

Washington, Jan. 5.—Introduction of some 2,000 bills and resolutions today marked the opening of the 75th Congress, from which President Roosevelt, believing the urgency of the depression to have passed, will ask legislation to carry out the second and permanent half of his program.

The President's desires on industrial control and other legislation will be made known in his annual message, to be delivered by him in person tomorrow afternoon.

Today's session was short and devoted to the formalities incident to the inaugural of a new Congress and little or no actual work will be undertaken this week. This annual message tomorrow will be followed on Friday by the budget message, which will outline the Administration's financial needs for the fiscal year beginning July 1, next, and disclose the revenues which the Treasury anticipates.

A sorely pressed Government Printing Office was today unable to cope with the flood of bills and it will be several days before the details of most of them will be known. The opening of the session, however, saw the submission of a number of measures affecting the film industry, with still more prepared for introduction.

Most of the important film bills

(*Continued on page* 13)

Patman to Revise Theatre Measure

Washington, Jan. 5.—Complete revision of the Patman bill, which would prohibit producers from engaging in retail distribution, will be undertaken before it is introduced into the House of Representatives, it was made known today by the Texas Congressman.

Instead of a flat prohibition against

(*Continued on page* 13)

G. B. to Start Own Exchanges Shortly

Opening of G. B. exchanges throughout the country will get under way within the next few weeks with the possibility the company will be represented with its own distribution

(*Continued on page* 16)

MOTION PICTURE
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Lesser Is Expected To Buy Back Studio

Hollywood, Jan. 5.—Sol Lesser will probably buy back his former studios, now known as Educational Studios, and resume production at the plant when he returns from Europe. Negotiations are now under way.

In addition to his own productions, nine a year, Lesser will rent out space to independents.

Barney Briskin, general sales manager, is due back from New York next Wednesday.

Close Washington House

Washington, Jan. 5.—The Belasco here closed today after nearly two years of films. It is scheduled to open Jan. 18 under a new policy combining some form of legitimate attraction in addition to pictures. It is considered likely that the present management, headed by Jack Thoman, will be continued.

Nuovo Mondo Moves

Nuovo Mondo Pictures have moved from the RKO to the Film Center Bldg.

Zukor: A Success Story

(*Continued from page 1*)

steps forward. Any review or history, automatically and by the facts, veers toward him. When he did not make history, the history in the making failed to complete itself without him. Present at the start, he recognized the opportunity, peered into the future and made for himself always a vital and significant part of that which was going on.

The success story of Zukor is also the success story of motion pictures. It has had its pitfalls, setbacks, disappointments, and, of course, its mistakes. But the volatility and the refusal to be permanently downed has been as much a characteristic of the man as it has of the business which he has done so much to advance. Many men have contributed to the development of Paramount, but over all of them, sometimes wrong and usually right, stands the one and his name is Adolph Zukor.

▼

His was the final responsibility during those many years when he was president and operating executive of the company. Sidney R. Kent did the sales job; Sam Katz, the theatre spread eagle; Jesse L. Lasky, Cecil B. DeMille, B. P. Schulberg, kept the lifeblood pumping vigorously and otherwise at the studio. Zukor, in the first and in the final analysis, had to concern himself with all. He set the foundation and nurtured the growth. If the term master builder might not be too extravagant an application, Zukor was that.

Troubles were many throughout his long and noteworthy career. In the earliest days, when precedent was lacking, there had to be made decisions about product and distribution. It smacked of the pioneering and, actually, it was exactly that. One of his greatest fights, pushed forward in the aggressive manner to which Zukor so frequently subscribed, was the danger to him which he saw in the original First National organization.

▼

In and about the '20s, Paramount was stepping lightly in theatres. The Talleys, the Hulseys, the Blanks, the Balabans and the Katzes, dominant theatre operators all, were in arms over Zukor's price demands for Artcraft, forerunner of the "A" percentage attractions of today. Up from Australia, was J. D. Williams, a promoter with a promoter's idea. It became First National and it placed squarely in front of Zukor's production and distribution activities, the nation's dominant exhibitors engaged in an identic sphere of activity.

It also confronted him with a decision crying to be made. Zukor made it. You might argue exhibitors had as much right in exhibition as did a producer and a distributor and you would be correct. But that runs counter to the point. Zukor, quietly and so effectively that the structure eventually crumbled, through the back door and one by one bought up the First National franchise-holders, licked his Waterloo and made Paramount the largest individual owner and operator of theatres in the amusement world. The decision was a ten-strike and its execution, by any count, one of the most brilliant campaigns of strategy in the corporate history of this business.

▼

Moe Finkelstein wanted money for expansion. This one was pressed by notes falling due. So close was the friendship between Marcus Loew and Adolph Zukor that the dynasties once were united in marriage. It went considerably beyond. Midway in the 1920 decade when mergers were in the air, commonly accepted as an ultimate union was Paramount and Loew's, if there were to be a union by either company at all. Zukor was pre-eminent; the Loew-Metro enterprise had not yet flowered.

At one time or another and as fortune or circumstance dictated, all the headline names of the industry were closeted with Zukor, not always getting what they may have sought but usually getting advice if not the cash. This was the era when Zukor led them all in the impact which his personal leadership imparted.

▼

And yet, it has not always been so. The picture at Paramount changed and with it Zukor's when the depression pinch set in. Banking influence began to dim his long-flashing star. Authority was split among other hands. Trade paper headlines reported less Zukor, more Hertz, Katz, Spitz and Kohn. Then bankruptcy, the long period of trustees and court management.

Trying days, those. Trying for those who looked beyond and into the broad range of the industry to realize how dangerous to the entire institution of motion pictures would be a complete collapse and, thus, elimination from the scene of a spoke as vital as Paramount. But no more trying than for Zukor, his peace of mind, his clipped authority, his shriveled activity.

Those were the times when the boys in Times Square were scoffing when they were not regretting what had happened to Zukor. Those, if you recall, were the times when the boys were ready to "make book" that he would return one of those minutes, more powerfully entrenched than ever before.

▼

There then came the Otterson regime, continuing at its outset to maintain Zukor somewhere in the rear. This is no discussion of John E. Otterson and his administration except as it bears indisputably on one excellence in his judgment: his decision and then his dependence on Zukor and the Zukor experience for guidance. What Otterson may have done after the benefits of that experience were his, belongs, if it does at all, to another time and another place.

And currently, what? Zukor is back. Quite emphatically and most conclusively back. He is back in a part and filling a spot which is both new and not new to him. As the final word in Hollywood, responsible for the backbone of Paramount's or any company's business which is the product, he is treading ground largely familiar through his past endeavors. Today, however, the responsibility is full-time and he likes it.

▼

The amazing resilience of the Zukor backbone manifests itself today and now as perhaps never before. After all of those crises through which he has passed, he might have remained in the twilight of his formidable past a beaten man, but with honor. The point, and it is a significant point, is that Zukor has never learned to be licked.

At sixty-four, conviction rises in a loud voice to say that he would not and could not start now.

Auditors Winding Up Two Gatherings Here

RKO yesterday wound up a two-day meeting of the field auditors at the Waldorf-Astoria and Loew's tomorrow will end a four-day session at the Astor.

Attending the RKO meetings were A. A. Schubert, manager of the contract department; Elmer Sedin, R. A. O'Brien, Robert E. Helms, J. Emmett Cashman, W. J. McShea, J. J. Schnitzer, John A. Downing and M. G. Poller.

Eight field men are attending the Loew's meetings in addition to a number of home office personnel. Alan Cummings is conducting the annual session.

Has U. K. Rights, Too

George McL. Baynes has acquired for the Golgotha Corp., distribution rights in the United States, Canada, Great Britain, the British Dominions and Argentine for "Golgotha," the French film depicting the closing days of the life of Christ.

Asks Historical Films

Washington, Jan. 5.—H. D. W. Conner, national archivist, today asked permission to film important national events, such as the inauguration, for historical purposes.

A FEW OF HUNDREDS OF EXHIBITOR COMMENTS ON FITZPATRICK TRAVELTALKS

FITZPATRICK TRAVELTALKS: "18 of these a year aren't enough . . . they should make 52 . . . . they are masterpieces of art and dialogue." *Mrs. E. L. Tait, Lauder Thea., Mt. Forest, Ont., Can.*

YELLOWSTONE PARK: "Very interesting . . . entertaining and at the same time educational." C. L. Niles, *Niles Theatre, Anamosa, Iowa*

HONOLULU, PARADISE OF THE PACIFIC: "The most elaborate one reel subject you can add to your program and improve your show." *R. Duba, Royal Theatre, Kimball, S. D.*

RURAL MEXICO: "Beautifully presented . . . geography is great stuff when you can see it thru the eye of a color camera." *M. R. Harrington, Avalon Theatre, Clatskanie, Ore.*

BEAUTIFUL BANFF AND LAKE LOUISE: "Absolutely beautiful in photograph and coloring . . . enchanting music and splendid narrative." A. N. Miles, *Eminence Theatre, Eminence, Ky.*

HOLLAND IN TULIP TIME: "Wish we could get more shorts like this . . . a beautiful picture." O. I. Oleson, *Norway Theatre, Ambrose, N. D.*

"What a trip for two bits!" *said Exhibitor Musselman of the Princess Theatre, Lincoln, Nebraska*

EVERYBODY CAN TAKE A WINTER CRUISE NOW

Thanks to Fitzpatrick's thrilling Traveltalks!

The selection of a short subject on your program is often the factor that sells your show against competition. A Fitzpatrick Traveltalk in Technicolor with exquisite music is a breathing-spell of beauty and fascination on a well-balanced program. Big city or small town, the folks watch for the de luxe cruises to far-off places that are so enjoyable in the Fitzpatrick—M-G-M manner!

FITZPATRICK TRAVELTALKS
in 3-color Technicolor! Pride of M-G-M!

FOR INSTANCE! WATCH FOR
"INDIA ON PARADE"

- Taj Mahal, greatest memorial of man's love to woman; first time in full 3-color Technicolor
- $50,000 gold plate on one carriage
- gold and silver cannons
- 400 white horses identically matched
- largest elephants in India with gold-knitted blankets
- all the wealth and grandeur of India in beautiful color and music

Coming: "THE RACES AT BOMBAY!"

STARTING YOUR LUC

NATURAL-LY M-G-M!

"AFTER THE THIN MAN"

Beating phenomenal "San Francisco" in 39 out of 42 opening engagements. Hold-over everywhere!

WILLIAM POWELL and MYRNA LOY
"AFTER THE THIN MAN"
with James Stewart • Elissa Landi • Joseph Calleia • Jessie Ralph • Alan Marshall
Teddy Hart • Sam Levene • Dorothy McNulty
From the story by Dushiell Hammett
Directed by W. S. VAN DYKE
Produced by Hunt Stromberg
A Metro-Goldwyn-Mayer Picture

KY M-G-M NEW YEAR!

NATURAL-LY M-G-M!

"CAMILLE"

Biggest Garbo business in five years ushering in a new barrage of M-G-M hits!

GRETA GARBO
ROBERT TAYLOR
in "CAMILLE"
with Lionel Barrymore
Elizabeth Allan • Jessie Ralph • Henry
Daniell • Lenore Ulric • Laura Hope Crews
Directed by GEORGE CUKOR
A Metro-Goldwyn-Mayer Picture

"College" Out Front in Boom For the Loop

CHICAGO, Jan. 5.—Business came back with a bang to the Loop theatres last week and "College Holiday" at the Chicago was the leader with a $42,000 gross.

The extra shows on New Year's Eve, plus an advance in admission prices for that night, boosted box-office figures. "Stowaway" at the Apollo brought the kiddies out by the thousands and the gross was $10,200. The Oriental and State-Lake with stage shows proved big draws during the holiday time and business at these houses was very good. "Gold Diggers" was a strong attraction at the Roosevelt. "Love on the Run" continued to set a good pace at the United Artists and "Theodora Goes Wild," following a week at the Chicago, was a strong draw at the Garrick.

The Palace opened with a new show New Year's Eve with all seats reserved.

The weather was unsettled and warm.

Total first run business was $163,500. Average is $115,000.

Estimated takings:

Week Ending Dec. 29:

"LOVE ON THE RUN" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $18,800. (Average, $15,000)

"THE GIRL ON THE FRONT PAGE" (Univ.)
STATE-LAKE—(2,776), 25c-35c-40c, 7 days. Stage: Vaudeville Revue. **Gross:** $19,000. (Average, $13,000)

Week Ending Dec. 31:

"RAINBOW ON THE RIVER" (Radio)
PALACE—(2,509), 35c-55c-75c, 6½ days. Stage: Benny Fields and Revue. **Gross:** $22,000. (Average, $19,000)

"COLLEGE HOLIDAY" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: "Holiday Follies." **Gross:** $42,000. (Average, $32,000)

"THE MAN WHO LIVED TWICE" (Col.)
ORIENTAL—(3,490), 35c-55c, 7 days. Stage: Ina Ray Hutton and Band. **Gross:** $23,500. (Average, $15,000)

"GOLD DIGGERS OF 1937" (F. N.)
ROOSEVELT—(1,591), 35c-55c-75c, 7 days. **Gross:** $18,500. (Average, $11,000)

"STOWAWAY" (20th-Fox)
APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $10,200. (Average, $4,500)

"THEODORA GOES WILD" (Col.)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $9,500. (Average, $5,500)

N. H. Party a Sellout

NEW HAVEN, Jan. 5.—The annual sick benefit ball of Local No. 74, I.A.T.S.E., is a sellout well in advance of the Jan. 9 date at the Hotel Taft. More than 700 are expected. Harry M. Shaw, Loew-Poli division manager, will be m.c. and is cooperating in staging of the eight-act floor show. Henry Busse's Paramount orchestra will play. William P. Barry is general chairman.

Plan Stage Basketball

NEW HAVEN, Jan. 5.—Basketball games as a regular Monday night feature are being considered for the College. Albie Booth, Yale football hero, has been contacted for the job of coach and director, and 10 to 12 high school and commercial teams have been lined up. The State, Hartford, is the first house to use this feature successfully in the territory.

"Allah" Dual At $8,800 Is Milwaukee Top

MILWAUKEE, Jan. 5.—The high spot for a fair week here was "The Garden of Allah" and "The Captain's Kid" with an $8,800 take at the Warner, $3,800 above average.

Second honors went to "Stowaway" and "The White Hunter" doing an average of $8,000 at Fox's Wisconsin. The circuit's Palace pulled $5,300 with "College Holiday" and "Arizona Mahoney," $300 above par.

Other business was below average. Weather was unseasonably mild and rainy, which has reacted favorably for the theatres since there have been no winter sports.

Total first run business was $27,300. Average is $24,500.

Estimated takings for the week ending Dec. 31:

"COLLEGE HOLIDAY" (Para.)
"ARIZONA MAHONEY" (Para.)
PALACE—(2,400), 25c-35c-50c, 7 days. **Gross:** $5,300. (Average, $5,000)

"COME CLOSER FOLKS" (Col.)
RIVERSIDE—(2,300), 20c-25c-30c, 6 days. Stage: Riverside Follies. **Gross:** $4,000. (Average, $5,000)

"PENNIES FROM HEAVEN" (Col.)
"WITHOUT ORDERS" (RKO)
STRAND—(1,400), 25c-35c-50c, 8 days. **Gross:** $1,200. (Average, $1,500)

"THE GARDEN OF ALLAH" (U A.)
"THE CAPTAIN'S KID" (F.N.)
WARNER—(2,400), 25c-35c-50c, 8 days. **Gross:** $8,800. (Average, $5,000)

"STOWAWAY" (20th-Fox)
"WHITE HUNTER" (20th-Fox)
WISCONSIN—(3,200), 25c-35c-50c, 8 days. **Gross:** $8,000. (Average, $8,000)

"White Hunter" and Show Lead Montreal

MONTREAL, Jan. 5.—"White Hunter," with a vaudeville bill, topped the first run list with $13,000 at Loew's.

"Love on the Run," on a dual at the Palace, grossed $12,500 and "Rembrandt" took $6,500 at His Majesty's where an all-British policy prevails. "Gold Diggers of 1937" registered $10,500 at the Capitol with "King of Hockey."

In the way of opposition, there were 8,500 people at the pro. hockey match in the Forum and the night clubs were busy. Weather: Snow and cold.

Total first run business was $50,000. Average is $43,000.

Estimated takings for the week ending Jan. 2:

"GOLD DIGGERS OF 1937" (F. N.)
"KING OF HOCKEY" (W. B.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,500. (Average, $9,500)

"REMBRANDT" (British)
"MAN IN THE MIRROR" (British)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days. **Gross:** $6,500. (Average, $5,000)

"WHITE HUNTER" (20th-Fox)
LOEW'S—(3,115), 25c-34c-40c-50c-60c, 7 days. Stage: "Follies of the Night" vaudeville unit. **Gross:** $13,000. (Average, $10,500)

"LOVE ON THE RUN" (M-G-M)
"THE LONGEST NIGHT" (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $12,500. (Average, $11,000)

"STOWAWAY" (20th-Fox)
"LUCKIEST GIRL IN THE WORLD" (Univ.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $7,500. (Average, $7,000)

Reopens After Fire

BEATRICE, Neb., Jan. 5.—F. E. Hollingsworth has reopened the Rialto, which was damaged by a $10,000 fire more than a month ago.

Rainbows

Hollywood, Jan. 5.—Bobby Breen, star of "Rainbow on the River," wrote to Colonel Stoopnagle, of the Stoopnagle and Budd comedy team, asking a definition of a rainbow.

Bobby received the following answer: "A rainbow is stuff that when a fellow blushes he turns all colors of."

"Stowaway" Is $9,000 Leader; Denver Booms

DENVER, Jan. 5.—"Stowaway" pulled the big money of the week, $9,000 at the Denver, and was moved to the Broadway for a second week.

"College Holiday" was $1,500 to the good on a take of $6,000 at the Denham, and a dual consisting of "Rainbow on the River" and "The Plot Thickens" was strong at $8,500 in the Orpheum.

Total first run business was $33,000. Average is $28,500.

Estimated takings for the week ending Dec. 31:

"AS YOU LIKE IT" (20th-Fox)
ALADIN—(1,500), 25c-50c, 7 days. **Gross:** $2,000. (Average, $3,000)

"PENNIES FROM HEAVEN" (Col.)
BROADWAY—(1,500), 25c-40c, 7 days. **Gross:** $1,500 (Average, $2,000)

"COUNTRY GENTLEMEN" (Republic)
"GLORY TRAIL" (Cresent)
CENTER—(1,500), 15c-35c, 7 days. Stage show. **Gross:** $2,000. (Average, $2,000)

"COLLEGE HOLIDAY" (Para.)
DENHAM—(1,500), 25c-40c, 7 days. **Gross:** $6,000. (Average, $4,500)

"STOWAWAY" (20th-Fox)
DENVER—(2,500), 25c-50c, 7 days. Stage Band. **Gross:** $9,000. (Average, $7,500)

"RAINBOW ON THE RIVER" (Radio)
"THE PLOT THICKENS" (Radio)
ORPHEUM—(2,600), 25c-40c, 7 days. **Gross.** $8,500. (Average, $6,000)

"POLO JOE" (W. B.)
"KING OF HOCKEY" (W. B.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

"Thin Man" Smash Oklahoma City Hit

OKLAHOMA CITY, Jan. 5.—"After the Thin Man" was the big noise of the week among the first runs. It ran up to $8,800 at the Midwest, leaving par $4,800 astern.

"All American Chump," helped by a stage show, grossed $2,100 at the Liberty in four days. Normal for a week is $3,000.

Total first run business was $18,500. Average is $14,000.

Estimated takings for the week ending Jan. 2:

"AFTER THE THIN MAN" (M-G-M)
MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $8,800. (Average, $4,000)

"STOWAWAY" (20th-Fox)
CRITERION—(1,700), 10c-35c-55c, 7 days. **Gross:** $4,500. (Average, $5,000)

"THE WHITE HUNTER" (20th-Fox)
CAPITOL—(1,200), 10c-25c-40c, 7 days. **Gross:** $2,400. (Average, $2,000)

"ALL AMERICAN CHUMP" (M-G-M)
LIBERTY—(1,500), 10c-25c-35c, 4 days. Stage: "Top Hat Revue," seven acts vaudeville. **Gross:** $2,100. (Average for week, $3,000)

"GRAND JURY" (Radio)
"COUNTRY GENTLEMAN" (Republic)
LIBERTY—(1,500), 10c-25c-35c, 3 days. **Gross:** $700. (Average for week, $3,000)

"Hideaway" Up In Slow Week At Washington

WASHINGTON, Jan. 5.—"Hideaway Girl" topped a dull Christmas week with a take of $6,800 at the Metropolitan. This was over normal by $2,500.

A return engagement of "Love on the Run" gave Loew's Columbia $4,600, over average by $1,000. "Gold Diggers of 1937," plus a stage show, at the Earle took $19,700, over par by $1,300. At Loew's Palace, "Camille" exceeded average by $1,000 for a take of $16,900. A second week was ordered.

Loew's Capitol Theater, playing six days, took $20,400 for "Sinner Take All" and Rudy Vallee's "Punch Bowl" Revue. Average for a full week here is $20,900. "Rainbow on the River," at RKO-Keith's grossed $7,000 in nine and one-half days, or $3,600 under the seven-day average.

Total first run business, exclusive of the Rialto, was $76,500. Average is $76,700.

Estimated takings, exclusive of tax:

Six Days Ending Dec. 30:

"SINNER TAKE ALL" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 6 days. Stage: Rudy Vallee and His "Punch Bowl" Revue, with his Connecticut Yankees, Cyril Smith, Joe Dorris, the Bernards, the Duvals, Gentlemen Singers, Judy Starr, the Swing Kids. **Gross:** $20,400. (Average, 7 days, $20,900)

Week Ending Dec. 31:

"THE GIRL ON THE FRONT PAGE" (Univ.)
BELASCO—(1,140), 25c-65c, 7 days. **Gross:** $1,100. (Average, $3,000)

"GOLD DIGGERS OF 1937" (F. N.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Yorke & King, Bob Ripa, Loman Bailey, Lee Sims, Royal Swedish Bell Ringers. **Gross:** $19,700. (Average, $18,400)

"LOVE ON THE RUN" (M-G-M)
LOEW'S COLUMBIA—(1,243), 25c-40c. 7 days (return engagement). **Gross:** $4,600. (Average, first run, $3,600)

"CAMILLE" (M-G-M)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $16,900. (Average, $15,900)

"HIDEAWAY GIRL" (Para.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $6,800. (Average, $4,300)

"UNDER YOUR SPELL" (20th-Fox)
RIALTO—(850), 25c-55c, 7 days. **Gross:** $2,100.

Nine Days Ending Dec. 31:

"RAINBOW ON THE RIVER" (Radio)
RKO-KEITH'S—(1,836), 25c-55c, 8½ days. **Gross:** $7,000. (Average, 7 days, $10,600)

Zellers Elected Again

LINCOLN, Neb., Jan. 5.—Dr. H. C. Zellers, for the 11th consecutive time, is president of the Lincoln Musicians' Union, Local No. 463. At the election, John Schildneck was named vice-president; Mark Pierce, secretary-treasurer; Ted Tompkins, sergeant-at-arms; and on the board were placed, L. G. Andrews, J. Norman Hoff, Charles Kundler, Lee Jensen and Herb Witte.

Imperial Seeks Staff

BOSTON, Jan. 5. — Imperial Pictures, which took over Academy here, is seeking a complete sales force. Leo Britton is sales manager. A commission deal of eight per cent, four per cent on receipt of the contract and the other four per cent when the exhibitor pays is being offered, it is learned.

MPTO Program for Meet Taking Shape

Program arrangements for the national convention of the M. P. T. O. A., which will be held at the Miami-Biltmore Hotel, Miami, March 16, 17 and 18, are rapidly taking shape, Ed Kuykendall, president of the exhibitor organization, reported to members in a bulletin issued yesterday.

Among the subjects listed for discussion at the business sessions are trade practices, the quality and entertainment value of current pictures, double features, the music tax, the score charge, overbuying, unreasonable clearance, radio competition, significant court decisions, pending litigation, unfair legislation and labor relations.

In addition to specific business discussions, a general forum on theatre operating policies and problems is planned with addresses by prominent technicians, engineers, architects, advertising and maintenance men. Open discussions on better theatre management, improved theatre design, construction and equipment, better film merchandising and ways and means of increasing attendance and maintaining high standards in exhibition will be another program feature. Members have also been invited to send in additional suggestions for inclusion on the program.

Transit Arrangements Complete

Special rates already have been arranged at three Miami hotels and reduced rail fares and a special convention train will be available to all exhibitors and their friends attending the convention, the M. P. T. O. A. bulletin states. Through cars from other points will join special convention trains from New York, Chicago and New Orleans, according to arrangements. The eastern special will leave New York, March 14, arriving in Miami March 16 after picking up convention groups from Philadelphia, Washington, Richmond, Charlotte and Atlanta, where it will join up with the delegations from Chicago, Cincinnati, Denver, Omaha, Kansas City, St. Louis and Memphis. West coast, Oklahoma City and Dallas groups will converge at New Orleans.

The social side of the convention will feature a golf tournament, receptions, sightseeing and the annual banquet, which may be "speech-less," according to the bulletin. Reservations for equipment display space will be made by the organization after Feb. 1.

Kuykendall promises that the convention will be "self-supporting" and that no "money-raising schemes" will be "sprung."

Conferences Set on Lineup for Condor

Conferences on the proposed lineup of Condor pictures will get under way here either today or tomorrow. George Hirliman and M. H. Hoffman have arrived from the coast to talk over production with A. J. Van Beuren, who is also identified with the new company. At the meetings a decision will be reached on the number of pictures Hoffman will make.

With the company now financed for $1,500,000 a like sum is scheduled to be added shortly, it was learned yesterday. Hoffman may sail for Europe following the local meetings.

Out Hollywood Way

Hollywood, Jan. 5.—Gus Edwards released from his obligations as Republic's eastern talent scout by Nat Levine. Edwards will return to New York in a few days to take up radio work.

Lieut. Commander Lucien B. Green has been assigned by the Navy Dept. to act as liaison officer with Samuel Goldwyn's unit making "Hurricane" in the South Seas.

"Man in Possession," starring Jean Harlow and Robert Taylor, started at M-G-M. . . . Jesse L. Lasky's next at Radio probably will be "Song of India," with Nino Martini starred. . . . Joan Perry's option lifted by Columbia for six months. . . . Ralph Bellamy held by Columbia for another year. . . . Ketti Gallian borrowed from Paramount by Radio for role in "Stepping Stones." . . . Two pictures set to start at Warners—"Dance, Charles, Dance" and "Talent Scout." . . . Harriet Hilliard feminine lead in "New Faces of 1937," Radio.

Carol Hughes replaces Joan Blondell in "Marry the Girl," Warners. . . . "Trouble in Morroco," a Larry Darmour production, started at Columbia. . . . Maurice Conn starts "Valley of the Terror" with Kermit Maynard. . . . Gertrude Michael in Hollywood Hospital for treatment. . . . Mary Boland ill with flu. . . . Arthur Todd luncheon guest of "Marry the Girl" cast at Warners in honor of his 28th year in pictures. . . . Malcolm Bullock, still man at Paramount on loan from Samuel Goldwyn. . . . Frank Capra completes assembly of "Lost Horizon" after two months in the cutting room.

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Casting—Peggy Wood in "Call It a Day," Warners. . . . June Travis loaned by Warners to Republic for "Without a Net." . . . Lew Ayres in "Danger, Men Working" and Leif Erikson in "Saturday Night's Free," Paramount.

Helen Jerome Eddy in "Michael Strogoff," Radio. . . . Jane Wyman in "Public Wedding," and Joe Cunningham in "Marry the Girl," Warners. . . . Robert Allen and Edward McWade in "Weather or No," Ralph Malone in "Racketeer in Exile," Columbia. . . . Donald Cook, Lucille Osborne in "Without a Bet," Republic. . . . Frank Elliott and Rita Gould in "Maytime," M-G-M.

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Directors—Rowland V. Lee replaces Alexander Hall on "Robber Barons," Radio. . . . Hall is ill.

+

Writers—John V. Clymer signed by Sol Lesser to work on Bobby Breen's next. . . . Grover Jones and Grant Garrett doing sketches for the Zukor Silver Jubilee broadcast.

+

Story Buys—"I Married an Artist," Avery Strakosch and "All Steamed Up," David Garth, by Columbia. . . . "Tomorrow's Headlines," Thomas Ahern, Radio.

+

Title Change—"Coast Patrol" to "Rough, Ready and Handsome," Radio.

Columbia Sales Meet Opens Here Saturday

Branch managers and representatives from Albany, Buffalo, Boston, Philadelphia and New York will attend the two-day Columbia midseason sales session which will start Saturday at the St. Moritz with Abe Montague, general sales manager, presiding.

Home office executives scheduled to attend include Jack Cohn, vice-president; Abe Schneider, treasurer; Joe McConville, Rube Jackter, Lou Weinberg, Louis Astor, Max Weisfeldt, Hank Kaufman, Leo Jaffe, Maurice Grad, Milt Hannock, Leonard Picker, William Brennan, Al Seligman and Fred McConnell.

This is the fourth and last of the divisional meetings. Liquidation of contracts and new product will be discussed.

McConville Coordinator

Joe McConville, sales supervisor, will be coordinator in Columbia's "Montague Sweepstakes," the sales and billing drive to be started Jan. 17 and continued until May 1.

Radio Holds Lily Pons

Hollywood, Jan. 5.—Lily Pons, whose latest musical, "That Girl from Paris," is at the Music Hall, has signed for another annual picture at Radio.

Ann Sothern, John Beal, Hermes Pan, in charge of dance routines, and P. J. Wolfson, writer, also have been re-signed.

"Beloved Enemy" to Keep Tragic Ending

"Beloved Enemy" will be nationally distributed with only one ending, which will be the one incorporated in the film now at the Rivoli in which Brian Aherne meets his death.

A "happy" alternative ending was provided by the producer, but after several tryouts for audience reactions in upstate New York towns it was decided not to make use of it. The original plan was to use the first ending in the larger cities and the "happy" ending in smaller centers.

"Enemy" Gets $37,000

"Beloved Enemy" in its first week at the Rivoli garnered $37,000. For the three-day holiday weekend, the picture grossed $17,000.

12 "Thin Man" Holdovers

Loew's reports holdover engagements on "After the Thin Man" in 12 cities: New York, Atlanta, Baltimore, Cleveland, New Orleans, Harrisburg, Hartford, Nashville, Reading, Washington, Philadelphia and Wilmington.

"Thin Man" Big in Pittsburgh

Pittsburgh Jan. 5.—"After the Thin Man" is heading for new records at the Penn. In the first three days the picture knocked off a sensational $16,500 and is going strong.

It will move from the Penn to the Warner Friday and is believed to be good for a couple of weeks there. It is topping the previous record holders, "Mutiny on the Bounty" and "Born to Dance," by wide margins.

Expect 25-30 Allied Directors to Attend

From 25 to 30 directors of Allied will attend the annual convention of the organization to be held at the Emerson, Baltimore, Jan. 21-22.

Scheduled on the program will be election of officers, reports by committees, mapping of the 1937 program, and selection of the place for the 1938 convention. Nathan Yamins, president, and Abram F. Myers, general counsel, will speak. The legislative program for the year also will be outlined.

Among those who will attend are Yamins, Fall River, Mass.; J. B. Fishman, New Haven; Arthur Howard, Boston; Herman Blum, Arthur Price and Frank Hornig, Baltimore; Aaron Saperstein, Chicago; H. M. Richey and Fred Lodder, Detroit; Al Steffes, Ernest Peaslee and Bennie Berger, Minneapolis; Lee Newbury, president of Allied of New Jersey, and Sidney E. Samuelson, Newton, N. J.; Myers, Washington; Fred Herrington and M. A. Rosenberg, Pittsburgh; H. A. Cole, Dallas; Martin Smith, Toledo; P. J. Wood, Columbus; Moe Horowitz, Cleveland; R. R. Bair, Indianapolis; Fred Maertz and Ray Tesch, Milwaukee.

Coast ITOA Sets Meet

Hollywood, Jan. 5.—The first annual convention of the local branch of the ITOA will be held on Jan. 25 at the Ambassador, the board of directors stated today following its meeting. The one-day meet will consist of the presentation of a report of the organization's activities for the past year and the election of new officers. There will also be a luncheon for members and their families. Simultaneously the group announced that their third annual show will be given on Jan. 13, to which only ITOA members will be invited. The organization's war chest will benefit.

Allied to Meet Jan. 19

Allied of New Jersey will hold its next meeting at the Hotel Lincoln on Jan. 19. Routine matters will be discussed.

Perry N. Verkoff Dead

Hollywood, Jan. 5.—Perry N. Verkoff, character actor and former director, died here yesterday. He was 56. Verkoff's last film appearance was with Mae West.

Greenwood Rites Thursday

Hollywood, Jan. 5.—Funeral services for M. E. Greenwood, M-G-M studio manager, who died Monday, will be held Thursday afternoon at the Forest Lawn Cemetery. Pallbearers will include Edward J. Mannix, J. J. Cohn and Cedric Gibbons.

Rites for Ray McDermott

Cincinnati, Jan. 5.—Requiem high mass for Ray McDermott, former Cincinnati musician, director and pianist of the radio feature, "King's Jesters," who died in Chicago Saturday, was intoned at the Church of the Nativity here today. Burial was in St. Mary's cemetery.

Roxy Hearing Jan. 19

Federal Judge Caffey yesterday adjourned the hearing on the Roxy reorganization proceedings, scheduled to come before him on Jan. 15, to Jan. 19.

IT WILL
DO THE
SAME
FOR YOU!

"ONE IN A
BREAKS 5-
AT ROXY, N.

**—and Sonja Henie
is the new toast of
New York's millions!**

MILLION"
YEAR RECORD
Y.

One in a Million

glorifying the girl with the personality in a million! **SONJA HENIE** with

ADOLPHE MENJOU • DON AMECHE
NED SPARKS • JEAN HERSHOLT
RITZ BROTHERS • ARLINE JUDGE
BORRAH MINEVITCH and his gang **• DIXIE DUNBAR**

Directed by Sidney Lanfield

Associate Producer Raymond Griffith • Story and Screen Play by Leonard Praskins and Mark Kelly • Music and Lyrics by Lew Pollack and Sidney D. Mitchell • Skating Ensembles Staged by Jack Haskell

20th CENTURY FOX

Darryl F. Zanuck
in Charge of Production

National Poll Grades Benny As Radio Top

(*Continued from page 1*)

on in various quarters, it was hardly thought that the simon-pures had fallen into such disfavor.

Helen Hayes, whose delightful "Bambi" series stands high among network script shows, placed fourth in the all-around championship division.

Separated by not more than the digits represented in a hand follow the names of Bob Burns, Eddie Cantor, Bing Crosby and Fred Astaire.

The name of Benny blanketed the poll like a London fog. Aside from winning the all-around championship honors, he was voted the best individual comedian on the air, while the Jello program on which he stars far outranked "Town Hall Tonight," its nearest competitor.

Benny received 66 per cent of the votes as the year's best comedian. Fred Allen was far behind with 20 per cent. Bob Burns and Eddie Cantor are the remaining winners in this division.

Jello, Best Comedy Series

The Jello program ambled off easily with the best comedy series award. "Town Hall Tonight" provided the chief competition in this division, but was 30 per cent weaker than the Benny opus. The Campbell Soup zanies, Burns and Allen, and the Minute Tapioca program starring Stoopnagle and Budd, round out the four divisional leaders.

The *Fame* poll provided two divisions which are found in no other poll. Radio editors were asked to determine the most effective film programs heard on the air during the year, and to name the motion picture players whose work they deemed best suited to the microphone. In the first category, the Lux Radio Theatre was voted most outstanding, although "Hollywood Hotel" ranked a very close second. Next in order, although far weaker than the first two in tabulated strength, are the Packard program starring Fred Astaire, Bing Crosby's Kraft Music Hall series, the CBS Radio Theatre and Jimmy Fidler's "Hollywood Gossip" program.

Crosby, Powell Film Leaders

Bing Crosby and Dick Powell provided the chief competition as the film stars most favored by the radio critics, with Bing a winner by a sparse two votes. Charles Butterworth made a surprisingly strong showing in view of the fact that his current program is his first consistent radio series. The frozen-faced screen comic placed third, close behind the leaders. Helen Hayes, Fred Astaire, Leslie Howard, Lionel Barrymore, Edward Everett Horton and Wallace Beery are next in order.

Nelson Eddy, whose radio reputation earned him his first chance in films, was a surprising victor over Bing Crosby as the year's outstanding male vocalist. The blond baritone garnered 27 more votes than Crosby, a remarkable showing considering that his CBS program for Vick's is but a half-hour session, as compared with Bing's full-hour program. Further, Crosby's program is usually studded with a galaxy of important guest stars, a decided advantage, while Eddy practically always has to depend on his own vocal efforts to hold listeners' attention.

Jessica Dragonette, who recently ended an eight-year stay on the Cities Service Concerts, accomplished the expected by winning the accolade in the women's singing division. The remarkable Jessica has accomplished this feat in the past with monotonous regularity;. Miss Dragonette amassed more than twice the number of votes cast for Lily Pons, her nearest rival. Miss Pons in turn was hard-pressed by Frances Langford, who settled into third position.

Burns and Allen Comedy Lead

In view of Jack Benny's triple honors, one would suppose that the team of Benny and Mary Livingstone would win or make a strong showing in the comedy team division. However, Benny and his wife, placed fifth as a team. Burns and Allen won the award after a spirited competition provided by Stoopnagle and Budd. Amos 'n' Andy were a poor third, with Fibber McGee and Molly rating fourth place honors. The Cantor-Parkyakarkus, Allen-Hoffa and Baker-Beetle-Bottle combination were far down in the rankings.

The most exciting competition in the entire survey of editors' likes and dislikes was provided in the network announcers' division. The lads who sell the sponsors' products are clustered together like grapes on the vine, with Don Wilson heading the list by virtue of his one vote superiority over Harry Von Zell and Milton J. Cross, who are tied for second place honors. Knotted also are David Ross and Jimmy Wallington, who share third place. Ted Husing is fourth.

The search to determine the networks' favorite commentators is invariably an easy one. It's almost always safe to assume that Boake Carter, Edwin C. Hill, Lowell Thomas, and H. V. Kaltenborn, take your pick, will provide the chief competition. In *Fame's* poll, the competition ran to form. Carter and Hill are the leaders, Thomas and Kaltenborn the runners-up. Paul Sullivan, commentator for WLW, powerful Crosley station in Cincinnati, was next, a few notches above Gabriel Heatter.

The results of the poll follow:

Open Champions

Jack Benny
Fred Allen
Rudy Vallee
Helen Hayes
Eddie Cantor
Bob Burns
Bing Crosby
Fred Astaire
Jessica Dragonette
President Roosevelt
Lanny Ross
Nelson Eddy
Amos 'n' Andy
Wallace Beery
Lulu Belle
Joan Blaine
Major Bowes
Hugh Conrad
Richard Crooks
Leslie Howard
Andre Kostelanetz
Phillips Lord
Nino Martini
John Nesbitt
Robert Ripley
Kate Smith
Fred Waring

Film Players

Bing Crosby
Dick Powell
Chas. Butterworth
Fred Astaire
Helen Hayes
Edward Everett Horton
Leslie Howard
Lionel Barrymore
Wallace Beery
Bob Burns
Claudette Colbert
Eddie Cantor
Paul Muni
Jack Benny
Edward Arnold
Bette Davis
Irene Dunne
Clark Gable
Grace Moore
Frank Morgan
Lily Pons
Norma Shearer
James Cagney
Nelson Eddy
Patsy Kelly
Francis Langford
Conrad Nagel
Jack Oakie
Pat O'Brien
Mary Astor
Ethel Barrymore
John Barrymore
Joan Blondell
George Brent
Gary Cooper
Joan Crawford
Ralph Forbes
Kay Francis
Miriam Hopkins
Walter Huston
Boris Karloff
Fred MacMurray
Nino Martini
Robert Montgomery
Clarence Muse
Edna Mae Oliver
Martha Raye
E. G. Robinson
Chas. Ruggles
Kate Smith
Lawrence Tibbett
Spencer Tracy
Loretta Young

Vocalists: Male

Nelson Eddy
Bing Crosby
Frank Parker
Nino Martini
Richard Crooks
Lanny Ross
Lawrence Tibbett
Kenny Baker
John Charles Thomas
Morton Downey
James Melton
Morton Bowe
Stuart Churchill
Frank Forrest
Ross Graham
Perry Komo
Tony Martin
Dick Powell
Conrad Thibault
Phil Regan
Rudy Vallee

Vocalists: Feminine

Jessica Dragonette
Lily Pons
Francis Langford
Kate Smith
Lucille Manners
Helen Jepson
Francia White
Margaret Speaks
Gladys Swarthout
Grace Moore
Kay Thompson
Virginia Rae
Jane Frohman
Hildegarde
Ann Jamison
Jane Pickens
Marion Talley
Lulu Belle
Peggy Gardiner
Vivian della Chiesa
Bernice Claire
Dolly Dawn

(*Continued on following page*)

What Fame's Poll Points In Current Trends in Taste

Fame's first annual newspaper ballot for the radio champions of 1936 led to these conclusions:

1—Situation comedy definitely has killed off all liking for the "he said, she said" type of humor.

2—The amateur wave is ebbing so rapidly that it may shortly engulf even so distinguished a leader as Major Bowes, this year's "forgotten man" on the air.

3—Lux Radio Theatre and "Hollywood Hotel" are the year's most outstanding radio-film outputs and the most effective film stars regularly heard on the air are Bing Crosby, Dick Powell, Charles Butterworth and Fred Astaire.

4—The most popular male vocalists, with the possible exception of Frank Parker, are film personalities. These include Nelson Eddy, Bing Crosby, Nino Martini and Dick Powell.

5—The best feminine voices, with one or two notable exceptions, are not picture personalities, strange as it may seem. The possible film exceptions are Frances Langford and Lily Pons, if the latter can be rightfully included as a film songstress.

6—Radio is badly in need of new blood. Hardly a newcomer is represented in any of the 13 categories covered by *Fame*.

7—Operatic and classical music is still highly popular on the networks.

8—Quality of radio scripts still determines the worth of a dramatic program, as proved by the votes cast for "One Man's Family," Lux Radio Theatre, Helen Hayes' "Bambi," "The First Nighter" and "The March of Time." Most of the so-called "corny" script shows are not represented by statistics in the *Fame* poll, while the few that were mentioned place far down in the listings.

National Poll Grades Benny As Radio Top

(*Continued from page 10*)

Ruth Etting
Kirsten Flagstad
Harriet Hilliard
Loretta Lee
Jeanette MacDonald
Leah Raye
Ethel Shutta
Virginia Verrill

Comedians

Jack Benny
Fred Allen
Bob Burns
Eddie Cantor
Ken Murray
Milton Berle
Fred Astaire
Phil Baker
Chas. Butterworth
Fibber McGee and Molly

Comedy Teams

Burns and Allen
Stoopnagle and Budd
Amos 'n' Andy
Fibber McGee and Molly
Jack Benny-Mary Livingstone
Pick and Pat
Baker and Bottle
Cantor and Parkyakarkus
Easy Aces
Lum and Abner
Fred Allen-Portland Hoffa
Tim and Irene
Tom Howard-Geo. Shelton

Musical Programs

General Motors Concerts—*Guest conductors*
Ford Sunday Evening Hour—*Guest conductors*
N. Y. Philharmonic—*John Barbirolli*
Chesterfield—*Andre Kostelanetz*
Fred Waring
Cities Service—*Rosario Bourdon*
Paul Whiteman Musical Varieties
Lady Esther Serenades—*Wayne King*
Lucky Strike Hit Parade—*Guest conductors*
Philadelphia Orchestra—*Leopold Stokowski*
Kraft Music Hall—*Bing Crosby*
Magic Key of RCA—*Frank Black*
Voice of Firestone—*Guest conductors*
American Album of Familiar Music—*Gus Haenchen*
Horace Heidt's Brigadiers
Packard—*Johnny Green*
Vick's Open House—*Josef Pasternack*
Metropolitan Auditions—*Wilfred Pelletier*
Musical Camera—*Josef Cherniovsky*
Radio City Music Hall
Royal Variety Hour—*Rudy Vallee*
Cesare Sodero
Standard Symphony Hour
Meredith Willson Concerts

Drama Programs

Lux Radio Theatre
One Man's Family
Helen Hayes—"Bambi"
First Nighter
March of Time
Grand Hotel
NBC Radio Guild
Cavalcade of America
Gangbusters
Lights Out
Amos 'n' Andy
Columbia Workshop
Drums
Famous Jury Trials
Good Will Court
Hollywood Hotel
Lum and Abner
Radio City Music Hall
20,000 Years in Sing Sing
Vic and Sade
Witch's Tale
Your Unseen Friend

Radio Bands

Andre Kostelanetz
Guy Lombardo
Fred Waring
Wayne King
Shep Fields
Paul Whiteman
Benny Goodman
Horace Heidt
Richard Himber
Glen Gray
Hal Kemp
Jan Garber
Ted Weems
Armco
Lon Blake
Eddie Duchin
Phil Harris
Henry King
Little Jack Little
Abe Lyman
Ozzie Nelson
Ray Noble
George Olsen
Joe Sanders
Phil Spitalny
Rudy Vallee
Mark Warnow
Meredith Willson

Comedy Programs

Jack Benny—*Jello*
Town Hall Tonight—(Fred Allen)—*Ipana, Sal Hepatica*
Burns and Allen—*Campbell's Soups*
Stoopnagle and Budd—*Minute Tapioca*
Phil Baker—*Gulf Gas*
Texaco Town—(Eddie Cantor)—*Texaco*
Amos 'n' Andy—*Pepsodent*
Community Sing—(Milton Berle)—*Colgate-Palmolive-Peet*
Easy Aces—*Anacin*
Fibber McGee and Molly—*Johnson's Wax*
Kaltenmeyer's Kindergarten—*Quaker Oats*
National Barn Dance—*Alka-Seltzer*
Saturday Night Party — (Walter O'Keefe)—*Sealtest*
Vic and Sade—*Crisco*

Announcers

Don Wilson
Harry Von Zell
Milton Cross
David Ross
James Wallington
Ted Husing
Hugh Conrad
Ben Grauer
Graham McNamee
Jean Paul King
Howard Claney
Alois Havrilla
Harlow Wilcox
Truman Bradley
Paul Douglas
John S. Young
Ken Carpenter
John B. Kennedy
Tiny Ruffner
Andre Barouch
Ford Bond
Norman Brokenshire
Don Brown
Boake Carter
Bill Goodwin
Peter Grant
Bill Hays
Charles Jennings
Carleton Kadell
Kelvin Keech
Everett Mitchell
Ken Niles
Ken Roberts
Gayne Whitman

Commentators

Boake Carter
Edwin C. Hill
Lowell Thomas
H. V. Kaltenborn
Paul Sullivan
Gabrielle Heatter
John B. Kennedy
Walter Winchell
John Nesbit
Gilbert Seldes
John K. Watkins
Hugh Conrad
Alistair Cooke
Milton Cross
Jimmy Fidler
Wm. Hard
Glen Hardy
Donald McGibney
Bob Trout
Deems Taylor (music)

Film Programs

Lux Radio Theatre
Hollywood Hotel
Packard—Fred Astaire
Kraft Music Hall—Bing Crosby
CBS Radio Theatre
Hollywood Gossip—Jimmy Fidler

Phonetics Win

Omaha, Jan. 5. — Foster May, WOW's newscaster, stated on the air that, in the future, he will follow the practice of pronouncing geographical names and proper names of foreigners phonetically. He said his listeners can't recognize who or what is being discussed if the proper pronunciation is used.

F. C. C. Grants Three New Station Permits

WASHINGTON, Jan. 5.—The Broadcasting Division of the Federal Communications Commission today ordered the granting of construction permits for three new broadcasting stations at the division's first 1937 meeting.

The new stations will be located in Superior, Wis., Bridgeton, N. J., and Visalia, Cal. The first two will have 100 watts power and the third 250 watts.

The commission also revealed that oral arguments will be heard Feb. 4 on the examiner's report recommending the revocation of the license of Station KVOS, Bellingham, Wash. The station recently was freed by the U. S. Supreme Court of charges of news "piracy" brought by the Associated Press, but the examiner's report held it to have violated the regulations of the commission in other ways.

Experiments in synchronizing a booster broadcasting station without the use of wire lines will be undertaken at College Park, Md., under a construction permit for a new experimental station to operate between midnight and 6 A.M. only, granted to University of Maryland investigators. Only one new station was licensed today, KPLT, Paris, Tex., to operate daytime only on 1,500 kilocycles with 100 watts power.

Increases in power were granted as follows: WNEL, San Juan, P. R., to

(*Continued on page 12*)

Last Night On the Air

"Watch the Fun Go By"

Fred Waring left a large pair of brogans to be filled when he vacated the Ford program a week ago. Rex Chandler only half filled the Waring shoes when he took over the NBC portion of the Ford series. Al Pearce and His Gang could do no better last night in the CBS session, now known as "Watch the Fun Go By." We're still watching and waiting, after listening.

The program was as spotty as the Dalmatian puppy in your neighborhood fire house. Alternately it was good, indifferent and finally bad. The best feature of the program was a gabby monologue by Arlene Harris, the "Human Chatterbox." A moronic character introduced as "Elmer Blurt" offered a routine that was as moronic as its depictor. Jimmie Brierley's singing was good; Arthur Boran's imitations of Lionel Barrymore, Ed Wynn and Eddie Cantor were alternately poor, good and excellent in the order and delineation named, while the singing of the juvenile De Marco Sisters was average. Which just about spells the sum total of the program: Average.

Larry Marsh's orchestral performance was the only consistent feature on the program.

"Watch the Fun Go By" is presented each Tuesday at 9 P. M., E.S.T., over the CBS network. Ford Motor Co. sponsors.

"Listen to This"

By listening to "Listen to This," a Mutual-Don Lee program presented weekly at 8:30 P. M., E.S.T., we discovered how to secure a recorded transcription of former King Edward VIII's farewell to his Empire. How? Simply by contributing 50c together with a box top of a Murine eyewash package and addressing it to the sponsor. The 50c in itself will not do the trick. One *must* enclose the box top.

And so, skipping from the ridiculous to the program, we find that "Listen to This" is one of those trite little offerings that fill the same spot in radio that "B" films do in motion picture theatres. The program offers a band, Lou Diamond's; a pair of songsters named Johnny and Dotty; a dramatization of "The Lie of the Week" and a guest of the week.

Between patter Johnny and Dotty offer harmony songs more or less acceptably. "The Lie of the Week" as offered last night was a nonsensical dramatization of a crippled ball player who scored a home run by using a crutch instead of a bat. A trio introduced as "The Little Women," the guests of the evening, scored with a close harmony offering.

BANNER

On Air Anyway

With a strike practically paralyzing the entire production output of the General Motors Corp., the company still is carrying on with its five network shows. Moreover, several recently were re-signed for additional periods.

Station Total Of 656 Nears 1928 Figures

(*Continued from page* 1)

seven times as extensive as that of today, there would not be made available such additional multiplication of channels, and with the advent of new services such as television and other new uses for radio, the commission would continue to be confronted with a dearth of radio facilities in the face of a large demand therefor," it was declared.

While the technique of television has progressed during the past year, the commission does not feel that it is ready for public service on a national scale. "There are numerous obstacles to be overcome and much technical development is required before television can be established on a sound national scale," it was pointed out. "Nevertheless, the rate of progress is rapid and the energies of the laboratories of the country are being concentrated on the technical development of television."

During the fiscal year there was a marked increase in the number of complaints received with regard to the program service of broadcasting stations, but the majority of these cases were easily adjusted, it was reported. In only 11 instances did investigation of such complaints result in formal action, these being concerned with stations that broadcast lottery programs, objectionable medical programs, stock-selling schemes and commercial fortune-telling programs.

Mutual Billings Up 10.4% Over Year Ago

Mutual billings for December were $193,496.23, which represents an increase of 10.4 per cent over last year's for the corresponding month. Last December's total was $175,301.27.

The Mutual total of time sales for 1936 is $1,987,572.57, an improvement of 53.7 per cent over 1935. The previous year's total was $175,301.27.

Latest among the Mutual programs to go coast-to-coast is the "Music From Texas" series which hereafter will be heard over the 10 Don Lee stations in addition to 12 Mutual stations which have been carrying the program for some time past. The program, sponsored by a hotel in Texas, is heard Mondays and Fridays at 1 P. M., E. S. T. Lucky Bowman is the agency.

"Beauty Forum," a new program sponsored by McKesson and Robbins and featuring beauty culturist E. V. Meadows, starts Thursday at 9:45 A.M., E.S.T., over seven Mutual stations. The stations are WOR, New York; WGN, Chicago; CKLW, Detroit-Windsor; WAAB, Boston; WGAR, Cleveland; WHB, Kansas City, and KOIL, Omaha. Brown and Tarcher is the agency.

Fray, Braggiotti Reunite

Jacques Fray and Mario Braggiotti, noted piano duo separated for the past six months, have reconciled and beginning Jan. 18 will be heard Mondays at 7:45 P. M., E.S.T. over the NBC-Red network.

F.C.C. Grants Three New Station Permits

(*Continued from page* 11)

1,000 watts night, and 2,500 watts day; KEHE, Los Angeles, to 1,000 night and 5,000 day; KFWB, Warners, Hollywood, to 5,000 day; KID, Idaho Falls, Idaho, to 500 night and 1,000 day; WABI, Bangor, Me., to 250 day; KVOA, Tucson, Ariz., to 1,000; KSCJ, Sioux City, Ia., to 5,000 day; WDBO, Orlando, Fla., to 1,000; WEAN, Providence, to 1,000, and KRBC, Abilene, Tex., to 250 day.

Names Farmer and Power

Last night on his regular NBC program for Luden's, Jimmy Fidler, Hollywood commentator, named Frances Farmer and Tyrone Power as the year's outstanding screen discoveries.

Fidler selected Robert Taylor and Jean Arthur for the same honors in 1935.

Trout Starting Series

Announcer Bob Trout inaugurates a new series for the American Historical Ass'n Jan. 17 over CBS from 1:45 to 2 P.M., E.S.T. Trout will discuss important news events of the day and compare them with events of the past.

More Film Names Bought

The "Hollywood Hotel" program of Jan. 15 will present Carole Lombard and Fred MacMurray in a radio version of the stage vehicle "Swing High, Swing Low."

Victor McLaglen has been set for Jan. 22. A vehicle and supporting player are now being sought.

Gaffney, Venuta, Et Al

Short Shots: Maurice Gaffney of CBS Trade News Division latest among the grippe victims . . . Benay Venuta leaves the airwaves for a two-week club date in Hollywood, Fla. . . . Bill Forbes, Don Lee time salesman, has resigned to accept a similar berth at west coast CBS . . . Clyde Pangborn and Guy Lombardo have been set for the "Morning Matinee" program Jan. 14 . . . Condolences to Barbara La Marr, WOR contralto, who lost her father yesterday . . . Abe Schecter, NBC special events head, back in harness after a Bermuda cruise . . . George Burns and Gracie Allen entrain for Hollywood tomorrow, with their program emanating from the west coast on the following Wednesday . . . John Held, Jr., has been signed to act as "em cee" on the forthcoming "Varsity Show," the programs of which will be broadcast direct from the campuses of the country's leading universities under the sponsorship of Pontiac Motors. The series begins Friday, Jan. 22, at 10:30 P.M., E.S.T., over the NBC-Red . . . W. J. Cameron, executive of the Ford Motor Co., will guest speak on the Philadelphia Orchestra program this Friday . . . Phil Baker will offer a satire on the film, "The Thin Man," on his program this Sunday night . . . Floyd Gibbons will contribute a monthly prize for the best of the true adventures offered on his new program which starts tomorrow over CBS . . . Grete Steuckgold makes a return appearance on Bing Crosby's "Music Hall" series tomorrow night. . . . Evelyn Laye will appear with Ed Wynn on the latter's program Jan. 16.

Kennedy's Busy

Broken Bow, Neb., Jan. 5.—December went down on the books as a very important month for H. F. and C. Howard Kennedy.

Dec. 18 the Kennedys opened their new Bow theatre here, H. F., the father, celebrating his 25th anniversary as an exhibitor at the same time. Dec. 31 they became a grandfather and father, respectively.

Monogram in Studio; Initial Film Is Ready

HOLLYWOOD, Jan. 5.—A Monogram production unit under the direction of Scott Dunlap, vice-president, on Wednesday will establish headquarters at the Talisman Studio which will thereafter be known as the New Hollywood Studio.

The company program of 30 pictures will be produced by I. E. Chadwick, Ken Goldsmith, Lon Young and Dorothy Reed. "Paradise Isle," first, is set to start March 15. The company will buy outside product. Chadwick has already completed two films on his program.

No Threat Seen in Calif. Legislature

SACRAMENTO, Jan. 5.—Opening of the legislature today presaged no direct threats to Hollywood studios with only one of 65 bills introduced directly affecting motion pictures, and that an amendment to the state Fair Trade Practices Act, which specifically exempts films from its terms because they are leased and not sold.

The only serious opposition is the possibility of the passing of an increase in the income tax law.

Baltimore Ads Are Cut

BALTIMORE, Jan. 5.—Sunday theatre advertising fell off sharply as a result of the boost in rates from 25 cents to 45 cents per agate line by the *Sunday Sun* and *Sunday American.*

Six of the first runs took about 25 lines each, five neighborhoods took small space and the two principal circuits, Durkee and Rome, were entirely absent. The New happened to have a national ad running.

Settles Suit for $70

N. Y. Supreme Court Justice John E. McGeehan yesterdav approved the terms of settlement of a suit of Harry Cook against 20th Century-Fox. He accepted $70 and $15 attorneys' fees. Cook had sued on the ground that his rights had been infringed when he was filmed in front of 15 Maiden Lane for a scene in the picture of that name.

Meeting in Chicago

Herman Robbins, Sam and George Dembow left for Chicago yesterday to attend a brief midwestern meeting on National Screen Service business.

"Spain" Out in July

United Artists plans to release "The Kid From Spain" some time in July. The picture was produced about four years ago.

Kallet Plans Heavy Expansion Program

ONEIDA, N. Y., Jan. 5.—An ambitious expansion program will be decided upon by Kallet Theatres, Inc., at the annual meeting to be held here Jan. 28. The circuit closed the year with 21 houses.

During 1937 dark houses will be opened and 10 new ones will be built or leased, according to M. J. Kallet, president. A modernization program calls for an estimated expenditure of more than $500,000.

The Regent, Syracuse, is to be rebuilt as an ace house. In this town the Madison and Regent are to be remodeled and a new house constructed on Main St. on a site acquired recently. Two or more of the seven Utica houses will be remodeled. In June remodeling will be started on the Strand at Canajorharie. This house was purchased Dec. 15, but possession will not be taken until June 1. During December the company opened the Avon at Fulton.

Waynesboro Votes In Sunday Performance

WAYNESBORO, Va., Jan. 5.—Following special voting here today, registered voters ballotted 344 for Sunday shows against 294 in opposition. As a result of the referendum, Sunday shows are legal here as far as local ordinances are concerned.

Precautions Taken

CHICAGO, Jan. 5.—Dr. Howard N. Bundeson, president of the Board of Health, ordered the police commissioner to station a policeman in every theatre here to enforce the ordinance against standing in the aisles. In addition, the police have been ordered to keep the lobbies clear and allow no one inside unless a seat is available. This action was taken to avert the spread of an influenza epidemic which is increasing rapidly.

Wall Street

Para. Issue Hits New High

	High	Low	Close	Net Change
Columbia	35	35	35	+ ¼
Columbia, pfd. ...	43¼	43¼	43¼	+ ¼
Consolidated	5⅜	5⅛	5¼	+ ⅛
Consolidated, pfd..	17⅞	17¼	17¼	+ ¼
Eastman Kodak..	174	173½	173½	—1⅝
Gen. T. Equip....	30⅛	29¾	29⅞	+ ⅛
Loew's, Inc.	66¾	64¾	66	+1⅜
Loew's, pfd.	106½	106½	106½	— ½
Paramount	25½	24¼	25¼	+1
Paramount 1 pfd..	178½	170½	178¼	+8¼
Paramount 2 pfd..	23¼	22	23	+1
Pathe Film	10⅜	9¾	9¾	— ⅛
RKO	8½	8¼	8¼	— ⅛
20th Century-Fox.	35⅜	35	35⅛	+ ⅜
20th Century, pfd..	44	43¾	43¾	+ ¾
Universal, pfd. ..	100	100	100	.....
Warner Bros.	18	17⅛	17⅜	+ ¼
Warner, pfd.	67½	67½	67½	— ⅜

Curb Gains Lightly

	High	Low	Close	Net Change
Grand National ..	3½	3⅜	3½	+ ⅛
Sonotone	2	2	2	.....
Technicolor	21¼	21	21	+ ¼
Trans-Lux	4⅜	4¼	4⅜	+ ⅛
Universal Pict....	11½	11½	11½	— ¾

Bond Prices Increase

	High	Low	Close	Net Change
Keith B. F. 6s '46	98	98	98	.....
Loew's 3½s '46...	101	101	101	— ⅛
Paramount Pict. 6s '55	100⅜	100⅛	100⅜	+ ⅛
RKO 6s '41 pp....	117	116	117	+1
Warner Bros. 6s '39 wd	99½	99⅜	99½	+ ¼

(Quotations at close of Jan. 5)

Congress Gets Started with 2,000 Bills

(Continued from page 1)

were introduced today or will be submitted before the end of the week. Among those so far introduced are two measures by Representative Culkin of New York, one to prohibit block booking and the other to establish a commission to protect the industry from unfair trade practices and monopoly and settle trade controversies; two bills to prohibit the entry of alien actors, one by Representative Dickstein of New York and the other by Congressman Kramer of California, the latter permitting the entry of actors from countries which permit American artists to take engagements; the block booking bill of Congressman Pettengill of Indiana, and the copyright measure (passed by the Senate in the last Congress, but not acted upon by the House) by Senator Duffy of Wisconsin.

Patman to Revise Theatre Measure

(Continued from page 1)

retail distribution by producers, it is expected the bill will vest in the Federal Trade Commission authority to compel the abandonment of retail outlets by producers whose distribution activities tend to create unfair competition, lead to monopoly or "injure the business of a customer who is a retailer."

More mature consideration of his measure, it was represented, has led Congressman Patman to the belief that a flat prohibition against retail selling by manufacturers would cause unnecessary injury to many small concerns while the large "monopoly" producer-retailers can be driven from the field by the proposed substitute provisions.

Under the bill, as redrafted, producers having theatres would be subject to attack on three grounds—that their theatres constitute unfair competition, that they tend to build up a monopoly, or that they injure competing exhibitors who also buy the producers' pictures.

Constitutionality Of Sales Tax Hit

(Continued from page 1)

tax assessment against its film rentals here furnished the test case for the other distributors, are included in the new brief. They are that the licensing of film does not constitute a sale of tangible property; that such transactions are not sales at retail and that such transactions are in interstate commerce and, therefore, not subject to a municipal tax.

Wood's brief charges that the sales tax law itself, which was conceived to provide funds for the relief of unemployed, is in violation of both the state and Federal constitutions because it appropriates public funds for private purposes "in violation of the Fourteenth Amendment to the Federal Constitution and the due process clause of the State Constitution."

O'Brien, Driscoll & Raftery, attorneys for United Artists, are attorneys of record in the case.

◀ *Purely Personal* ▶

JOE MOSKOWITZ and JACK GOETZ and LESTER C. BURDETT of the attorney general's office in New Jersey congregated at the Tavern for lunch yesterday. MOSKOWITZ leaves Friday for a month's trip to the coast. GOETZ misses his partner, ARTHUR GOTTLIEB, who has gone to Toronto and is due back the end of the week. A. W. SMITH, JR., and LOWELL CALVERT are together and MONROE GREENTHAL and LYNN FARNOL discuss advertising. JACK LAIT and NATE SPINGOLD are in a corner talking things over. GEORGE HIRLIMAN, A. J. VAN BEUREN and FRANK SNELL are seated together, while M. H. HOFFMAN is accompanied by BUDD ROGERS. JAMES WINN, Grand National's division manager, just back from New Orleans by air, talks about bookings for "Great Guy."

•

CHESTER ERSKINE drops by and says hello to MOSKOWITZ. He has just recovered after being down several days with the grippe. DON HANCOCK and HAROLD MCCRACKEN confer on shorts, while FRED MCCONNELL is seated alone. J. H. MCFARLAND and JAMES P. CUNNINGHAM talked things over, while JAMES CLARK, just in from Philadelphia, is paired with CLINT WEIER.

•

LEO JUSTIN, MITCHELL KLUPT and IRVING WORMSER are gathered at the the big round table, while HARRY SHIFFMAN and HENRY BROWN desert them for the day. HARRY H. THOMAS and JULES CHAPMAN are together and give HOFFMAN a big handshake. EDWARD SCHNITZER, BILL SAAL, EMIL JENSEN, ARNOLD VAN LEER and IRWIN KLEEBLATT are at other tables.

•

RAY JOHNSTON, HERMAN RIFKIN, and EDWARD GOLDEN are together at one of the rear tables, while JULES LEVY and BOB WOLFF are seated at a side table. GEORGE WEEKS and GEORGE BATCHELLER are at the other side of the room.

•

JOHN MURPHY, assistant to JOE VOGEL, and LARRY BEATUS, Loew division manager, have returned from the coast where they visited the M-G-M studios. On their return they stopped at St. Louis and Denver.

•

TAMARA, last seen in "Roberta," has been signed for the lead in "Tide Rising," new play by GEORGE BREWER, JR., to be presented by RICHARD ALDRICH and RICHARDSON MYERS.

•

MRS. DAVID LOEW and her two sons will leave for Hollywood today. They came east expecting snow and were disappointed.

•

HAL HORNE, due yesterday from the coast, was grounded in Texas and is due to arrive today.

•

ROBERT SCHLESS of Warners' office in Paris will leave for home in about 10 days.

•

LOUIS B. MAYER and HOWARD STRICKLING are due today from Hollywood.

•

NAT COHN is back from Miami after a two-week vacation.

•

AL LICHTMAN is planning to leave for the coast again shortly.

STANTON GRIFFIS, chairman of the Paramount executive committee, joined the home office contingent which is en route to the coast for the ADOLPH ZUKOR jubilee dinner tomorrow night.

•

ANTOINETTE SPITZER, formerly with the Blackstone Agency, has joined the local WALTER WANGER office to do special exploitation for "Walter Wanger's Vogues of 1938."

•

BARNEY RAPP, orchestra leader, and RUBY RICE, his soloist, will be married this afternoon. A reception will be held at 6:30 in the Paris Room of the Hotel New Yorker.

•

FRANK GILLMORE, president of Actors' Equity Ass'n will leave Friday on a vacation trip which will take him to Rio de Janeiro.

•

WILLIAM R. FERGUSON and EDDIE CARRIER are in Detroit visiting W. G. BISHOP, Loew exploiteer, who is ill with pneumonia.

•

SARA FOX is gaining steadily at the 5th Ave. Hospital where she underwent an operation the other day.

•

DAVID SOUHAMI, who is here from Paris on an extended visit, has lett for the coast.

•

LULI DESTE, under contract to B. P. SCHULBERG, left yesterday for the coast.

•

IRVING MACK, the Chicago trailer man, is in New York for a few days.

•

C. C. PETTIJOHN was confined to his home with a cold yesterday.

•

LOUISE FAZENDA is at the Lombardy.

•

. . . *Omaha*

ARTHUR ANDERSON, Warners' Des Moines manager, recently had a close call with pneumonia contracted at Oskaloosa, Ia. He is reported recuperating.

JOE E. SCOTT, 20th Century-Fox exchange manager, and NYNEE FRANCES LEFHOLTZ, formerly of the Lefholtz Sisters singing trio of stage and radio, took a Christmas honeymoon following their marriage at St. Bernard's Catholic Church.

L. C. EHLERS, manager of the Minden at Minden, Neb., has been elected president of that city's Chamber of Commerce.

•

. . . *Cincinnati*

TRACY BARHAM, general manager Southio Theatres, with headquarters in Hamilton, is spending the holiday season in Alabama.

HARRY SCHWARTZ, formerly Grand National salesman, is now with Big Feature Rights as salesman out of Indianapolis.

STEVE HOLLANDER, student booker at M-G-M, in New York for a holiday vacation with his family.

•

. . . *Portland*

MATT APPERTON, formerly with Sheffield-Republic, making a quick trip to visit Pacific Northwest friends via motor.

J. T. SHEFFIELD of Republic back from Denver for the holidays.

Paramount's Issues Soar to New Highs

All three Paramount issues on the stock exchange yesterday hit new highs and closed ¼ of a point from the top quotations. The first preferred gained 8¼ on the day and ended at 178¼. The common went as high as 25½, finished at 25¼, for a point profit, while the second preferred reached 23¼, closed at 23 and also netted a point to the good.

Trading was heavy in all three issues, the company taking the lead in comparison with other film stocks on the basis of the number of shares changing hands.

Atlas Has 1,516,483 Para. Shares

Atlas Corp. is beneficial owner of 1,516,483 shares of Paramount first preferred stock, according to a statement filed yesterday with the N. Y. Stock Exchange. In its report, however, the investment company, which is also heavily interested in RKO, disclaims responsibility for accuracy and completeness of the holdings as indicated.

The Paramount report, dated Oct. 3, 1936, lists Allied Owners Corp. as owner of 25,000 shares of first preferred. The shares were issued to Allied as part of the settlement arrangements for a $5,000,000 claim filed against Paramount in its reorganization proceedings which originated with theatre building and leasing deals made with Paramount.

John D. Hertz with Lehman Bros., of which he is a partner, are listed as owners of 8,000 shares of second preferred and 600 shares of common. Maurice Newton with Hallgarten & Co., of which he is a partner, are listed as owners of 5,000 shares of second preferred and 5,000 shares of common.

The report disclosed that Adolph Zukor received a salary of $91,645 during 1935, and that John E. Otterson received $84,000 as president of Paramount for the period from June 17, 1935, to Jan. 1, 1936. S. A. Lynch, who served as chairman of the Paramount advisory committee during the reorganization of the company, received a salary of $79,500 for the full year 1935.

The statement reported that Paramount owned 560 theatres in 1936. This number does not include theatres partially owned and operated by partners, which are believed to number about 500.

Start Giving Zukor Medals

The special silver medallions, commemorating the showing of "Queen Elizabeth" starring Sarah Bernhardt in the first full-length production, are now being distributed through the various Paramount exchanges to the exhibitors who played "Queen Elizabeth" when it was first released in 1912.

In addition to the 387 exhibitors previously mentioned for these medallions, there have been added the names of 11 more theatreowners.

Included in this new group, which makes 398 showmen in all, are:

Chicago: Harry Foster.

Dallas: E. H. Rowley and H. B. Robb, Dallas; Yuill Robb, Big Springs, Tex.

Kansas City: Arthur H. Cole and R. C. LiBeau, Kansas City; A. L. Hackett, Fairfax, Mo.; Hugh Gardner, Neosho, Mo.; Mrs. Rolla Booth, Rich Hill, Mo.

Canada: George Cook, Picton, Ont.; Sam Lester, Toronto.

F A

Out today

ONE DOLLAR THE COPY

M E

edited by Terry Ramsaye

THE BOX OFFICE CHECK-UP
an AUDIT of PERSONALITIES

The third annual edition of the international reference authority on star values is off the press to-day!

The box office champions of 1936 presented with complete analysis and personnel credits.

The money making stars of the season evaluated and reported upon by the exhibitor showmen of the world.

The radio champions of 1936 as polled by the radio editors of the daily newspapers of America.

Film Fame and Radio—an analysis of the extent to which the air waves lean on Hollywood for talent.

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK

A. J. Balaban, Chicago Group Enter F. & M.

(*Continued from page* 1)

deal. Meyers is believed to have represented A. J. Balaban.

Another meeting will probably be held next week when Arthur returns from New York and Mike Marco comes on from the coast. Arthur is due by plane late Tuesday night and Marco the same day. It is possible that the two may meet in New York before conferring here with the Chicago interests.

Balaban recently organized Balaban Theatres Co., at Dover, Del. He is head of the company. Greene, Perlman and Jack Bartman of Chicago also are interested. Balaban is due back from Switzerland next month.

Balaban is understood to have had a desire to return to the theatre field for some time. He is a friend of long standing with Arthur Marco and Jack Partington. The three F. & M. associates are said to have made overtures to Balaban to join with them some time ago, but he turned down the proposal.

On Nov. 29, F. & M. took over operation of the St. Louis Amusement Co. on a 10-year management contract with the bondholders. In addition, the company operates the Ambassador, St. Louis, Missouri Fox, and Orpheum and Shubert-Rialto. The latter two are closed because of labor difficulties.

The Balaban-Rubens buy would include all these houses and possibly the three theatres in which F. & M. is interested with Harry Greenman, two of which are in neighborhoods and the third out of the city.

There is a possibility that Paramount may be interested indirectly through Rubens, but this could not be confirmed. Rubens is head of Great States which, in turn, is owned by B. & K., Paramount theatre affiliate. At the present time Loew's is the only major distributor represented in the territory with its own exhibition unit.

G. B. to Start Own Exchanges Shortly

(*Continued from page* 1)

outlet in every key city in the country before June.

Offices will be opened one at a time, it was stated yesterday, since there is no disposition on the part of 20th Century-Fox to inconvenience G. B. Arthur Lee, vice-president of the domestic G. B. company, is due to return from Miami Beach tomorrow to start working on these plans.

In the interim, G. B. will hold up releasing five B.I.P. and a similar number of Herbert Wilcox films recently contracted for distribution in this market. Isidore and Maurice Ostrer are understood deferring their return to England until details in connection with G. B. exchanges are completed.

I.T.O.A. to Discuss Labor

Labor again will be the principal topic at the regular I.T.O.A. meeting today at the Astor. The annual ball, scheduled for Jan. 16 at the Waldorf, also will be discussed.

Looking 'Em Over

"Woman in Distress"

(*Columbia*)

A lively, fast-moving picture, characterized by a novel theme and engaging romantic complications, this should be found attractive entertainment by almost any audience. Excellent double bill material, it also may stand on its own feet in many situations.

Albert De Mond's screen play from Edwin Olmstead's story revolves about the unexpected discovery of an original Rembrandt in the home of an elderly spinster in Maine, the efforts of a newspaper reporter and his feminine rival to scoop each other on the story, the theft of the picture by a gang of thieves, and its eventual recovery, accomplished in an active, suspense-laden fashion.

A good cast includes May Robson as the spinster; Dean Jagger and Irene Hervey as the two reporters, who close the film on a romantic note, and Douglas Dumbrille as the leader of the gang which steals the painting.

Annoyed by the manner in which Miss Hervey has been beating him to stories, Jagger determines to beat her to the Rembrandt yarn, but fails, apparently, when she calls his story of the painting's authenticity a falsehood. The painting had been stolen in the meantime. From that point the film moves rapidly, under Lynn Shores' direction, as the gang attempts to kill Miss Robson and Miss Hervey, fearing they may identify the painting if it is found. The two are saved from fire in the proverbial nick of time and all's well.

Production Code Seal No. 2,821. Running time, 67 minutes. "G."

"Revolutionists"

(*Amkino*)

From the Soviet Mosfilm studios comes this documentary treatment of a series of events which preceded the Russian cataclysm. To be more accurate, it reveals, more or less in strict historical fashion, how the roots of the "cause" were set to gather nutriment and so launch the Bolshevist movement. It contains some outstanding performances, but strikes the usual note of Soviet self-praise plus, of course, propaganda. It is lengthy, at times slow-moving. Occasionally there are flashes of fine direction.

The narrative concerns the difficulties of a student who is expelled from his university for radical tendencies. He goes from one trying situation to another, finally being seized and exiled. However, without him the cause moves on and when he is released again definite progress has been made in the way of bloodshed and slaughter. And with highly emphasized heroics the piece finally winds up fortelling more radical plotting when the motivating trio of "comrades" meet again in a foreign country. Vera Stroyeva directed. There are subtitles in English and no appeal for this market.

Reviewed without production code seal. Running time, 100 minutes. "A."

Overseas Previews

"Sensation"

(*A.B.P.*)

London, Dec. 23.—From the play "Murder Gang," by George Munro, Fleet St. crime reporter, and Basil Deal. It satirizes and exposes the newspaper practice of making murder a front page story and of inventing the facts when they do not present themselves.

Chief figure is Pat Heaton (John Lodge), prize member of the "Murder Gang," which descends from newspaperdom to the scene of the current crime. Heaton, assisting in the discovery of the murderer of a pretty country waitress and exploiting his wife's need of money for the defense to trap her into agreeing to publication of her love letters, is sickened by the whole newspaper racket and, encouraged by his sweetheart, gives back the letters and commits professional suicide.

Briskly directed by Brian Desmond Hurst, it is amusing in its characterization of the various types of crime reporter and maintains the mystery interest as well. The reporter is quite plausibly shown following up clues which die neglected under the noses of the police. The newspaper atmosphere is not so happy in the Fleet St. scenes.

Diana Churchill, Joan Marion, Athene Seyler, Francis Lister, Margaret Vyner and Jerry Verno have good parts. It is very fair entertainment of support category, but very British.

Running time, 75 minutes. "A."

Allan

Short Subjects

"It's All Over Now"

(*Vitaphone*)

Dan Healy falls to reminiscing over his past affairs on the night before his wedding. Assisted by Brooks Benedict, his butler, he conjures up the atmosphere surrounding the various girls as he burns their photos. There is a series of dissolves into colorful situations—Scotland, Russia and Bermuda—where there is dancing, romance and gayety. Though it drags somewhat and is heavily sentimental in its comic relief, it still manages to get a few laughs. Production Code Seal No. 01,208. Running time, 20 minutes. "G."

"More Kittens"

(*Disney-U.A.*)

The three Silly Symphony kittens get chased out of a kitchen door and hide in the St. Bernard dog's fur. Complications follow when they find themselves riding on a turtle. One of them gets pecked on the nose by a blue bird. The three of them chase the bird along a clothesline and get mixed up with the clothespins. It's grand.

Production Code Seal No. 2,341. Running time, 8½ minutes. "G."

"Jimmie Launceford and His Orchestra"

(*Vitaphone*)

This colored orchestra plays in excellent syncopated style with clever rhythmic effects and the result is first rate entertainment. There are solo specialties by band members, dancers and Myra Johnson, a vocalist. Production Code Seal No. 0,138. Running time, 10 minutes. "G."

Chicago Houses Ask Injunction Extension

Chicago, Jan. 5.—Thirty-three thetheatres were granted permission today to file an intervening petition to join an injunction granted the Iris last week restraining interference from the police with Bank Night. Judge Niemeyer of the Superior Court set a hearing on the petition for tomorrow afternoon after denying Assistant Corporation Counsel William Daly's plea that the petition be denied at once. Daly charged Bank Night with being contrary to the city ordinance which prohibits theatres from distributing prizes and asserted that the game was a public nuisance and a hazard because of the overcrowding of theatres.

Theatres granted permission today were those previously arrested. Other petitions will be sought when more theatremen are arrested. It is believed by theatre operators that they can conduct the games on the original Bank Night plan, which they claim is legal, and thus avoid police interference.

B. N. Restraint Refused

Chicago, Jan. 5.—In Circuit Court here today Judge Burke denied Mrs. Elizabeth Mannasmith's petition to restrain 87 theatres from distributing Bank Night pools, totaling about $300,000. Judge Burke ruled that the petition was without merit. Theatres are continuing to play Bank Night and taking summonses for each violation.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 5 NEW YORK, THURSDAY, JANUARY 7, 1937 TEN CENTS

Shirley Again Heads List as Profit Player

Child Star Box-Office Top; Gable Second

Shirley Temple heads the list of money-making stars for the second year in *Motion Picture Herald's* annual poll of exhibitors. She also heads a similar poll conducted among English exhibitors for the first time.

Three players achieved new prominence during the year—Robert Taylor, Jeanette MacDonald and Gary Cooper.

Taylor's rise was phenomenal. He jumped from 83rd place in 1935 to fourth in 1936, his rise dating from his role of the doctor in "Magnificent Obsession," an early 1936 release. Miss MacDonald rose from 35th in 1935 to ninth last year, largely as a result of her work in "Naughty Marietta," "Rose Marie" and "San Francisco." Cooper jumped from 31st position to 10th. Four of his outstanding achievements were "Lives of a Bengal

(*Continued on page* 5)

Sterling Acquires Monogram Pictures

Sterling Pictures has acquired the name, good will and negatives of Monogram Pictures Art of N. Y. and also has filed an amendment to its incorporation papers to change the name to Monogram Pictures Corp., W. Ray Johnston stated yesterday following a meeting of the board of directors.

At the same time Monogram Pictures of New York, which has been in liquidation for the past two years, will be changed to W. Ray Johnston Enterprises, Inc. All exchanges acquiring franchises will operate under the name of Monogram, Johnston said.

Officers of the new Monogram company are Johnston, president; Scott R. Dunlap, vice-president; J.

(*Continued on page* 6)

Adolph Zukor Gets Flood of Messages

Hollywood, Jan. 6.—Adolph Zukor has received innumerable telegrams and letters of congratulation on the anniversary of his 25th year in the industry from all parts of the world. The Silver Jubilee dinner to Zukor will be held Thursday night at the Paramount studio. Among the tokens

(*Continued on page* 8)

President Takes New Stand For Principles of the NRA

By CLARENCE LINZ

Washington, Jan. 6.—Apparently abandoning all thought of a constitutional amendment to permit the Government to deal with labor and social problems, President Roosevelt today reiterated his belief in the principles of NRA and demanded court support of the New Deal program.

Personally delivering his annual message to Congress, the President declared: "The vital need is not an alteration of our fundamental law but an increasingly enlightened view with reference to it," later asserting that "it is not to be assumed that there will be prolonged failure to bring legislative and judicial action into closer harmony."

"Means must be found to adapt our legal forms and our judicial interpretation to the actual present national needs of the largest progressive democracy in the modern world," the President said.

"The judicial branch also is asked by the people to do its part in making democracy successful," he declared in concluding. "We do not ask the courts to call non-existent powers into being, but we have a right to expect that conceded powers or those legitimately implied shall be made effective instruments for the common good."

Telling Congress that "overproduction, underproduction and speculation are the three evil sisters who distill the troubles of unsound inflation and

(*Continued on page* 6)

Hearst Leads, Mae West Next In Salary List

Washington, Jan. 6.—William Randolph Hearst's $500,000 was top salary paid in the United States in 1935, but the film stars and executives were pushing him hard, led by Mae West, who received $480,833, it was disclosed today by the annual salary report of the Internal Revenue Dep't, made public through the House Ways and Means Committee.

The voluminous report, for several years made public annually, listed every person in the United States whose salary, commission, bonus or other remuneration exceeded $15,000 for the calendar year 1935 or the nearest comparable fiscal year. Not only was this year's report consider-

(*Continued on page* 5)

New Orleans Enjoyed Best Year in Seven

Herewith is the first of a series of articles reviewing in highlight the business situation in 1936 *in leading cities of the country, with forecasts for* 1937.

New Orleans, Jan. 6.—In 1936 New Orleans theatre owners had one of the best seasons since 1929, both in grosses and the nature of the product offered by the producers.

Business in all lines showed a pronounced advance, in prices and the volume of merchandise handled. Increase in payrolls and the number of employes began in the early spring and climbed upward steadily. Savings accounts increased 25 per cent over

(*Continued on page* 6)

Aherne the Shining Light In Disappointing "Othello"

Sooner or later this confession will out. It might as well be this morning.

Your dramatic reviewer begs leave to inform his readers that he finds a good deal of Shakespeare old-fashioned, often dull and a pretty difficult fellow to take. Craving your further indulgence, he deposes and continues by adding he would much prefer to read the Bard than see him interpreted on the New York or any other stage unless the job is one of great beauty

(*Continued on page* 6)

Radio Developments—Page 4

Probing Power In Anti-Trust Cases Sought

Complaints Ineffective Asserts Dickinson

By BERTRAM F. LINZ

Washington, Jan. 6.—Authority for the Dept. of Justice to engage in "fishing expeditions" where it has reason to believe the anti-trust statutes are being violated was urged upon Congress today by Assistant Attorney General John Dickinson, who this month resigned after two years as head of the anti-trust division.

Dickinson's recommendation was made in the anti-trust divisions section of the annual report submitted to Congress by Attorney General Homer Cummings, in which it was pointed out also that the construction given the anti-trust laws by the courts has made legal "many things popularly believed to constitute violations."

His suggestion that broader powers be given the department was based on the limitations imposed by its present dependence on complaints by private parties for the initiation of investigations and the difficulties which it encounters through the filing of complaints by persons who later compromise their grievances against those of whom they have complained and then seek to abandon the cases they have caused to be initiated.

"For all these reasons," Dickinson said, "it seems imperative that the

(*Continued on page* 6)

See Bills for Aid To Small Business

Washington, Jan. 6.—Legislation prohibiting unfair competition and bills providing for Federal aid to small business along the lines of the Federal Housing Act and setting up a permanent national economic council similar to the National Industrial Advisory Committee, will be submitted to Congress for consideration in near future by the Council for Industrial Progress, whose correlating

(*Continued on page* 6)

Circuits Chary on Bank Night Ruling

Despite the Court of Appeals ruling that Bank Night is legal in the state of New York, major circuits have no plans to expand the game in its local units, it was stated yesterday.

Loew's plays Bank Night and

(*Continued on page* 8)

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Wanger to Produce Musicals Annually

Walter Wanger will produce one big musical a year under the title of "Walter Wanger's Vogues." Hal Horne, who will have charge of these productions, arrived yesterday from the coast to spend three weeks here casting the first "Walter Wanger's Vogues of 1938."

The eastern setup of Wanger's office has been completed. Rodney Bush will be in charge.

"Million" Held Over

"One in a Million" is being held over in 17 first runs, according to John D. Clark, general manager of distribution of 20th Century-Fox. Clark says it is outgrossing "Pigskin Parade" and "Sing, Baby, Sing." It is scheduled to open in 100 key cities over the weekend.

RKO Takes "Carnival"

RKO has closed a deal with American Tobis for "Carnival in Flanders" in 42 Greater New York theatres. Negotiations are pending on a national deal.

Loew Theatre Unit '36 Net $423,699

Washington, Jan. 6.—A net income of $423,699 for the fiscal year ending Aug. 31 is shown by Loew's Theatre and Realty Corp. in its annual report as filed with the Securities and Exchange Commission.

The balance sheet of the company showed, among other items, theatre reciepts and miscellaneous income of $6,400,440 and rent income of $405,249. Theatre operations, including film rentals, cost $3,538,544 and $317,200 was paid in booking fees to an allied corporation and $1,828,292 in rents on leased property.

The company, a subsidiary of Loew's, Inc., which holds 100 per cent of its equity stocks, is in turn full owner of six subsidiaries and part owner of three others. The major holder of securities other than equity stocks were Nicholas M. Schenck, president, who held $69,000 in six per cent bonds; Leopold Friedman, secretary, $22,900 in the same bonds; Isadore Frey, assistant secretary, $5,000, and H. Halborn, assistant secretary, $4,500.

A balance sheet for the theatre corporation and its wholly owned subsidiaries showed theatre receipts and miscellaneous income as $6,691,716, and rent income of $500,389. Theatre operations, including film rentals, cost $3,721,901, booking fees to an allied corporation, $322,400, and rent $913,385. The net income was $419,066.

A balance sheet for the subsidiaries not consolidated showed theatre income and miscellaneous receipts of $813,897 and rent of $11,055. Theatre operations, including film rentals, cost $487,273, and booking fees to an allied corporation were $20,441. The net income was $138,636.

The only remuneration in excess of $20,000 paid by the corporation was $50,000 to Proskauer, Rose & Paskus for legal services in the adjustment of lease contracts.

Cleveland Loew Scale Up

Cleveland, Jan. 6.—Col. Harry E. Long, Loew division manager, has raised the Stillman prices from 25c-35c to 30c-35c-42c for the rest of the season.

Loew's to Pay $1.67½

Loew's directors yesterday declared the regular quarterly dividend of $1.67½ on the outstanding preferred stock.

British Exhibitors Against Joint Body

By BRUCE ALLAN

London, Jan. 6.—The C.E.A. general council on Jan. 16 will receive a report from the General Purpose Committee recommending against the K.R.S. proposal for a joint trade association with a British Will Hays.

Exhibitors' fear of distributors is greater than their fear of a Government commission as suggested in the Moyne report. Some would welcome an official body which might control the trading methods of K.R.S. There is a strong feeling that any joint trade body would be dominated by the K.R.S., exhibitors having sacrificed the power of opposition.

The exhibitor attitude is a surprising development which leaves the trade disunited in the face of the Moyne report.

Mayor vs. Reade

Saratoga Springs, N. Y., Jan. 6.—Mayor Addison Mallery of this city and Walter Reade, theatre operator, had at each other in no mean fashion last night, when the City Council rejected Reade's petition for rezoning of property to permit him to erect a theatre here.

Pointing to the Mayor, Reade said, "I'm going to build a theatre here in spite of this man."

The Mayor shouted, "You're a liar," and drew back his arm.

Reade declared he had bought the Saratoga Club and would build a theatre on the site despite the council, and the next move has not happened yet.

Duroy Sues Gillmore On Magazine Story

Robert Duroy, actor and producer, yesterday filed a suit in N. Y. Supreme Court for $150,000 against Frank Gillmore, president of Actor's Equity Ass'n. Duroy asserts Gillmore, in an article published in *Equity Magazine* made aspersions regarding a suit Duroy had brought against the association in 1931, which the actor won.

In that action Duroy accused Gillmore and Equity of committing certain acts which he claimed caused his production, "The Right to Happiness," to close after a short run. The suit was tried in 1934. Duroy was awarded $40,000 which was appealed.

The present action claims that in a recent article Gillmore wrote about the suit he said that Duroy was an incompetent actor. For this Duroy asks $50,000.

The balance of the damages, $100,000, are asked by Duroy for the statement by Gillmore that he was a good actor on the witness stand and induced the jury to bring in a verdict not commensurate with the facts.

In court today Gillmore will ask the second cause of action be dismissed on the grounds that the facts are insufficient to rate a cause of action.

Fox to See Copyright

Federal Judge Coxe yesterday permitted Fox Film Corp. to examine an original copyright belonging to S. Fay Kaplan, which is alleged to have been made by Theatre Magazine Co. to him. The action revolves around his suit for an injunction and damages of upwards of $5,000 charging infringement of stills used in a 1929 issue of *Theatre Magazine* in "George White's Scandals of 1935."

Fuller Case Hearing Set

New Orleans, Jan. 6.—An order instructing attorneys in the case of George Fuller charging conspiracy against seven major film distributors to submit written arguments was issued today by Judge Borah. The court has set a hearing for next Wednesday.

Henry Buddy Resigns

St. Louis, Jan. 6.—Henry Buddy, sound engineer for the St. Louis Amusement Co., has resigned effective Jan. 16.

Amusement Receipts $59,086,000 in N. E.

Washington, Jan. 6.—Box-office receipts of New England's 2,763 places of amusement last year reached a total of $59,086,000, it was stated today by the U. S. Census Bureau, making public the first of a series of reports on the amusement industries.

Today's report dealt with the subject in a general manner, the figures covering film and other theatres, circuses, amusement parks, bowling alleys, billiard parlors, dance halls, etc. Segregated figures for the theatre industry are expected to be made public later.

The 2,763 establishments covered by the report had 2,125 active proprietors and firm members and gave employment last year to an average of 13,198 persons, the bureau reported. The total payroll for the year, including no compensation for proprietors and firm members of unincorporated businesses, was $13,448,000, of which $1,848,000 was for part-time work.

Itemized by States

Figures on amusements in each of the six New England states were published by the bureau as follows: Massachusetts, 1,281 establishments with receipts of $32,724,000, having 980 proprietors and firm members employing an average of 6,971 persons comprising a payroll of $7,863,000, of which $993,000 was for part-time work; Connecticut, 550 establishments with receipts of $11,522,000 having 406 proprietors and firm members employing an average of 2,780 persons comprising a payroll of $2,428,000, of which $166,000 was for part-time work; Rhode Island, 177 establishments with receipts of $7,365,000, having 124 proprietors and firm members employing an average of 1,189 persons comprising a total payroll of $1,478,000, of which $552,000 was for part-time work; Maine, 392 establishments with receipts of $4,010,000, having 304 proprietors and firm members employing an average of 1,172 persons comprising a total payroll of $844,000, of which $79,000 was for part-time work; New Hampshire, 230 establishments with total receipts of $3,042,000, having 188 proprietors and firm members employing an average of 708 persons comprising a payroll of $583,000, of which $37,000 was for part-time work; Vermont, 133 establishments with receipts of $1,423,000, with 123 proprietors and firm members employing an average of 378 persons comprising a total payroll of $252,000, of which $21,000 was for part-time work.

Leo Abrams Inducted As Film Board Head

Leo Abrams, local Universal exchange manager, last night was inducted as president of the New York Film Board of Trade along with other newly elected officers at the Lincoln Hotel. Following the inauguration, the exchange managers saw "The Show Is On" at the Winter Garden.

Future plans of the organization have not been discussed, Abrams stated last night.

Harry Hummel of Warners is first vice-president, Edward Bell of Paramount, second vice-president. Harry Decker of Warners is secretary and Morris Epstein of Grand National is sergeant-at-arms.

All that 'I Am A Fugitive' meant in 1932

BLACK LEGION

will mean to you on January 30th!

Warner Bros. Know Because **WARNER BROS.** Made Both!

1st NBC-WPA Stage Unit Is Set in Phila.

The first film theatre stage variety unit, developed out of the talent used on the Professional Parade, new Federal Theatre Project-NBC radio program, has been booked for Fay's Theater, in Philadelphia, for a full week beginning Jan. 15, it was learned yesterday.

The booking was handled by Rubey Cowen, of the NBC Artists' Bureau, which cooperated in the development of the radio program and is in complete charge of all stage bookings on the theatre units. The stage variety bills, which are planned to run approximately one hour each, were an intended outgrowth of the radio program, which features professional talent which is unemployed, and makes a point in its announcements of asking radio audiences to urge local theatres to initiate stage shows in conjunction with films.

It was indicated that other deals for the first stage unit are now in negotiation, and the conclusion of a deal for a booking of the unit in a Broadway theatre late in January is expected momentarily.

Thus far only one stage unit has been developed from the radio talent available, but it is anticipated that additional units will go into work shortly, to some extent dependent upon the success of the initial group.

Phil Lord, Foran, Et Al

Short Shots: Phil Lord's "Gangbusters" series begins a year's renewal Jan. 13 . . . Nick Foran of the screen will be Jack Oakie's guest next Tuesday . . . Mr. Harrison Eustis, founder of the "Seeing Eye" and Gretta Palmer, writer, have been signed for appearances on the "Magazine of the Air" program of Jan. 11 . . . Sir Josiah Stamp, director of the Bank of England, will be heard in a short wave talk over CBS Jan. 10, and on the same day, same network, Lois Wilson makes her debut on the program, "Your Unseen Friend" . . . Walter Huston's stint on Kate Smith's program Jan. 14 will be a scene from "Othello," in which he opened in New York last night . . . Leonard Exum, an Atwater Kent audition winner in the south, will be the featured guest on the Jan. 12 "Listen to This" program over the Mutual network . . . The *N. Y. Herald-Tribune*-WOR news program inaugurates Jan. 9 at 10:15 A. M. . . . Iowa's gubernatorial inaugural ceremonies and the inaugural ball following will be broadcast over KRNT and WMT Jan. 14 . . .

Ed Curtin of NBC's press division bedded with grippe. . . . Fred Astaire will revive several scenes from his musical comedy success "Bandwagon," on his Jan. 9 program. . . . Bert Gordon, the "Mad Russian," will guest appear on Frank Parker's Woodbury program this Sunday and may remain permanently if he clicks. . . . Mel Aranson this week takes over the comedy script-writing assignment for Judy, Annie and Zeke on this same program. . . . Grete Steuckgold, Helen Mack and Lawson Little have been set for Bing Crosby's program tomorrow night. . . . Lee Wiley will return to the Camel "Caravan" as featured guest Jan. 17. . . . Floyd Gibbons' "Speedshow" guest Jan. 16 will be Edith Lorand, concert violinist. . . . CBS will broadcast the annual luncheon of the Women's National Republican Clubs Jan. 16. . . . John Charles Thomas will guest sing on the Ford "Sunday Evening Hour" Jan. 17, and on this same date Victor Kolar will replace Jose Iturbi as conductor of the symphony. Iturbi, however, will return to the "Sunday Evening Hour" the following week. . . . Lenore Ulrich and Olga Baclanova have been signed at Ted Hammerstein's "Music Hall of the Air" series for Jan. 12. . . . Phil Baker goes to Miami for two weeks late in February. Russ Morgan's orchestra will fill in for the two weeks. . . . And Anne Jamison, recovering from an operation, returns to "Hollywood Hotel" Jan. 22.

Powell Either Way

With the Dick Powell-Warner Bros. "Hollywood Hotel" situation wide open, here is the latest to make the rounds: That the "Do You Want to Be an Actor?" program, the Warner-Trans-American feature which recently replaced the "Good-Will Court" will be abandoned as soon as its 13-week contract expires and that a new program, placed also through Warners-Trans-American and headed by Dick Powell, will replace it.

Indications yesterday were that the successor to Powell on "Hollywood Hotel" has narrowed down to Tony Martin, Lanny Ross, Phil Regan and Fred MacMurray. It is understood that a decision will be made today.

Actors Move Against Fidler's Broadcasts

Hollywood, Jan. 6.—Screen Actors' Guild, though its attorney, Lawrence Beilenson, will file a demand with the F.C.C. to revoke the license of local station KFI, charging circulation of slanderous and libelous misinformation over the air because of alleged remarks concerning the Guild broadcast by Jimmy Fidler on his weekly program. No action as yet will be taken against NBC, for which KFI is the local outlet.

The complaint is based on Fidler's assertion that the Guild planned to call a strike of 5,000 members here in April and also that Jean Muir, a Guild member had talked her way out of the film business in a recent speech at a union meeting.

Ken Thomson, executive secretary of the Guild, today stated that his organization had warned Fidler regarding his air remarks a year ago and that the broadcaster tempered his statements but had become careless recently, probably because he believed that Luden's, his sponsor, was sufficiently powerful to prevent intervention.

News Expansion in Portland

Portand, Ore., Jan. 6.—Stations KGW and KEX will expand their air news service, it was stated by W. Carey Jennings, manager. Extra writers have been added to the staff and teletypes have been installed. The project will feature women's programs.

Baldwin Goes Reviewer

Omaha, Jan. 6.—Bill Baldwin, WOW announcer, is reviewing the shows at the Paramount, Orpheum and Omaha theatres in a five minute shot six times a week by arrangement with Tri-State Theatres which operate these houses.

◀ *Purely Personal* ▶

John Dowd, publicity and advertising head for the RKO circuit, this afternoon will wed Muriel Gerson at the Little Church Around the Corner. The bride and bridegroom will then head for a Bermuda honeymoon.

•

Sidney Samuelson was operated on yesterday at the Sydenham Hospital and was reported doing nicely last night. He will be discharged tomorrow.

•

Edward Schnitzer, Republic district manager, left at midnight last night for Boston where he will spend three days.

•

Norman Louden, president of Sound City Studios, London left for Hollywood yesterday afternoon to look for talent.

•

Louis B. Mayer and Howard Strickling will arrive this morning from Hollywood on the 20th Century.

•

Charles Koerner, RKO New England theatre division head, will return to Boston tonight.

•

Stan True returned from Scranton last night.

Nate J. Blumberg, Herman Gluckman, Benny Rubin and Block and Sully will entrain for the coast this afternoon.

•

William Brown Meloney, co-author with Rose Franken, of "Beloved Enemy," is about to have another novel published. The latest, "Rush to the Sun," has been placed with Farrar and Rinehart by Jacques Chambrun.

•

A-Mike Vogel, chairman of the Managers' Round Table of *Motion Picture Herald,* is back from Scranton where he talked to the Comerford managers on advertising and exploitation.

•

Louis Frisch, Mickey Scott and Perry Jacobs will sail today on the *Empress of Australia* for a cruise.

•

The Picker Brothers tonight will tender their mother a birthday party at the Versailles.

•

William A. Scully, Loew's district manager, is in Washington and is due back tomorrow.

•

Joe Hornstein yesterday returned from a two-week trip to Havana.

•

Dwight Deere Wiman is aboard the eastbound *Europa.*

Last Night On the Air

Lillie Show Clicks

Beatrice Lillie returned to the microphone last night in a series of her own as "The Honest Working Girl." It was pleasure, not work, to listen in.

Setting aside all doubt that her type of humor isn't adaptable to the airways, Bee handled her lines with a style and zest undeniably her own.

A blueblooded working girl, Bee is hired as a secretary by the social climbing S. Pierpont Duffys who are anxious to crash society's blue book. Instead, through the efforts of bungling Bee, the unfortunate Duffys soon find themselves without even so much as a listing in the telephone book. This is brought about when Miss Lillie turns a coming out party into a clambake by selling the invitations to steamfitters instead of mailing them to the elite.

So much for the plot. As for the star's song number, "Honey, My Dove," it was delivered in typical Lillie fashion with the aid of the "White Way Serenaders." Al Rickey's orchestra was tunefully efficient.

Not that it detracted from the entertainment, but here's one thing that puzzled us. Although the program listing has been changed from "Revue de Paree" to "Broadway Merry-Go-Round," all the orchestral and choral selections were distinctly French in flavor.

"Broadway Merry-Go-Round" is presented weekly at 8 P. M., E.S.T., over the NBC-Blue network. Sterling Products sponsors for Dr. Lyons Tooth Powder.

Banner

Two Programs Renewed

Two important network programs were renewed for additional periods yesterday. The Knox Gelatine Co., Inc., through the Federal Advertising Agency, extended the contracts of Ed East and Ralph Dumpke, the "Quality Twins," for 13 weeks. Additionally, Brown and Williamson Tobacco Co., through Batten, Barton, Durstine and Osborne renewed Jack Pearl for a similar term.

Nabors Loses Hair

Houston, Jan. 6.—Radio announcers, asserts Ted Nabors of KTRH, are fair targets for anybody's pop guns these days, but even so he is still staggering from the "shot" given by a high school girl New Year's Eve night.

It seemed the young woman was on a "scavenger hunt," a sport in which couples go on outlandish errands and must return to the party with proof of their performances. She insisted she was commissioned to take back a hair from Nabors' mustache. Tweezers were brought into play, and the girl left with the treasure carefully wrapped in tissue paper and tied with Christmas tinsel.

Shirley Again Heads List as Profit Player

(*Continued from page 1*)

Lancer," "Desire," "Mr. Deeds Goes to Town" and "The General Died at Dawn."

The leading 10 players follow:

Shirley Temple	First
Clark Gable	Second
Fred Astaire and Ginger Rogers	Third
Robert Taylor	Fourth
Joe E. Brown	Fifth
Dick Powell	Sixth
Joan Crawford	Seventh
Claudette Colbert	Eighth
Jeanette MacDonald	Ninth
Gary Cooper	Tenth

Fifteen Honor Stars were listed in the *Herald* as follows: Jane Withers, James Cagney, William Powell, Jean Harlow, Wallace Beery, Fred MacMurray, Irene Dunne, Myrna Loy, Ginger Rogers, Fred Astaire, Warner Baxter, Bing Crosby, the Dionne Quintuplets, Janet Gaynor and Nelson Eddy.

Western Stars Rated

Three other classifications also are listed—Blue Ribbon, Red Ribbon and White Ribbon. There are 33 names in the blue classification, 31 in the red and 122 in the white.

A separate listing is given western stars. In this group Buck Jones is first and George O'Brien a close second.

The list follows:

Buck Jones	First
George O'Brien	Second
Gene Autry	Third
William Boyd	Fourth
Ken Maynard	Fifth
Dick Foran	Sixth
John Wayne	Seventh
Tim McCoy	Eighth
Hoot Gibson	Ninth
Buster Crabbe	Tenth

Twenty-five other western stars are given honorable mention with Bob Steele heading this list and Harry Carey second.

Shirley Tops England, Too

The English poll of money-makers was divided into two principal classifications, one including all players of any nationality appearing in pictures exhibited in England and the other of stars of English productions alone.

Shirley Temple led the international grouping by a wide margin, receiving 963 votes to 540 for the Fred Astaire-Ginger Rogers team. The list of 10 leaders which also included another team—Laurel and Hardy—follows:

Shirley Temple	First
Fred Astaire and Ginger Rogers	Second
Gracie Smith	Third
Clark Gable	Fourth
Laurel and Hardy	Fifth
Jessie Matthews	Sixth
James Cagney	Seventh
Wallace Beery	Eighth
Greta Garbo	Ninth
Norma Shearer	Tenth

Fifteen honor stars were listed as follows: Jack Hulbert, William Powell, George Formby, George Arliss, Robert Donat, Fred Astaire, Dick Powell, Bing Crosby, Grace Moore, Jack Buchanan, Gary Cooper, Ronald Colman, Will Hay, Eddie Cantor and Charles Laughton.

There were 24 blue ribbon winners, 46 red ribbon and 156 white.

The 10 leaders in English films alone were:

Gracie Fields	First
Jessie Matthews	Second
Jack Hulbert	Third
George Formby	Fourth
Robert Donat	Fifth
Jack Buchanan	Sixth
Tom Walls and Ralph Lynn	Seventh
Will Hay	Eighth
George Arliss	Ninth
Sydney Howard	Tenth

There were also 15 honor stars as follows: Charles Laughton, Gordon Harker, Leslie Howard, Anne Neagle, Leslie Fuller, Tom Walls, Richard Tauber, Madeleine Carroll, Elisabeth Bergner, Cicely Courtneidge, Conrad Veidt, Paul Robeson, Will Fyffe, Stanley Lupino and Sonnie Hale.

In the other British classifications there were 30 blue ribbon names, 31 red and 31 white.

British Like Buck Jones

Buck Jones also headed the list of western favorites in England by a big margin, with Ken Maynard second.

The western leaders follow:

Buck Jones	First
Ken Maynard	Second
Tim McCoy	Third
George O'Brien	Fourth
John Wayne	Fifth
Dick Foran	Sixth
Tom Mix	Seventh
Randolph Scott	Eighth
William Boyd	Ninth
Hoot Gibson	Tenth

The *Herald's* list of features rating the title Box-Office Champion for the exhibition year from Sept. 1, 1935, to Aug. 31, 1936, follows:

"Anna Karenina"	M-G-M
"Bride Comes Home"	Para.
"Broadway Melody of 1936"	M-G-M
"Bullets or Ballots"	W.B.
"Captain Blood"	W.B.
"Country Doctor"	20th-Fox
"Crusades"	Para.
"Follow the Fleet"	Radio
"Great Ziegfeld"	M-G-M
"Green Pastures"	W. B.
"In Old Kentucky"	20th-Fox
"King Steps Out"	Col.
"Littlest Rebel"	20th-Fox
"Magnificent Obsession"	Univ.
"Midsummer Night's Dream"	W. B.
"Modern Times"	U. A.
"Mr. Deeds Goes to Town"	Col.
"Mutiny on the Bounty"	M-G-M
"Night at the Opera"	M-G-M
"Rhythm on the Range"	Para.
"Rose Marie"	M-G-M
"San Francisco"	M-G-M
"She Married Her Boss"	Col.
"Showboat"	Univ.
"Steamboat 'Round the Bend"	20th-Fox
"Story of Louis Pasteur"	W. B.
"Tale of Two Cities"	M-G-M
"Thanks a Million"	20th-Fox
"These Three"	U.A.
"Top Hat"	Radio
"Trail of the Lonesome Pine"	Para.
"Under Two Flags"	20th-Fox
"Wife vs. Secretary"	M-G-M

Details of the voting in each of the principal classifications are given in the *Herald,* out today.

Grip Spread Fails To Injure Grosses

Notwithstanding the wave of grip and flu which have been current in New York for the past week and more, circuit operators report no decline in business.

Both Loew's and RKO reported top grosses for the year for the Christmas-New Year's week and the slight tapering of intakes corresponds to the usual flux after a holiday period, it was asserted.

Hearst, Mae West Lead Salaries List

(*Continued from page 1*)

ably larger than that made public a year ago, but salaries ran higher and the document was marked by a large number of bonuses.

A preliminary study of the report indicates that the industry's executive and professional top-notchers were more numerous in the higher-salaried brackets than those identified with any other single business or profession.

Following is a list of those receiving more than $100,000 during 1935.

Mae West, Paramount, $480,833.
Marlene Dietrich, Paramount, $368,000.
Bing Crosby, Paramount, $318,907.
Janet Gaynor, 20th Century-Fox, $169,750.
Charles Chaplin, $260,000.
Will Rogers, 20th Century-Fox, $258,000.
Fred Astaire, RKO, $127,875.
Katharine Hepburn, RKO, $121,572.
Joe E. Brown, Warners, $173,438.
Stan Laurel, M-G-M, $156,266.
W. S. Gifford, A. T. & T., $209,850.
William S. Paley, CBS, $169,097.
Jack Cohn, Columbia, $104,000.
Arthur M. Loew, Culver Export Corp. (Loew's), $182,000.
Frank W. Lovejoy, Eastman Kodak, $109,148.
Edward J. Bowes, $249,999.
Nicholas M. Schenck, Loew's, $193,434.
David Bernstein, Loew's, $115,805.
Louis B. Mayer, M-G-M, $151,500.
Irving Thalberg, M-G-M, $151,762.
E. J. Mannix, M-G-M, $129,057.
Harry Rapf, M-G-M, $104,000.
Merian C. Cooper, RKO Radio, $119,520.
Pandro S. Berman, RKO Radio, $138,852
Rudy Vallee, $166,348.
Paul Whiteman, $242,472.
Sidney R. Kent, 20th Century-Fox, $167,310.
Winfield Sheehan, 20th Century-Fox, $344,230.
Harry D. Buckley, United Artists, $129,526.
Irene Dunne, RKO, $145,832.
Carl Laemmle, Universal, $159,000.
James Whale, Universal, $137,750.
Abel Cary Thomas, Warners, $132,500.
Al Jolson, Warners, $147,645.
Hal Wallis, Warners, $136,750.
Lloyd Bacon, Warners, $122,625.
Mervyn LeRoy, Warners, $198,583.
Michael Curtiz, Warners, $102,325.
Max Reinhardt, Warners, $105,000.
Frank Borzage, Warners, $156,000.
James Cagney, Warners, $147,167.
Kay Francis, Warners, $115,167.
Paul Muni, Warners, $150,000.
Spyros Skouras, $189,500.
Charles P. Skouras, $176,500.
Gary Cooper, Paramount, $261,138.
Benjamin Glazer, Paramount, $168,884.
Jan Kiepura, Paramount, $101,806.
William LeBaron, Paramount, $227,487.
Carole Lombard, Paramount, $156,083.
Ernst Lubitsch, Paramount, $260,000.
Herbert Marshall, Paramount, $105,667.
Leo McCarey, Paramount, $129,333.
Lewis Milestone, Paramount, $223,700.
Jack Oakie, Paramount, $101,625.
Joe Penner, Paramount, $100,000.
Charles Ruggles, Paramount, $106,278.
Wesley Ruggles, Paramount, $163,717.
Alfred Santell, Paramount, $124,417.
Margaret Sullavan, Paramount, $102,431.
Gladys Swarthout, Paramount, $101,883.
Frank Tuttle, Paramount, $115,500.
King Vidor, Paramount, $140,000.
Eddie Cantor, $150,000.
Samuel Goldwyn, $127,500.
Harold C. Lloyd, $125,000.
Irving Berlin, RKO, $150,000.
John Cromwell, RKO, $135,729.
George Cukor, RKO, $117,000.
Stephens Roberts, RKO, $126,541.
Hal Roach, $104,000.
B. P. Schulberg, $102,000.
Warner Baxter, 20th Century-Fox, $203,000.
John Boles, 20th Century-Fox, $117,416.
David Butler, 20th Century-Fox, $104,967.
Ronald Colman, 20th Century-Fox, $108,916.
Roy Del Ruth, 20th Century-Fox, $206,333.
George De Sylva, 20th Century-Fox, $104,000.
Howard Estabrook, 20th Century-Fox, $101,666.
John Ford, 20th Century-Fox, $110,000.
Henry King, 20th Century-Fox, $137,750.
Jesse L. Lasky, 20th Century-Fox, $124,500.
Sol M. Wurtzel, 20th Century-Fox, $149,500.
Charles Boyer, Wanger Prod., $129,448.
Claudette Colbert, Wanger Prod., $100,000.
Walter Wanger, $104,500.

Following is a partial list of those who received more than $50,000 and less than $100,000 during 1935.

Charles P. Skouras, Fox West Coast Service Corp., $51,000.
Phil Goldstone, Goldstone Prod., $52,333.
Anna Sten, $96,833.
Sidney Franklin, $60,000.
Myron Selznick, $52,000.
George O'Brien, $68,191.
B. B. Kahane, $52,166.
Richard Dix, $60,000.
Ann Harding $60,000.
Miriam Hopkins, $86,250.
Roland V. Lee, $71,333.
Rouben Mamoulian, $86,666.
William Powell, $66,666.
Ginger Rogers, $74,483.
Mark Sandrich, $52,166.
Barbara Stanwyck, $80,833.
Henry Ginsburg, $91,231.
Oliver Hardy, $85,316.
Sam Taylor, $57,000.
Herbert T. Kalmus, $60,000.
Lew Ayres, $71,500.
Wallace Beery, $75,000.
J. G. Blystone, $68,269.
Edwin Burke, $74,000.
Irving Cummings, $75,791.
Victor Fleming, $50,000.
Tay Garnett, $57,599.
Sam Hellman, $57,166.
Jason S. Joy, $51,125.
Harry Lachman, $60,400.
Sonya Levien, $65,000.
Edmund Lowe, $77,200.
Fredric March, $85,000.
Victor McLaglen, $50,000.
Warner Oland, $60,000.
Eric Pommer, $70,500.
William Seiter, $63,333.
Slim Summerville, $70,833.
Shirley Temple, $69,999.
Joan Bennett, $72,833.
Sylvia Sidney, $63,425.
Lynn Starling, $50,583.

"Mutiny" Is Winner In Film Daily Poll

"Mutiny on the Bounty" is the winner in *The Film Daily's* annual Ten Best Pictures poll. The remaining nine are "Mr. Deeds Goes to Town," "The Great Ziegfeld," "San Francisco," "Dodsworth," "The Story of Louis Pasteur," "A Tale of Two Cities," "Anthony Adverse," "The Green Pastures" and "A Midsummer Night's Dream."

A total of 149 pictures were nominated as against 166 in 1935. The Honor Roll dropped from 49 to 44. Eligible pictures for 1936 numbered 387.

Wall Street

Light Losses Spot Board

	High	Low	Close	Net Change
Columbia	35⅜	35	35⅛	+ ⅛
Consolidated	5⅜	5	5	— ¼
Consolidated, pfd.	16⅞	16⅞	16⅞	— ⅜
Eastman Kodak	174	173	174	+ ½
Gen. T. Equip.	31¼	30¼	31¼	+1⅜
Loew's, Inc.	66¼	65½	65½	— ½
Paramount	25¼	24⅞	24⅞	— ⅜
Paramount 1 pfd.	175¾	175¼	175½	—2¾
Paramount 2 pfd.	23⅜	22¾	23	.....
Pathe Film	10⅛	9⅝	9⅝	— ⅛
RKO	8¼	8⅛	8¼	.....
20th Century-Fox.	35⅜	35	35	— ⅛
20th Century, pfd.	43¾	43½	43½	— ¼
Warner Bros.	17⅝	17	17⅛	— ¼
Warner, pfd.	67½	67½	67½	.....

Small Curb Gains

	High	Low	Close	Net Change
Grand National	3⅝	3⅜	3⅝	+ ¼
Sonotone	2	2	2	.....
Technicolor	21⅝	21½	21½	+ ½
Trans-Lux	4¼	4⅛	4⅛	— ¼

Bonds Rise Slightly

	High	Low	Close	Net Change
Keith B. F. 6s '46	98	98	98	.....
Loew's 3½s '46	101¼	101	101¼	+ ¼
Paramount Pict. 6s '55	100½	100¼	100¼	.....
RKO 6s '41 pp.	117⅞	117½	117⅞	+ ⅞
Warner Bros. 6s '39 wd	99½	99¼	99¼	.....

(Quotations at close of Jan. 6)

New Orleans Enjoyed Best Year in Seven

(*Continued from page* 1)

1935, while bank balances on open accounts averaged approximately 33⅓ per cent over the previous year. Christmas savings accounts were about $500,000 over 1935, while bonuses distributed to stockholders and employes ran over the aggregate of the previous five years.

There was little new theatre construction. The New Center was renovated at an approximate cost of $30,000 by Henry Lazarus. Several of the United circuit houses had new fronts, lobbies and marquees, while the independents have made minor additions.

Grosses advanced without exception, from the Class A houses to the small neighborhoods, but there was no advance in prices.

The tremendous increase in business in all lines can be traced in part to the Government.

Newspaper lineage was far in advance of any previous year while local radio advertising, exclusive of the chains, is increasing monthly and according to managers of the five stations contracts running into the new year have been signed.

Exchanges report more than a healthy growth upstate, owing to the establishment of a number of new theatres, and the operation of a six-day week, where previously the theatres ran only two or three nights a week, with better prices for product.

Texas Gaining Steadily

DALLAS, Jan. 6—The experiences in 1936 and forecasts for 1937 by officials of Interstate and Texas Consolidated Theatres may be regarded as a pretty good index of theatre conditions in this state, since the two circuits control and operate more than 100 houses.

Karl Hoblitzelle, president of the circuits, reports that 1936 was a good year but that he anticipates still greater business in the new year. Business statistics compiled by the Dallas Chamber of Commerce lend support to the showman's claims.

Retail and department store sales averaged about 25 per cent over 1935, building permits jumped all over the state, bank clearings and debits also mounted, but the most reliable index is that sales of new automobiles for 11 months of 1936 were 20 per cent ahead of the whole previous year. This last figure is for Dallas County but the rest of the state showed similar gains.

Hoblitzelle's circuits spent approximately $2,000,000 in 1936 in building 18 new houses, mostly suburban, and two were acquired. This program was centered in the larger cities occupied by Interstate. Hoblitzelle revealed that a reconstruction program is planned for 1937 in the smaller cities of the state, in which Texas Consolidated operates.

Fire in Columbus House

COLUMBUS, Jan. 6.—The stage and scenery of the RKO Palace was badly damaged today by a fire of undetermined origin which forced the closing of the house. Property damage has not been estimated

Aherne the Shining Light In Disappointing "Othello"

(*Continued from page* 1)

in production investiture and of moving power in histrionics.

That's enough stalling around and brings the matter at hand to hand. It is "Othello," ventured last night at the New Amsterdam Theatre by Max Gordon. The same Max Gordon who put on "The Women" for prestige and this play for profit.

The evening, in its larger aspects, was largely a polite bore. True, the play had its moments of tenseness and its moments of drama. The devilish machinations of Iago in implanting the vicious seeds of jealousy in the Moor's fertile mind gave the first end of the first long act a gripping curtain.

There is drama in the second half as well and a deal of slaughtering what with Cassio duelling with Roderigo, Iago finishing off the latter, Othello throttling Desdemona, Iago stabbing Emelia and meeting death at the end of Othello's sword, not to overlook Othello's exit by his own hand. But the drama, while it held this restless purveyor of the scene, never moved him. Not one perceptible bit.

Plot Implausible Today

As a matter of fact through modern eyes, the business of the plot was a silly affair. All that Othello had to do was send one of his messengers, or a battalion if he preferred, to produce Cassio, then find out whether or not Desdemona had given him the telltale handkerchief which seemingly proved her infidelity although how seems foolish as well. But, that might have made no play and given Gordon nothing to open last evening.

Yet, as it stood, a shining light gleamed throughout. His name is Brian Aherne, he who plays the good-looking, suave and polished, cunning and brilliant, villainous Iago, the cause of all the blood letting in Cyprus. Aherne was, to this way of thinking, a splendid Iago and away out front where the cast was concerned, not excepting Walter Huston's Othello. For Huston disappointed this department rather grievously. Do not get the impression his performance was bad. Rather is it that his rendition merely was not good enough. You might ask what your grouch anticipated he would see. He is not quite certain on that score, but he is very definite in his conclusion that Huston did not deliver it.

Cast inadequacies were also present in a number of directions. Nan Sutherland was a lacking Desdemona; Natalie Hall was generally inadequate as Emelia; Cassio reflected anything but the soldierly mien which might be expected of Othello's lieutenant. The others, in lesser roles, were alternately satisfactory and not. Practically all of them declaimed, rather than acted. And that, too, failed to help matters.

In point of production, this "Othello" had flashes of great beauty. By and large and on the whole, however, it falls shy of the overwhelming stagecraft which marked both the Gielgud and the Howard "Hamlet." Shakespeare had something to do with that one, likewise.

U. A. Theatres Have $167,846 Net Profit

United Artists Theatre Circuit, Inc., reports a net income of $167,846 for the year ending Aug. 31 after depreciation, amortization, Federal taxes and other charges. This is equal to eight cents on each of the 500,000 common shares after preferred dividends. For the year ending Aug. 31, 1935, there was a net loss of $58,400.

Rites for Julius Steiner

Funeral services will be held at 9:30 this morning for Julius Steiner, father of Joseph, general sales manager of American Tobis, at the Home for Hebrews, 105th St., between Columbus and Amsterdam Aves.

G. A. Lincoln Dead

CHICAGO, Jan. 6. — Glenn A. Lincoln, formerly prominently identified with the theatre supply field in Chicago, died last night in Denver, according to word received here today.

President Takes New Stand For Principles of the NRA

(*Continued from page* 1)

disastrous deflation," the President said, "it is to the interest of the nation to have Government help private enterprise to gain sound general price levels and to protect those levels from wide, perilous fluctuations.

"Sober second thought," he continued, "confirms most of us in the belief that the broad objectives of the National Recovery Act were sound. We know now that its difficulties arose from the fact that it tried to do too much. For example, it was unwise to expect the same agency to regulate the length of working hours, minimum wages, child labor and collective bargaining on the one hand and the complicated questions of unfair trade practices and business controls on the other.

"The statute of NRA has been outlawed. The problems have not. They are still with us."

However, the President pointed out, it is a "proven impossibility" to secure decent conditions and adequate pay for labor through state laws, and "it is equally impossible to obtain curbs on monopoly, unfair trade practices and speculation by states alone." Federal laws supplementing state laws "are needed to help solve the problems which result from modern invention applied in an industrialized nation which conducts its business with scant regard to state lines."

Probing Power In Anti-Trust Cases Sought

(*Continued from page* 1)

anti-trust division should be equipped with independent facilities for instituing investigations in the public interest and thus relieved of its almost complete dependence on interested private initiative.

"The division should be equipped with an economic staff unit qualified to make initial exploratory studies and statistical business surveys necessary to enable the division to inaugurate of its own motion investigations by the Federal Bureau of Investigation into situations presenting some substantial element of suspicion, without waiting as at present for private complaints to be filed by interested parties."

In his section of the report, outlining the activities of the division during the fiscal year ended June 30, last, the Assistant Attorney General touched upon the St. Louis case and the suit later instituted in New York.

See Bills for Aid To Small Business

(*Continued from page* 1)

committee met here today to put the finishing touches on its proposed industrial legislation.

Details of the proposed legislation were not made public tonight, but it was learned in reliable quarters that accepting the views expressed by President Roosevelt in his message to Congress today that the original NRA covered too much ground, the industry control legislation probably will be divided into two parts, one dealing exclusively with the prohibition of unfair competition and the other providing for a restoration of code labor conditions.

Observers in Washington expressed the view tonight that Berry's proposals for industry control will be added to the score of other suggestions on the same subject and that any bill which is taken up for consideration by Congress will be written by the Congressional committees in charge of the legislation. In view of the desire of the President to eliminate the emergency lending organizations, it is not believed that proposals for Federal aid to small business have much chance of enactment.

Sterling Acquires Monogram Pictures

(*Continued from page* 1)

P. Friedhoff, treasurer; M. S. White, secretary. Louis S. Lifton, director of Sterling's publicity and advertising, retains this post under the new setup.

All new Monogram exchanges will be ready to start in June when the following releases will be ready: "Legion of Missing Men," "The Outer Gate," "Romance of the Limberlost" and "Paradise Lost."

Closes Brooklyn House

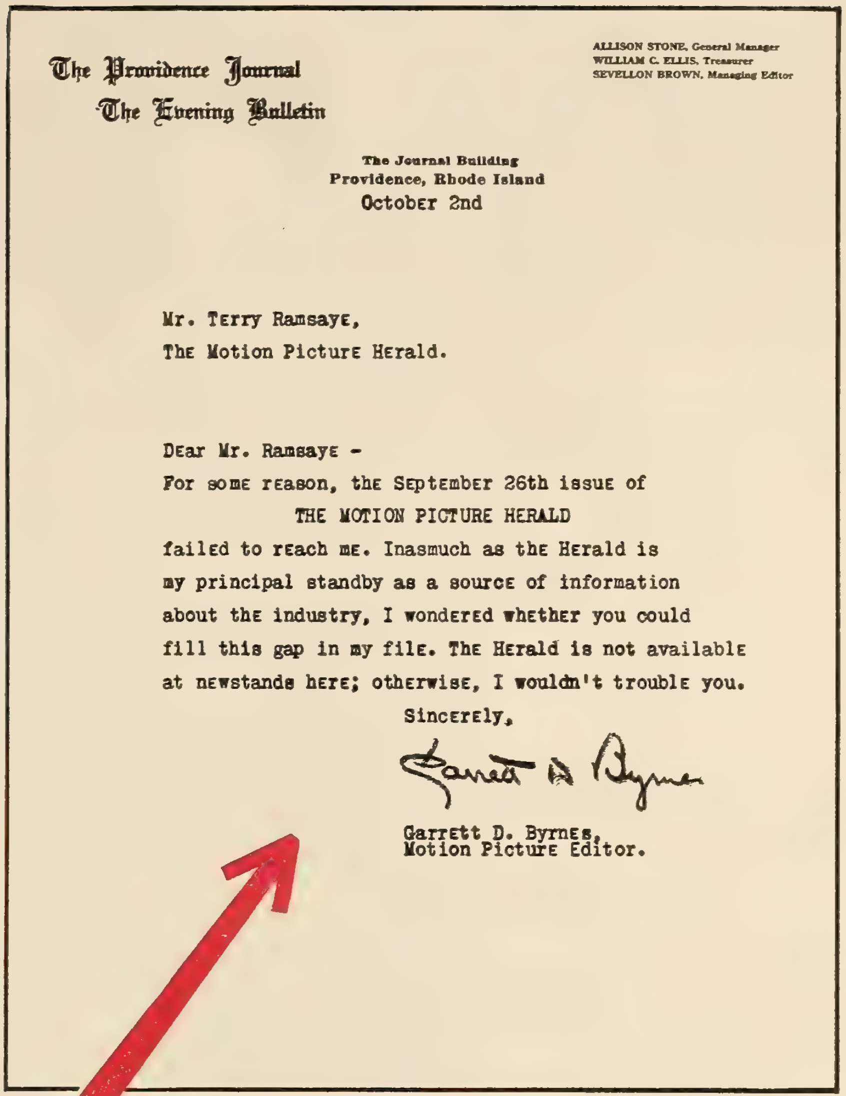
Arthur Mayer has closed the Trans Lux in Brooklyn.

it's velvet

AS a journal of the show business Motion Picture Herald's obligations are generously discharged by its unparalleled, unapproached circulation* to showmen, the buyers and purveyors of the screen's wares. That is inside the amusement world.

But as an institution of the industry it serves, Motion Picture Herald is the interpreter, the friend, exponent, and press representative, too, of the whole art and all its people. Editors, reporters, syndicates, essayists, magazine writers, radio commentators—all of the many who have things to say about the screen—find the Herald their source and authority. That is the rest of the world.

When he says it in The Herald—whether he is a big distributor in Times Square or a little exhibitor in Wahoo—he tells the world. And that's velvet.



The Providence Journal
The Evening Bulletin

ALLISON STONE, General Manager
WILLIAM C. ELLIS, Treasurer
SEVELLON BROWN, Managing Editor

The Journal Building
Providence, Rhode Island

October 2nd

Mr. Terry Ramsaye,
The Motion Picture Herald.

Dear Mr. Ramsaye -

For some reason, the September 26th issue of THE MOTION PICTURE HERALD failed to reach me. Inasmuch as the Herald is my principal standby as a source of information about the industry, I wondered whether you could fill this gap in my file. The Herald is not available at newstands here; otherwise, I wouldn't trouble you.

Sincerely,

Garrett D. Byrnes

Garrett D. Byrnes,
Motion Picture Editor.

* *Attested by the Audit Bureau of Circulations*

MOTION PICTURE HERALD

ROCKEFELLER CENTER, NEW YORK

Circuits Chary on Bank Night Ruling

(Continued from page 1)

Screeno in the majority of its theatres several nights a week and, according to Eugene Picker, there is no intention at the present time of increasing the number of nights for games. The circuit is still considering plans on Bulls Eye, which it owns, and is presently limited to the Lincoln Square.

At RKO it was stated that bank night, which this week and the pre-Christmas week was featured in all divisions for three days, will be reduced to one day next week.

Seek Rehearing in Boston

Boston, Jan. 6.—A petition for a rehearing of the Bank Night infringement suit against Parlay Cash Night was filed today in the U. S. Circuit Court of Appeals for the First District here. The court ruled a few days ago that Bank Night was in the public domain when put into operation and therefore could not be infringed.

Bank Night asks a rehearing on three grounds. In opposing the ruling that the giveaway is in the public domain its attorneys say: "It is submitted that nothing in the bill of complaint indicates more than a restricted publication or disclosure to licensees and to patrons, or prospective patrons, of theatres."

Regarding unfair competition the petition says: "The plaintiff respectfully submit that the allegations of the bill show an established business which the defendants have appropriated and seek to appropriate."

Replying to the court's reference to another case, the petition says: In distinguishing the case at bar from the International News Service case the court apparently did not give full consideration to the allegations of the bill in regard to the plaintiffs' business and the defendants' action."

Omaha Probes B. N. Insurance

Omaha, Jan. 6.—Omaha police were ordered to gather evidence today on Bank Night Security Co., an organization reported to be selling Bank Night insurance to participants in the game here, protecting them to the extent of sums as high as $500 against loss of the Bank Night prize should they not be in the theatre when their winnings are announced.

The state insurance director refused to license any insurance organization of this nature about a month ago, saying that it is not legally possible to insure a person against a loss of something he does not possess.

The attorney general previously had called Bank Night a lottery, but has made no move against it in Omaha. If prosecution is instituted at this time it may be the first step in a concerted attack on the games policy throughout the entire state.

Chicago Cites City Rule

Chicago, Jan. 6.—At a hearing before Superior Court Justice Niemeyer which lasted all afternoon, with Assistant City Corporation Counsels Grossman and Daly presenting the city's arguments in an attempt to halt the granting of an injunction allowing 33 theatres to operate Bank Night without police intervention, the city maintained that its claims are based not upon the assumption that Bank Night is a lottery but on the fact that it violates a city ordinance which forbids games of chance in theatres. It is claimed that since theatres are licensed by the city they come under police regulation.

The case is set for continuance tomorrow afternoon.

Looking 'Em Over

"Golgotha"

(Golgotha Corp.)

There can be little question that the last days of Jesus Christ formed one of the greatest dramatic stories ever told. That they portrayed an example of cruelty, and man's inhumanity to man which perhaps has never been equalled, is also true.

That episode in history has been brought to the screen in "Golgotha," a French production directed by Julien Duvivier, and previewed here in a version with dubbed dialogue in English which proves no detriment to the film. It is, from a technical and overall production standpoint, a notable achievement of the screen. Duvivier's ability to handle masses of people, and his touch of the dramatic are splendid. The cast, unknown here but for Harry Baur, is excellent, the work of an obscure actor, Robert La Vigan, as Jesus, being especially remarkable in its delineation of the martyr.

Painted with a broad sweep on the canvas which was Jerusalem, the picture has stirring backgrounds, but would seem to be almost too harrowing in the long drawn detail with which the suffering of Jesus is pictured. It is basically, of course, a religious theme, but the manner of its telling is too tragic for the film to be considered as screen entertainment in any ordinary sense.

The story recounts the coming of Jesus with his followers, the fear of the ruling powers that He means to cause their overthrow, the betrayal of Judas Iscariot, the permission obtained from Pontius Pilate for His death, the march with the cross and the Resurrection.

Photographically the film is noteworthy, and the musical score by Jacques Ibert highly appropriate. The English version was prepared by I. E. Lopjert and Forrest Izard. The indication that the film will be roadshown, or exhibited in special showings, appears the logical manner of its exhibition.

No production code seal. Running time, 95 minutes. "A."

Aaronson

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Melody For Two"

(Warners)

Hollywood, Jan. 6.—Although lots of singing, romance, light drama and comedy are tossed into this, the whole thing does not jell. With the hero generally appearing as a heel, the story is about a pinch penny band leader who lets the parade pass him by. Although the girl in the case strives to knock some sense into his head, he continues as a stubborn, spoiled boy until he is forced to realize there is such a thing as swing music.

Artificial throughout, it is more so in the climax when he goes into competition with a girl's band for a radio spot. With every reason to knock his ears down, the girl deserts her own troupe to sing for him, thereby landing a lucrative broadcast contract for the combined swing bands.

James Melton's singing is all right. He does that better than anything else. Patricia Ellis has a couple of vocal numbers, but the hit of the show is Winifred Shaw's rendition of Jose O'Neill "The Cuban Heel." Marie Wilson, Fred Keating and Charles Foy take care of the comedy, but the rest of the cast does little except stand around. George Bricker, Luci Ward and Joseph K. Watson did the screen play from Richard Macaulay's story. The music and lyrics are credited to Harry Warren, Al Dubin, M. K. Jerome and Jack Scholl. Louis King directed.

It is uninspired, providing nothing new or unique. The film seems destined for a secondary spot on any respectable program.

Production Code Seal No. 2,569. Running time, 60 minutes. "G."

Oceanic Picks "Caruso"

Oceanic Pictures, recently organized, will produce "Caruso, the Magnificent" as its first. Work is to be started in March. Burnet Hershey and Lyon Mearson, authors, are now on their way to Italy for more atmospheric data.

Adolph Zukor Gets Flood of Messages

(Continued from page 1)

received by Zukor were scrolls and gifts.

Communications were received from Australia, New Zealand, Hungary, Chile and Denmark in a single day. Among the letters was one from Ole Olsen, who organized the Nordisk Film Kompani in 1906. All the testimonials will be presented to Zukor during the anniversary observance.

Will Hays will address the dinner guests Thursday, presenting Zukor with a massive autograph book containing signatures from many parts of the world.

The show and dance following the dinner will be broadcast over the NBC-Blue network from 8.45 P. M. to 10 P. M., P.S.T. Local listeners will hear 30 minutes of the program over KFI.

Many film and theatre guests are already here. They include Jesse L. Lasky, Clark Gable, Darryl F. Zanuck, Charles R. Rogers and Dr. Giannini.

Other Film Elite on Hand

Among other film executives and their families who have arrived here for the dinner tomorrow night are:

Russell Holman, Y. Frank and Mrs. Freeman, E. V. and Mrs. Richards, M. A. and Mrs. Lightman, Robert and Mrs. Wilby, J. J. and Mrs. Fitzgibbons, Sam and Mrs. Goldstein, Martin and Mrs. Mullin, Sam and Mrs. Pinanski, Barney and Mrs. Balaban, Karl and Mrs. Hoblitzelle, Frank and Mrs. Walker, W. A. and Mrs. Schlessinger, A. H. and Mrs. Blank, Austin Keough, Frank Meyer, John Graham, John Hicks, Jr., Vincent Trotta, Charles Gartner, Albert Deane, George Weltner, Belle Goldstein and Mathilda Kass.

The jubilee celebration is being arranged by a committee composed of Christopher Dunphy, George L. Bagnall, Eugene Zukor and Ted Lesser. The dance will be held on a huge stage prepared for the occasion and the broadcasting will be under the direction of Boris Morros.

Conn Coming to Sign Franchise Contracts

Hollywood, Jan. 6.—Maurice Conn, producer of Melody and Ambassador pictures, left by plane today for New York where he will meet with distributors to discuss national franchise plans for 1937-1938.

Conn stated that he will make from 28 to 36 films, the program being 75 per cent musicals and melodramas. He added that he will spend from $40,000 to $100,000 on each picture. The writing and directing staff will be expanded.

Bernhard in New Haven

Joseph Bernhard, Warner theatre head, held a meeting of local managers in New Haven yesterday. He was accompanied by Harry Goldberg. On Tuesday Bernhard held a similar meeting in Newark for New Jersey managers.

Chicago Bans Smoking

Chicago, Jan. 6.—The City Counsel today prohibited smoking in theatres except in the smoking rooms provided for the purpose. Smoking in balconies previously had been permitted.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 6 NEW YORK, FRIDAY, JANUARY 8, 1937 TEN CENTS

Gary Cooper Pay Near Top At $311,000

Only Four Above Him on Federal Tax List

WASHINGTON, Jan. 7.—Gary Cooper, with total remuneration of $311,000 for 1935 ranked among the screen's and nation's top flight money-earners for that year, additional reports from the House Ways and Means committee reveal.

Paramount paid Cooper $261,338 and the remainder was received from Goldwyn, Inc. His earnings compare with Marlene Dietrich's $368,000, W. R. Sheehan's $344,230, Bing Crosby's $318,907 but fall short of Mae West's $480,833, which was the second highest salary reported in the nation for 1935.

Other salaries follow:

David Sarnoff, RCA, $75,000.
M. H. Aylesworth, NBC, $45,180.
J. E. Brulatour, Inc., $53,695.
T. J. Hargrave, Eastman Kodak, $52,948.
William G. Stuber, Eastman Kodak, $61,523.
Albert F. Sulzer, Eastman Kodak, $54,061.
Edgar S. Bloom, Western Electric, $69,623.

(*Continued on page* 16)

"Million" $80,000 Winner at the Roxy

"One in a Million" wound up an eight-day run at the Roxy last night with close to $80,000, a record for any picture during the four-year term of Howard S. Cullman as trustee. The picture is now in its second week with Leon Errol and his "Hollywood Follies" on the stage.

At the Astor, 20th Century-Fox has another box-office winner in "Lloyds of London," which finished its sixth week of a two-a-day policy Wednesday night with $13,200. The

(*Continued on page* 14)

NBC's Stage Unit Booked Into Roxy

The initial film theatre stage unit derived from the WPA-NBC Professional Parade of the air, which has been booked for one week at Fay's Theatre, Philadelphia, beginning Jan. 15, also has been booked for the Roxy in New York late in January for one

(*Continued on page* 4)

More Radio—Page 4

Zukor Jubilee Climaxes In Notable Studio Dinner

Will H. Hays presenting to Adolph Zukor a massive autograph book inscribed with the signatures and testimonials of Government, business and social dignitaries from all over the world.

The presentation was made at the silver jubilee dinner to Zukor at the Paramount studio in Hollywood last night and telephoned* Motion Picture Daily *by arrangement with Times Wide World Wired Photos.

HOLLYWOOD, Friday, Jan. 8.—Testimonials to Adolph Zukor in observance of his silver jubilee were climaxed here last night in the banquet room of the studio which he heads. A capacity attendance included a large cross-section of the Paramount "family" from home-office executive ranks, distribution, theatres and the studio, many of whom played parts in the significant phases of Zukor's career. With them were industry notables from all parts of the country, but the evening, primarily, was Paramount's tribute to the founder of the company.

The keynote of the evening was struck in the introductory address which launched the evening's program, expressed in the words "the history of the motion picture industry is the history of Paramount and ever leading the way for the company was Adolph Zukor."

Cecil B. De Mille sketched the Zukor character in recounting an incident in the career of the man. On the evening in 1915 when Zukor's first studio on 26th St. in New York went up in flames De Mille encountered him calmly watching the fire lick around the vaults which contained 16 uninsured negatives, everything of value the company possessed.

"What are you going to do?" DeMille asked.

"I'm going to start rebuilding tomorrow," was Zukor's unhesitating reply.

Will H. Hays was the principal speaker at the dinner and presented Zukor with a massive collection of the autographs of the Paramount founder's friends and acquaintances the world around.

Culminating the dinner was an elaborate entertainment program, broadcast nationally over the NBC Blue network, with Jack Benny as master of ceremonies. On the program were Leopold Stokowski and symphony orchestra; Frank Forest, Jack Oakie,

(*Continued on page* 14)

Capital Waits Annual Budget For Tax Lead

President May Mention Admissions Levy

By BERTRAM F. LINZ

WASHINGTON, Jan. 7.—Congress marked time in recess today, awaiting submission tomorrow of the annual budget, which will be the last of the formalities incident to the opening of the session.

In his budget message, President Roosevelt will make known his wishes with respect to taxation legislation, but no real tax program can be developed until the March 15 income returns have been analyzed to determine how nearly the revenue from the new tax on undistributed corporate income comes to expectations.

The President, however, is expected to state his views with respect to taxes which expire during the coming half-year, including the decrease in the admission tax exemption. It has been suggested that this item might be included among the non-revenue producing taxes which the Treasury is anxious to eliminate, but it is not seriously believed that this will be done.

With the introduction yesterday of

(*Continued on page* 16)

See Acceptance of RKO Orpheum Offer

Indications that RKO's offer of $700,000 for the principal assets of Orpheum Circuit will be accepted by creditors of the company were strengthened yesterday with the filing of an order in U. S. District Court denying a motion for the substitution of new counsel for the Orpheum trustee.

D. M. Black, the present counsel,

(*Continued on page* 14)

Oklahoma Theatres Revise Bank Night

OKLAHOMA CITY, Jan. 7.—Oklahoma theatres are avoiding the state ruling that Bank Nights are illegal by permitting persons standing outside theatres who have not purchased tickets to participate in the drawings. Winners are announced outside, as well as inside.

Pat McGee, Standard Theatres

(*Continued on page* 6)

Stage Review—Page 16

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Cullman for Use of Controversial Films

Howard S. Cullman, trustee of the Roxy, speaking at New York University last night, deplored the avoidance of controversial subjects on the screen. Calling attention to financial apprehensiveness on the part of producers and lack of audience interest, he analyzed the problem from the two viewpoints.

He offered the two-reeler as a proving ground for new ideas and methods, due to the lessened cost involved and the minimum risk. Cullman concluded, "If through this medium or some other, the public shows a tangible interest in the vital issues of the day, as entertainment material, we may find the producers of million dollar features probing more deeply into our social ills. Until that time, however, I am afraid we must resign ourselves to a continued diet of moonlight and roses on the screen, with now and again a well coated pill of satire or realism. Apparently this is what we want. In any event it is what seventy-five million of us pay our money for, at the box-office each week."

Insiders' Outlook

By RED KANN

ALL of the funny business is not on the screen. Which might induce the remark that this is one of the difficulties. There is, for instance and too good to pass up, the newly-formed company in which Amedee J. Van Beuren and George J. Hirliman are principals. Condor Pictures they call it. Remembering something ever so slightly about our dips into nature studies in the days when, we turned to the dictionary in search of definition and an early 1937 check on our memory. The research resulted in this:

> CONDOR — A very large American vulture found in the most elevated part of the Andes; head and neck are bare, the plumage is dull black with a downy white neck ruff and white patches on the wings. The condor is one of the largest and most powerful of flying birds, but though it sometimes attacks living animals, it feeds preferably on carrion."

There's a name for a picture company. . . .

▼

This led into other and similar fields. It recalled how, in the early days of Fox Movietone News, a prize of $100 was offered employees for the best design of a screen trademark for that newsreel. One of the bright young men in the advertising department drew a picture of the globe balanced on clouds with North America and South America in the right positions and with a fox running from left to right as though followed by the invisible hounds of the competition. William Fox's office was in the Roxy in those days which was a good thing for the home-office staff. They heard what happened from the pale and shaky Roxy attaches. And nobody ever won the $100. . . .

▼

The third choice one in the triumvirate carries the scene of the exploit to London. C. M. Woolf was out as managing director of Gaumont British and knee-deep in the pains and excitement of his new company, General Film Distributors, Ltd. He wanted a trademark. Metro had one named Leo and it was doing all right; pattings along the collar daily from Si Seadler and red meat, too, from Louis Mayer. Woolf, then, conceived his own. It was a wolf, snapping, snarling and dripping from its wicked jaws well nigh into the main title. That is, into the main title for two releases. Then someone put Woolf wise. . . .

▼ ▼

Rob Wagner, who should know better, went whole hog, which is to say a full page, in a recent issue of his *Script*. It had to do, all of it, with Will H. Hays, his job and Jim Farley. You know, that old wheeze about Farley succeeding Hays. Wrote Wagner:

> Naturally all eyes are turned toward Jim Farley, twice the a successful campaigner for President Roosevelt, a master politician on the winning side who has won not only the confidence of his own dominant party but the respect of the losers (as expressed in John D. Rockefeller Jr.'s letter to him). Jim, of course, is the ideal person for the job. He has announced that he is tired of his Washington job, and he certainly is entitled to a handsome wage. With due respect and honor to Will Hays for what he has accomplished in the past, we firmly believe that it would be the height of business acumen to secure Jim Farley's services during the next four years. Lest we be suspected of playing favorites let us hasten to say that *both* Will and Jim are *Script* subscribers.

▼

No one may suspect Wagner of playing favorites. He might, however, be suspected of taking a stroll on his usual perspicacity and judgment. Rather tired with it all now, we should like to repeat once again where no repetition should be necessary that:

1.—His principals are all for Hays. The job he has done and is doing tell why.

2.—Hays has a contract which runs until 1941. He is just as unlikely to relinquish it as it is that he would be asked to.

Now, does this settle it? . . .

Loew's to Pay $1.62½

Holders of Loew's preferred stock as of record Jan. 29 will be paid $1.62½ a share on Feb. 15. The regular dividend was declared by the board Wednesday.

Whitney on Coast Today

HOLLYWOOD, Jan. 7.—John Hay Whitney will arrive here tomorrow. He plans to stay a month.

Sponsors Film Opening

Mrs. Cobina Wright will sponsor the opening night performance of "The Robber Symphony" at the Venezia, Jan. 25, with proceeds being donated to the Social Service Auxiliary of the Cancer Institute. Friederich Feher, who composed the music and directed the picture, will conduct the "Robber Symphony" operatic suite at the opening night performance.

Twickenham's Upset May Affect Quota

By BRUCE ALLAN

LONDON, Jan. 7.—Impending receivership for Twickenham Film Studios, Ltd., may result in forcing adoption of the Moyne committee suggestion of a commission to control financing of films, and the new C.E.A. attitude in favor of the Moyne proposals will also work in favor of Government action.

The C.E.A. is definitely against joining the K.R.S. in the proposed association unless the right of appeal to a Government arbitration board is secured.

Receivership for Twickenham has not been officially recorded as yet, but it is understood two of the "Big Five" banks have refused further to finance films because of losses allegedly sustained by the smaller insurance companies on earlier advances.

Dixey Company Sets $1,000,000 Capital

LONDON, Dec. 31.—The Independent Exhibitors' Distribution Co., Ltd., headed by Captain A. C. N. Dixey, will be floated as a public company early in February. The total capital will be £200,000 ($1,000,000) divided into £100,000 of six per cent preference shares of £1, £60,000 in 600,000 two-shilling ordinary shares and £40,000 in £1 "franchise" shares, held by exhibitor members.

The current exhibitor membership of the I.E.D.C. is declared to represent 300 theatres. The franchise holders, including a number of prominent officers of the Cinematograph Exhibitors' Ass'n, are said to control among them 1,000 theatres. Although they have, in the first instance, only taken franchises for 300, the extension of their membership to all their properties would make I.E.D.C. the biggest circuit in England, it is declared.

A production plan is expected to accompany the I.E.D.C. prospectus.

Will Open Clubrooms

M.P. Associates will open a clubroom at the Lincoln Hotel next month, Joseph J. Lee, president, stated yesterday. It was originally planned to take quarters at Sardi's, but this plan fell through.

New officers will be installed next Thursday at a luncheon at Sardi's.

Universal Board Meets

Universal's board of directors yesterday held a routine meeting at the company's home office with R. H. Cochrane, president, presiding in the absence of J. Cheever Cowdin, chairman, who is now in Europe.

Mayer Arrives Today

Louis B. Mayer was in Boston yesterday and will arrive in New York today. Howard Strickling, publicity director of the M-G-M studio, who accompanied him east as usual, is in town.

ITOA Expects 1,000

From 800 to 1,000 are expected to attend the I.T.O.A. annual ball at the Waldorf-Astoria on Jan. 16.

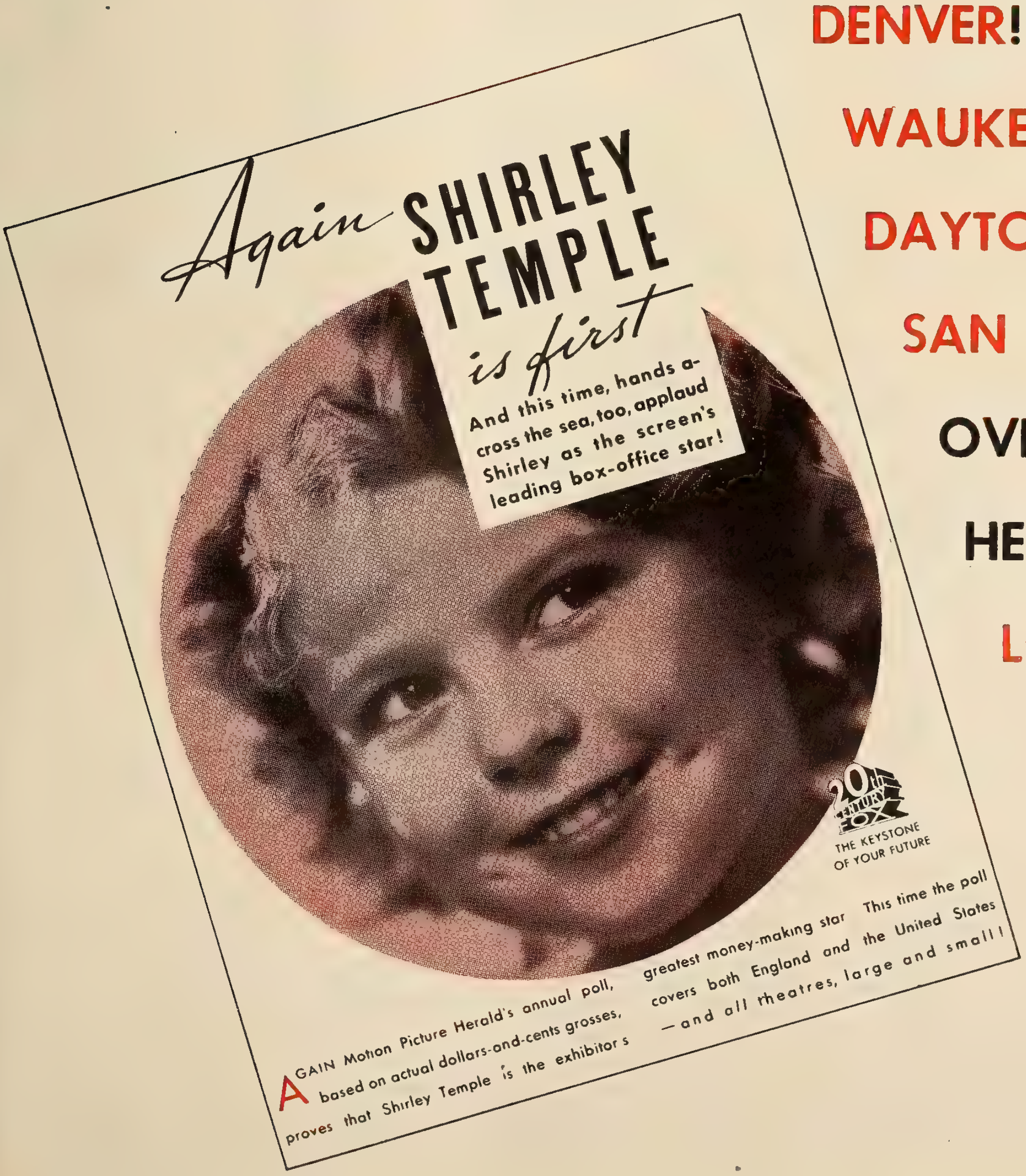
Warners to Dance Feb. 20

The Warner Club will hold its annual ball at the Waldorf on Feb. 20.

MORE THAN EVER YOUR BOX-OFFICE CHAMPION

as "Stowaway" proves itself Shirley's hold-over champion!

HELD OVER IN NEW YORK! HELD OVER IN KANSAS CITY! HELD OVER IN PHILADELPHIA! HELD OVER IN BALTIMORE! HELD OVER IN PITTSBURGH! HELD OVER IN LOS ANGELES! HELD OVER IN SEATTLE HELD OVER IN ST. LOUIS! HELD OVER IN DENVER! HELD OVER IN MILWAUKEE! HELD OVER IN DAYTON! HELD OVER IN SAN FRANCISCO! HELD OVER IN CINCINNATI! HELD OVER IN CHARLOTTE! HELD OVER EVERYWHERE!



Again SHIRLEY TEMPLE *is first*

And this time, hands across the sea, too, applaud Shirley as the screen's leading box-office star!

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

AGAIN Motion Picture Herald's annual poll, based on actual dollars-and-cents grosses, proves that Shirley Temple is the exhibitor's greatest money-making star. This time the poll covers both England and the United States —and all theatres, large and small!

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE

Film Critics Awards to Go On NBC-Blue

The presentation of the awards of the New York Film Critics will be broadcast Sunday, Jan. 24, from 8 to 9 P. M., E.S.T. over the NBC-Blue. The program will include performances by Gary Cooper, Jean Arthur, Walter Huston, and addresses by Harry Cohn, president of Columbia Pictures; Rouben Mamoulian and Luise Rainer. It is expected that Mary Pickford and Jesse L. Lasky will also participate in the speechmaking.

The broadcast will originate in the Rainbow Room of Radio City where a reception will be held for the presentation of the medals and scrolls acknowledging the winners' contribution to the screen in 1936. The selections are for the best motion picture of the year, "Mr. Deeds Goes to Town"; the best performance of an actor, Walter Huston in "Dodsworth"; the outstanding feminine characterization, Miss Rainer's Anna Held in "The Great Ziegfeld"; the best director, Mamoulian for "The Gay Desperado"; and for the best foreign language picture, "Carnival in Flanders."

Ziegfeld Tunes to Be Heard

The NBC concert orchestra will open the program with a medley of tunes from "The Great Ziegfeld." William Boehnal, film critic of the *N. Y. World-Telegram,* will then explain how the awards were chosen, following which Richard Watts, Jr., drama critic of the *N. Y. Herald-Tribune* will present the awards.

Switching to Hollywood, Cohn will accept the award for "Mr. Deeds" and, in turn, will present it to Frank Capra, director of the film. Following this, Cooper, Miss Arthur and others who figured in the cast will present several scenes from the picture.

Thereafter, the program will return to New York where Huston will receive his award and present a scene from "Dodsworth," thence back to Hollywood for the acceptance of Miss Rainer and Mamoulian. Negotiations are now underway to bring the "Gay Desperado" producers, Jesse Lasky and Miss Pickford, to the program.

Experimental Television

The Farnsworth Television Corp. of Philadelphia will embark shortly on a program of experimental television broadcasts, according to George Everson, secretary. The programs will be received only in the Philadelphia area. Television sets are now being designed for distribution to staff engineers and a select group of amateurs. Farnsworth Television recently received a permit to broadcast televised programs from the Federal Communications Commission.

New NBC-Red Show

A new series of adventure stories, "Old Travelers' Tales," based on legends collected by Washington Irving makes its debut over the NBC-Red Jan. 15, from 6 to 6:15 P. M., E.S.T. The chief narrator will be Alfred Shirley, and the adaptations will be by Wells Hively.

On the Air Last Night

Alexander Woollcott Returns

Last night Liggett and Myers, with great pride and acknowledged nervousness brought back to the air Alexander Woollcott in a new series which the latter said would last for a long time unless he was shot some dawn by his sponsor. After listening to the jewel-like broadcast it is our opinion that Woollcott's ultimate demise will spring from another source.

The sponsor's nervousness was induced by a memory of Woollcott's last commercial series which ended when the paunchy commentator consigned sponsors, in general, and his, in particular, to a hardly heavenly habitation.

Last night's script, however, was devoted to a recount of the past year's outstanding events. To prove that we humans know little of what the future holds in store, Woollcott told of a recent visit to the library where he came across a yellowed copy of the *London Times* dated June 20, 1896. An editorial in that issue stated smugly that nothing had happened the previous day that might affect the course of the empire. How was that editor to know, asked Woollcott, that across the sea in America a baby daughter, Wallis, had been born to the Warfields of Baltimore?

At the conclusion of the broadcast announcer Paul Douglas offered customary thanks to the "Town Crier" for his effort.

"Don't thank me," was the reply. "Thank Granger." Which is what we are doing at the moment.

Woollcott is presented each Tuesday and Thursday at 7:15 P. M., E.S.T., over the CBS network. Liggett and Myers, for Granger tobacco, sponsors.

"Showboat" Shift Clicks

"Showboat's" new policy proved an effective one last night. With Lanny Ross again acting as master of ceremonies, the show got off to a fast start and ended its hour's trip going away.

Musically, as always, the show remained one of radio's top offerings. Lanny Ross, Margaret MacRae, the Modern Choir and Al Goodman's orchestra combined to offer a swiftly paced, ear and audience-pleasing musical melange.

The "Showboat" script, in the past the target of most reviews, was considerably pepped up by the estimable Robert Benchley, who led off the new guest star policy. In typical Benchley style he advised on how (1) to get rid of a cold, (2) to get rid of a Christmas tree. The result was (1) he caught a cold after his discourse on that subject, and (2) the Christmas tree remained in the studio for the re-broadcast.

The script also offered several welcome novelties, including an old-fashioned spelling bee and a community sing, all with studio audience participation.

The abandonment of the old serialized "Showboat" script in favor of the variety idea is a wise move.

New Floyd Gibbons Series

"Hunting for Headlines," conducted by Floyd Gibbons, made a talkative entrance on CBS last night. The program afforded the human "gatling gun" many opportunities to employ his rat-a-tat style, and he didn't miss one of these opportunities.

The program is patterned along true adventure lines. The first re-enactment traced the story of a young New Jersey miss who miraculously escaped death when her sled skidded down a hill and under the wheels of a fast-moving freight train.

The second told of how a Brooklyn doctor was awakened at 2 A. M. one morning and forced into treating a wounded gangster. Through a ruse, however, the doctor managed to notify the police.

The third and final sketch and, incidentally, the evening's spine-tingler, dramatized the eerie experience of two Pittsburgh girls who entered a reputedly haunted house to avoid a storm and encountered an escaped ape. The ape proved to be a tame one.

The dramatizations must be classed above average and would be better still if Gibbons' descriptions and explanations were less wordy and less melodramatic.

"Hunting for Headlines" is heard weekly over CBS at 10 P. M., E.S.T. Colgate-Palmolive-Peet sponsors.

BANNER

Lum, Abner, Hoff, Et Al

Short Shots: Lum and Abner who have broadcast from Chicago for the past six years, shift their base of operations to Hollywood shortly . . . Carl Hoff returns to the "Hit Parade" Jan. 30, replacing Harry Salter . . . Dave and Phil Rubinoff return from Pittsburgh today where they have been celebrating their parents' golden wedding anniversary . . . Edward Johnson, general manager of the Metropolitan Opera House, will speak between acts of Saturday's Metropolitan Opera broadcast . . . John McIntyre, NBC character actor, joins the cast of Helen Hayes "Bambi" series Jan. 11 . . . Westinghouse Electric has contracted for a series of United Press news periods every Sunday evening and night over WBT, Charlotte . . . Jimmy Dorsey's band may soon leave the Kraft "Music Hall" series . . . Starting Jan. 13 Warners' production of "The Black Legion" will be dramatized over the Hearst chain of seven stations in New York state. The dramatizations will run in serial form for six days. The stations are WINS, New York; WMFF, Plattsburg; WABX, Albany; WIBX, Utica; WMBO, Auburn; WSAY, Rochester; and WBNY, Buffalo . . . The current network flurry on spelling bees programs brings a wire from WHIO, Dayton station, informing that the networks are two years behind the times. WHIO has been featuring spelling bees since early 1935 . . . Gladys George will guest appear on Radie Harris' "Movie Club" program over WHN tonight . . . Nick Foran and Frank Fay have been set as Jack Oakie's guests next week . . . Rosaline Greene has been signed for the CBS "Your Unseen Friend" program, beginning with the broadcast of Jan. 17 . . . The decision on Dick Powell's successor on "Hollywood Hotel," expected today is still in the works.

NBC's Stage Unit Booked Into Roxy

(*Continued from page* 1)

week. The exact starting date has not yet been determined.

The NBC Artists' Bureau, which is handling all bookings of the stage units, is now whipping into shape a second unit, with all indications pointing to the probability of three units, with definite routes, working in film houses by early in February.

Since stage shows are not permitted in Philadelphia on Sunday, the first unit will play Sunday, Jan. 17, at the Steel Pier in Atlantic City. The units, running one hour each, will be of the variety type, similar to the air programs, which use unemployed professional performers.

The first unit, with George Mayo acting as comedian and master of ceremonies, includes: Swor and Lubin, blackface comedians; Murray Lane and his Harmonica Scamps, Lizzie Wilson, Dutch comedienne; Isabelle and Three Octaves, songs; Yvette Rugel, soprano; a choir of eight voices, and Joyce Brothers and Dean, dancers.

W. B. Set Start for "Want to Be Actor"

HOLLYWOOD, Jan. 7.—Warners will start local broadcasts of the MacQuarrie radio program, "Do You Want to Be an Actor" to bolster the end-of-the-year product. It was learned authoritatively today that the first show will go into Warners' Downtown on Wednesday.

The understanding here is that a wire from Herman Starr in New York asked local officials why the show had not opened at the Downtown prior to this date. MacQuarrie had hesitated to play the theatres in deference to the national network sponsors, it was learned. The deal, however, is now definitely set.

The program is scheduled to play Warners' Hollywood and Forum following the run at the Downtown.

Three More Renewals

The Fleischmann Co., through J. Walter Thompson, has renewed the "Bakers Broadcast" series for an additional 13 weeks. The program stars Ozzie Nelson, Bob Ripley and Harriet Hilliard and is broadcast Sundays over 61 NBC-Blue stations.

Another renewal has the American Can Co., through Fuller, Smith and Ross, extending the Ben Bernie series for another 13 week period, effective as of Jan. 26. The program is heard Tuesdays over 57 NBC-Blue stations.

Additionally, the Pepsodent veterans, Amos 'n' Andy, have been renewed for a period similar to the above programs. Lord and Thomas is the agency.

Miss Rosier to L. and M.

Evelyn Rosier, formerly of the Chicago office of Stack-Goble, has joined the radio department of Lennen and Mitchell, where she will write commercial announcements for all Woodbury programs. For Stack-Goble, Miss Rosier handled the Lady Esther and Sun Bright Junior Nurse Corps programs.

Lewis Coming East

HOLLYWOOD, Jan. 7.—William Lewis, vice-president of CBS in charge of programs, go east tomorrow.

"A MIDSUMMER NIGHT'S DREAM"

"THE STORY OF LOUIS PASTEUR"

"THE GREEN PASTURES"

"ANTHONY ADVERSE"

Four OF THE TEN BEST PICTURES OF 1936

Were Made By

WARNER BROS.

The Critics of America Said So in the National *Film Daily* Newspaper Poll

Oklahoma Theatres Revise Bank Night

(*Continued from page* 1)

general manager, says attendance holds up under this arrangement. Persons under 18 are not allowed to participate, he says.

Injunction Extension Unlikely

CHICAGO, Jan. 7.—Extension of the injunction granted the Iris and permitting it to continue its operation of Bank Night was seen as unlikely today when Judge Niemeyer, hearing the case in Superior Court, indicated that he thought theatres operating the game with registrations in excess of the number of seats in the house constituted a nuisance and violated the city ordinance which says that people cannot congregate in lobbies, aisles and foyers of theatres nor stand on the sidewalks in front in such a manner as to impede traffic.

Edward Adcock, attorney for the theatres asking the extension of the injunction, presented his side of the case today. It will be continued tomorrow.

See B&K Buy in Iris

CHICAGO, Jan. 7.—B. & K. is reported to have purchased a half interest in the Iris, owned by Frank Scott and Harry Smythe, Bank Night distributor here. According to present indications, Scott will manage the house under B. & K. supervision with the old corporation dissolved and the new Iris Theatre Corp. formed with Smythe as president, Walter Immerman, vice-president; John Balaban, secretary, and Scott, treasurer. B. & K. at one time operated the house for the Powers estate.

It was the Iris which filed the injunction now in effect permitting it to operate Bank Night despite the police ban.

Condor Production Talks on Next Week

Conferences on Condor production plans will begin next Monday or Tuesday with A. J. Van Beuren, Frank Snell, George Hirliman and M. H. Hoffman participating.

Ken Maynard has been signed for six westerns in addition to other stars already lined up. The exact number of pictures to be produced will be decided at the sessions next week. Hirliman and Hoffman arrived from the coast the other day.

Jessel Film Retitled

HOLLYWOOD, Jan. 7.—"Goodbye Broadway" has been chosen by Universal as the final title for George Jessel's picture formerly called "The Thing Is the Play." Jessel will produce but will probably not be cast in the production.

Leaves B. & D. Position

LONDON, Dec. 31.—Sally Sutherland has resigned from British & Dominions Film Corp., Ltd., of which she has been publicity manager for two years past. No successor has been named yet.

Wauneta House Burned

LINCOLN, Neb., Jan. 7.—A $15,000 fire completely destroyed Dr. F. E. Rider's Crystal Theatre at Wauneta, Neb., today. A 15-degree-below-zero temperature hampered firemen.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Larceny on the Air"

(*Republic*)

HOLLYWOOD, Jan. 7.—Although built around an interesting plot, generally well acted, directed and produced, this film, nevertheless, is weakened by the introduction of complicated story twists which detract from its entertainment value. Basically, it is a dramatic expose of a quack medicine racket practiced via the medium of radio broadcasting. Thus the story has a topical character amplifying its commercial value. Primarily dramatic, but carrying appealing romantic contrast and comedy relief, the film is climaxed by an exciting automobile chase.

Robert Livingston, a doctor associated with Willard Robertson, a Federal inspector, crusades against broadcasting distributors of fake cure-alls. Livingston's activities, portrayed with well-applied suspense, bring him into contact with Pierre Watkin, the principal faker, who manages somehow to stay within the law, and with Granville Bates, wealthy publisher and father of Grace Bradley, to whom Livingston is romantically attracted.

Baffled continually in his attempts to trap Watkin, Livingston, through the influence of Bradley, wins Bates to his cause and away from the shielding of Watkin. Suspicion of murder clouds Livingston's reputation, whereupon a tense climax is evolved as he takes matters into his own hands and, in a wild automobile chase through the mountains, drives Watkin and other fakers off the air.

Livingston, Watkin, Bates and Robertson handle their dramatic roles with skill and understanding. Miss Bradley, in a rather unsympathetic part, turns in a credible performance. Comedy relief is supplied by Smiley Burnette and William Newell. Byron Foulger, Wilbur Mack and Matty Fain round out a satisfactory cast. The story is based on an original screenplay by Dick English, on which he collaborated with Endre Boehm, concentrating largely on the dramatic. Irving Pichel, in his direction, elected to intensify this dramatic quality of situations, action and dialogue. The film is of the family type and should have particular interest for the younger folks.

Production Code Seal No. 2,916. Running time, 62 minutes. "G."

"Penrod and Sam"

(*Warners*)

HOLLYWOOD, Jan. 7.—Strictly juvenile entertainment, this picture will show best in its subsequent runs. The situations and plot are pure hokum and will have little interest for adult audiences. The Lillie Hayward-Hugh Cummings screen play retains nothing of Booth Tarkington's original save the characters.. Although the boys remain the same wholesome youngsters the charm of the Tarkington story is missing.

Billy Mauch and Harry Watson in the title roles give good performances as self-styled junior G-men who round up a gang of bank robbers. Frank Craven as young Mauch's father is thoroughly at home in a type of role he has portrayed for years. Jackie Morrow, the juvenile heavy, who becomes regular when danger threatens, and Charles Halton, his banker father, keep the action stirring. Standard gangster performances are turned in by Craig Reynolds, Allan Davis and Si Wills. William McGann's direction is slow at first, but reaches a high pitch when the youngsters have the bandits cornered, and supplies good suspense. Spring Byington is effective in a mother role. The balance of the cast includes Philip Hurlic, Bernice Pilot and Kenneth Harlan.

The picture should do best with a selling campaign directed at juveniles.

Production Code Seal No. 2,753. Running time, 65 minutes. "G."

IATSE Men on Coast For Executive Meet

LOS ANGELES, Jan. 7.—George Browne, head of the I.A.T.S.E., and several vice-presidents and representatives from all sections of the country, arrived here today to attend the semi-annual I.A.T.S.E. executive board meeting which will open Monday. Sessions are expected to continue for at least a week.

Individual complaints and problems confronting various locals will be taken up. The closed shop is working satisfactorily in studios, union officials said.

Rubens Denies Part In St. Louis Deal

CHICAGO, Jan. 7.—Jules Rubens, head of Great States, today emphatically denied the report that he would join with A. J. Balaban and F. & M. interests in St. Louis exhibition. Rubens declared that he is with Great States to stay, that the current story was probably the result of someone's imagination.

Rubens stated that A. J. Balaban and Sam Meyers are interested in St. Louis theatres but that his understanding is that they plan to operate independently and not with F. & M.

Short Subjects

"The Hillbilly Goat"

(*Radio*)

Good comic-character acting and a MilesStandish-John Alden sort of plot with Edgar Kennedy in the Alden role, develops some first rate laughs. Kennedy, an electrical appliance salesman, is touring the backwoods. In order to land a contract he makes a bargain with Si Jenks to fix a wedding with Fern Emmett, a widow. Due to his inspired oratory, Kennedy almost gets himself wed to Miss Emmett. Things finally straighten out with Kennedy the butt of hillbilly ethics. Production Code Seal No. 2,471. Running time, 18 mins. "G."

"The Hollanders"

(*Vitaphone*)

Taking in quite a portion of the country, this E. M. Newman "Colortour Adventure," while filmed in inferior color, manages to be diverting. The quaintness of the people and their customs are shown again. A clever flash from the European country to a Holland, Mich., U. S. A., is worked in, striking an interesting note. Production Code Seal No. 01,335. Running time, 10 minutes. "G."

"Ladies' Day"

(*Van Beuren-Radio*)

Athletic women cavort through this Bill Corum effort. Handsomely filmed, it takes in feminine sporting activities in the various fields, showing much action and plenty of pretty faces. It is nicely diverting. Production Code Seal No. 01,360. Running time, 11 mins. "G."

Shows Back to Phila. Fox

PHILADELPHIA, Jan. 7.—Warners will return stage shows to the Fox Jan. 15, thus booking the last spot covered in the musicians' agreement signed recently. A pit orchestra will also be used.

Wall Street

Board Advances General

	High	Low	Close	Net Change
Columbia, vtc ...	36¼	35¼	36	+ ⅞
Columbia, pfd. ...	43	43	43	— ¼
Consolidated	17½	16⅝	17½	+ ⅝
Eastman Kodak..	174¾	174	174¾	+ ¾
Gen. T. Equip. ..	32¼	31½	31¾	+ ½
Loew's, Inc.	67½	66	67⅛	+1⅝
Paramount	25¾	24⅞	25⅝	+ ¾
Paramount 1 pfd..	180	175	180	+4½
Paramount 2 pfd..	23⅜	22½	23⅜	+ ⅜
Pathe Film	10	9¾	10	+ ⅜
RKO	8½	8	8⅜	+ ⅛
20th Century-Fox.	35⅝	35	35½	+ ½
20th Century, pfd.	44¼	43½	44¼	+ ¾
Warner Bros.	17⅝	17⅛	17⅝	+ ½
Warner, pfd.	67⅝	67⅝	67⅝	+ ⅛

All Curb Issues Decline

	High	Low	Close	Net Change
Grand National ..	3½	3⅜	3⅜	— ⅛
Sonotone	2	1⅞	2	.....
Technicolor	21⅜	21⅛	21⅛	— ¼
Trans-Lux	4¼	4¼	4¼	.....

RKO Bonds Up 2⅛

	High	Low	Close	Net Change
Keith B. F. 6s '46	97	97	97	+ ½
Loew's 3½s '46...	100¾	100⅝	100⅝	— ⅜
Paramount Pict. 6s '55	100½	100¼	100¼	— ¼
RKO 6s '41 pp....	120	117⅞	120	+2⅛
Warner Bros. 6s '39 wd	99¾	99¼	99⅜	— ⅛

(Quotations at close of Jan. 7)

Purely Personal

Ken Hodkinson, assistant to George W. Weeks, will visit during his current trip west the company's exchanges at St. Louis, Kansas City, Denver and Salt Lake City. Arthur Greenblatt, eastern division manager, returned yesterday from Miami.

•

James Cagney, whose "Great Guy" today enters its second week at the Criterion, will leave for the coast this weekend. His brother, William, is now conferring with Douglas MacLean and J. G. Blystone on the star's next for Grand National.

•

Edward L. Alperson, president of Grand National, will leave for Hollywood next Thursday or Friday to approve several new productions scheduled to go into work in addition to closing negotiations for a studio.

•

E. W. Wingart of 20th Century-Fox's publicity forces left yesterday for Boston to return with Jane Withers, who has been making personal appearances at the Metropolitan.

•

William Gehring, central division manager for 20th Century-Fox, is in Minneapolis on business and William Sussman, eastern division manager, is spending a vacation in Florida.

•

Sam Strassberg, Louis Frisch, Irving Kaplan, Jack Hattem and Irving Renner sailed yesterday on the *Empress of Australia* for an 18-day cruise to the West Indies.

•

Marlene Dietrich has notified Ernst Lubitsch that she will return to this country Feb. 6 and will reach Hollywood Feb. 10 to start work in "Angel" for Paramount.

•

Lionel and Mrs. Atwill are due today on the *Washington.* Monty Banks also arrives on that ship. He has a directing contract with 20th Century-Fox.

•

Leo Justin has called off his vacation to Honolulu because of the seamen's strike, and instead will leave Jan. 20 for Havana, Miami and Mexico City.

•

Beatrice Kaufman, new eastern story editor for Samuel Goldwyn, has taken up her duties after 10 days of conferences with Goldwyn on the coast.

•

George Hirliman, president of Condor Pictures, has arrived here from the coast to confer on company policies. He is accompanied by his wife.

•

Monty Banks and Harry d'Arrast, who have been directing abroad for New World Prod., will arrive tomorrow on the *George Washington.*

•

Tony Martin, having completed his New York vacation and broadcasting, is en route back to the coast by train. He left yesterday.

•

Leo and David Gorcey of the original "Dead End" company have been signed by Robert Mc Intyre of Goldwyn Prod. for the films version and will be tested this week. Central Artists Bureau, Inc., placed them. Edith Roark, under the same management, has been tested by M-G-M.

•

Eleanor Hunt, who just completed a film for George Hirliman, is here on a short visit, returning to the coast in a few days.

•

Fay Bainter left for the coast yesterday via American Airlines on a hurry call from the M-G-M studio.

•

Hal Horne yesterday signed Estelle and LeRoy, dance team, for "Walter Wanger's Vogue of 1938."

•

Meyer Schine, who arrived from Gloversville yesterday, will return to his upstate headquarters today.

•

Charles Stearn, New England division manager for U. A., is making a quick trip to Boston.

•

Harry Asher, franchise holder for General Pictures in New England, is in town for conferences with Mack D. Weinberger, general sales manager.

•

Harry Gold, U.A.'s eastern salesmanager, is off on a tour of the Buffalo territory.

•

Ruth Roberts of "White Horse Inn" is back in the show after a brief illness.

•

Edward Schnitzer will sail on the *Lafayette* Jan. 29 for a West Indies cruise.

•

Robert T. Konikow has been made publicity representative for the Filmarte.

•

Edward Finney plans to leave for Hollywood within the next two weeks.

•

George Burns and Gracie Allen left yesterday for the coast.

•

Mrs. Willard McKay is en route to Miami.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Wings of the Morning"

(New World-20th Century-Fox)

Glendale, Cal., Jan. 7.—Produced by New World Pictures, Ltd., 20th Century-Fox English producing subsidiary, with Robert T. Kane as producer, this picture must be considered an auspicious offering from the other side, chiefly notable for the completly breath-taking effects of its Technicolor photographing of the beautiful Irish country. Certainly nothing better has yet come from any studio using color in a feature.

The film for the most part is attractive, spirited, and entertaining. The story tells of a beautiful gypsy's love of and marriage to an Irish nobleman, his death, and the flight of years which finds her a queen of gypsies. Then the story takes up the romance of Henry Fonda, young Canadian, for the granddaughter of the gypsy queen, the training of race horses, the fun as Fonda at first mistakes the girl for a boy, since she wears the disguise in which she had fled from Spain's revolution, and a fine climax sequence picturing the Derby at Epsom Downs.

Interjected are scenes of the countryside, at the castle, at the gypsy camp, with John McCormack singing several numbers, with Steve Donoghue in "civies" and astride a racer. Annabella, beautiful and talented, plays opposite Fonda, and Leslie Banks has an important role.

Tom Geraghty wrote the screen play and Harold Schuster directed. In all, the picture should find a ready and appreciative audience, among the more discriminating filmgoers.

Production Code Seal No. 2,879. Running time, 66 minutes. "G."

"She's Dangerous"

(Universal)

Hollywood, Jan. 7.—A story of the outwitting of bond crooks by an attractive girl, posing as a crook herself, but in reality a private detective, this picture emerges as routine entertainment suitable for double bills and satisfactory fare of its kind. Not new in theme, reasonably active in pace, it has a competent cast.

Cesar Romero, satisfactorily vicious as the gang leader, meets and accepts Tala Birell as a fellow-crook. Discovering she is not, he kills her employer and takes her with him on a trip for the disposal of stolen bonds, after having stolen the papers which prove her true identity. She is suspected of having killed the man. Their plane crashes, they are taken in and treated by Walter Pidgeon, doctor on a mountain vacation.

Eventually she tells Pidgeon, with whom she has fallen in love, the truth, and when they are arrested, goes with them. Both Romero and Miss Birell are convicted of the murder and sentenced to death, Romero refusing to clear her. But a ruse in the death house, as he is prepared for the chair, causes Romero to tell the truth.

Murray Roth and Ben Ryan wrote the original and Milton Carruth and Lewis J. Foster directed from the screen play by Lionel Houser and Albert R. Perkins.

Production Code Seal No. 2,895. Running time, 65 minutes. "G."

B. & D. Reports Loss In Year of £105,599

London, Dec. 31.—The report and accounts of British & Dominions Film Corp., Ltd., for the year ended Oct. 31 last, show a net loss of £105,599 and with the previous year's debit of £25,549, a total debit carried forward of £131,148.

After crediting the amounts received under loss of income policies, in connection with the destruction by fire of the Elstree studios, there was a revenue surplus of £49,391, but further debit items included £121,638 depreciation written off productions, and £32,408 depreciation of fixed assets. In the year 1934-1935 the net loss was £37,031.

Production had to be suspended for some months following the studio fire, it was stated in the report, which also records the decision to acquire half the capital of Pinewood Studios, Ltd., and the transfer of production to that plant, where a fifth stage will be completed shortly.

B. & D. ordinary £1 shares are currently quoted at about five shillings.

GB Signs Deal with English Technicians

London, Dec. 31.—An agreement on wages and working conditions has been reached by the Ass'n. of Cine-Technicians with the Gaumont British Corp. It covers the big Shepherd's Bush studio and is the first to be signed with the organized technicians.

Although the agreement does not exactly follow the "model" recently publicized by the A. C. T., it establishes minimum salaries for cameramen, sound editors, still photographers, continuity writers and others and sets conditions regarding overtime, holiday and sick pay, termination of employment, "farming of services" and other matters.

Hutchinson Due in Paris

London, Dec. 31.—Walter J. Hutchinson, foreign manager of 20th Century-Fox, is expected in Paris from Cairo shortly, proceeding to London on the last lap of his world tour. Francis L. Harley, managing director for the company in London, will meet him in Paris.

Brown Warner Director

London, Dec. 31.—J. Walton Brown, general sales manager of Warner Bros., Ltd., has been named a director of the company. Brown was supervisor of Goldwyn, Ltd., prior to the Metro merger and later sales manager for F.B.O., Ltd.

Up Borrowing Power

London, Dec. 31.—The annual meeting of London Film Prod. Ltd., formally approved the amendment to the articles of association increasing the borrowing powers of the directors to £1,750,000. All shares in London Films are held privately.

Helen Jepson Signed

Helen Jepson, operatic and radio star, has been signed by Grand National to appear in a musical Victor Schertzinger will produce for the company. The singer is now on a concert tour and will report to Schertzinger in May, when production is scheduled to get under way.

We'll say

"THE PLAINSMA

Already he's slaughtered Box-Office records!

LOOK!

DENVER, COL. "The Plainsman" opens to biggest gross in six years.

JOHNSTOWN, OHIO..."The Plainsman" smashes all 1936 records.

ALTOONA, PA...."The Plainsman" knocks spots off house record.

AKRON, OHIO..."The Plainsman" tops all time high.

TOLEDO, OHIO..."The Plainsman" bangs above all 1936 records.

SAN FRANCISCO, CALIF...."The Plainsman" heads for new record.

MINNEAPOLIS, MINN. "The Plainsman" beats house record by 50%.

KANSAS CITY, MO..."The Plainsman" biggest in 15 months.

SAN ANTONIO, TEXAS. "The Plainsman" biggest grosser in 8 months.

DULUTH, MINN....."The Plainsman" tops record grosses.

WILKES-BARRE, PA. "The Plainsman" has record Sunday opening.

NEW ORLEANS, LA..."The Plainsman" does 2 weeks business in 1.

DETROIT, MICH. "The Plainsman" does 1½ weeks business in 3 days.

CECIL B. DEMILLE'S "THE PLAINS

A Paramount Picture with James Ellison · Charles Bickf

IS A KILLER

And in every one of these cities "The Plainsman" did more than a week's business in 3 days!

Atlanta, Georgia
Houston, Texas
Portland, Maine
Knoxville, Tenn.
Omaha, Neb.
Sioux Falls, Iowa
Boston, Mass.
Worcester, Mass.
Springfield, Mass.
Hartford, Conn.
Miami, Fla.
South Bend, Ind.
Memphis, Tenn.
Salt Lake City, Utah

• and every mail brings the same story from other cities.

Paramount Pictures

N" starring Gary Cooper, Jean Arthur

Ielen Burgess · Porter Hall · directed by Cecil B. DeMille

"Thin Man" Is Kansas City's Top, $26,300

KANSAS CITY, Jan. 7.—"After the Thin Man" at the Midland took the big money, $26,300, or $14,800 over normal, in a big week for first runs, in which mild weather helped. "College Holiday" took $10,200, including the New Year's eve show, and was held for a second week by the Newman. Average is $7,000. "Gold Diggers," after pulling $11,600, $3,600 of excess, went to the Uptown for a second stanza. "Polo Joe" brought the Tower over the $7,000 marker by $2,400, and even in its second week the Uptown's "Stowaway" and "Rose Bowl" went to $5,700, $1,700 over the line.

Total first run business was $63,200. Average is $37,500.

Estimated takings:

Week Ending Dec. 31:

"GOLD DIGGERS" (F. N.)

MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $11,600. (Average, $8,000)

"AFTER THE THIN MAN" (M-G-M)

MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $26,300. (Average, $11,500)

"COLLEGE HOLIDAY" (Para.)

NEWMAN—(1,900), 25c-40c, 7 days. **Gross:** $10,200. (Average, $7,000)

"POLO JOE" (W. B.)

TOWER—(2,200), 25c-35c, 7 days. Stage: Fifi Dorsay, Ted Cook, Six Lucky Boys, and Burns, Moriarty & Dell. **Gross:** $9,400. (Average, $7,000)

"STOWAWAY" (20th-Fox)
"ROSE BOWL" (Para.)

UPTOWN—(2,000), 25c-40c, 7 days, 2nd week. **Gross:** $5,700. (Average, $4,000)

"Thin Man" on Dual Is Omaha's Leader

OMAHA, Jan. 7.—Omaha theatres had the best Christmas week in their history, the Paramount leading the parade with $12,500, or $3,200 over par for "After the Thin Man" and "The Accusing Finger."

The week also marked the return of the Paramount to a 55-cent top after an unsatisfactory experiment with a 40-cent top. The gross set the high mark of the year for this house and was $2,000 higher than the opening week in October when "The Great Zeigfeld" played.

"College Holiday" and "Isle of Fury" rang the bell for the Omaha, garnering $9,000, or $3,500 over par.

The box office magic of Shirley Temple continued, "Stowaway" and "Along Came Love" grossing a par $7,500 at the Orpheum.

Total first run business was $35,000. Average is $26,300.

Estimated takings:

Week Ending Dec. 30:

"RAINBOW ON THE RIVER" (Radio)
"THE PLOT THICKENS" (Radio)

BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"AFTER THE THIN MAN" (M-G-M)
"THE ACCUSING FINGER" (Para.)

PARAMOUNT—(2,900), 25c-35c-55c, 7 days. **Gross:** $12,500. (Average, $9,300)

Week Ending Dec. 31:

"COLLEGE HOLIDAY" (Para.)
"ISLE OF FURY" (W. B.)

OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $9,000. (Average, $5,500)

"STOWAWAY" (20th-Fox)
"ALONG CAME LOVE" (Para.)

ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $7,500. Average. $7,500)

"College" and Show $38,000 Hit in Boston

BOSTON, Jan. 7.—"College Holiday" with the Yacht Club Boys on the stage and Xavier Cougat grossed $38,000, above average by $16,000.

"Our Relations," with the "Continental Revue" on the stage went $8,000 above par at the RKO Boston to $19,000. "Garden of Allah," with "Come Closer, Folks," drew $18,000 at Loew's Orpheum, $6,000 over average, and $16,500 at Loew's State, or $5,500 over par.

Total first run business was $124,000. Average is $79,500.

Estimated takings for the week ending Dec. 31:

"CHARGE OF THE LIGHT BRIGADE" (W. B.)
"ALONG CAME LOVE" (Para.)

FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $6,000. (Average, $4,500)

"STOWAWAY" (20th-Fox)

RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $15,000. (Average, $12,000)

"COME CLOSER, FOLKS" (Col.)
"GARDEN OF ALLAH" (U. A.)

LOEW'S ORPHEUM—(2,970), 25c-45c-65c. 7 days. **Gross:** $18,000. (Average, $12,000)

"COME CLOSER, FOLKS" (Col.)
"GARDEN OF ALLAH" (U. A.)

LOEW'S STATE—(3,537), 35c-45c-65c, 7 days. **Gross:** $16,500. (Average, $11,000)

"COLLEGE HOLIDAY" (Para.)

METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Xavier Cougat and Yacht Club Boys. **Gross:** $38,000. (Average, $22,000)

"CHARGE OF THE LIGHT BRIGADE" (W. B.)
"ALONG CAME LOVE" (Para.)

PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $9,500. (Average, $7,000)

"OUR RELATIONS" (M-G-M)

RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: "Continental Varieties." $19,000. (Average, $20,000)

"Theodora" on Dual $9,500 at Portland

PORTLAND, Jan. 7.—"Theodora Goes Wild," with "Can this Be Dixie" at the Paramount topped a splendid week, securing $9,500 over par by $4,500.

In its first week at United Artists, "Camille" brought in $8,500 over the usual take by $3,500. "The Plainsman," with "Smart Blonde," registered $8,000, over average by $3,000.

It was cold and wet and the maritime strike was still on.

Total first run business was $39,500. Average is $24,700.

Estimated takings for the week ending Jan. 2:

"AFTER THE THIN MAN" (M-G-M)
"DOWN THE STRETCH" (F.N.)

BROADWAY—(1,912), 30c-35c-40c, 7 days, 2nd week. **Gross:** $7,000. (Average, $5,000)

"COLLEGE HOLIDAY" (Para.)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)

BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 3rd downtown week. **Gross:** $2,500. (Average, $1,700)

"ONE WAY PASSAGE" (W.B.) (Reissue)
"DON'T TURN 'EM LOOSE" (Radio)

MAYFAIR—(1,700), 30c-35c-40c, 7 days. **Gross:** $4,000. (Average, $3,000)

"THE PLAINSMAN" (Para.)
"SMART BLONDE" (W.B.)

ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $8,000. (Average, $5,000)

"THEODORA GOES WILD" (Col.)
"CAN THIS BE DIXIE?" (20th-Fox)

PARAMOUNT—(3,008), 30c-35c-40c, 7 days. **Gross:** $9,500. (Average, $5,000)

"CAMILLE" (M-G-M)

UNITED ARTISTS—(945), 30c-35c-40c, 7 days. **Gross:** 8,500. (Average, $5,000)

Runs to Sevens

Omaha, Jan. 7. — Sevens, says Ralph Goldberg, Nebraska's biggest independent exhibitor, are lucky for him.

His Town theatre telephone number is At. 7707, his home number Wa. 7797 and the number of his package liquor store, At. 3777.

"Thin Man" 3-Year Indianapolis High

INDIANAPOLIS, Jan. 7.—"After the Thin Man" brought the biggest gross into Loew's in the last three years, sweeping $16,000 into the box-office for a total that was $10,000 over normal.

"Stowaway" brought $6,000 to the Apollo for $2,000 into the black and the second, and final week of "College Holiday" went $1,000 upstairs for the Circle with $5,000.

The Indiana, reopening after eight months of darkness, started slowly with about $5,000 on "Rainbow on the River" and "Let's Make a Million." Average gross for the house last season was $7,000.

Total first run business was $39,500. Average is $28,000.

Estimated takings for the week ending Jan. 1:

"STOWAWAY" (20th-Fox)

APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $6,000. (Average, $4,000)

"COLLEGE HOLIDAY" (Para.)

CIRCLE—(2,800), 25c-40c, 7 days, 2nd week. **Gross:** $5,000. (Average, $4,000)

"RAINBOW ON THE RIVER" (Radio)
"LET'S MAKE A MILLION" (Para.)

INDIANA—(3,200), 25c-40c, 7 days. **Gross:** $5,000. (Average, $7,000)

"AFTER THE THIN MAN" (M-G-M)

LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $16,000. (Average, $6,000)

"SMART BLONDE" (W. B.)

LYRIC—(2,000), 25c-40c, 7 days. Stage: Christmas revue and vaudeville. **Gross:** $7,500. (Average, $7,000)

"College Holiday" Tops Buffalo Rush

BUFFALO, Jan. 7.—Post-Christmas business with unusually mild weather sent grosses soaring. "College Holiday," at the Buffalo, pulled $18,003, over normal by $6,003.

"Three Smart Girls," with "You Can't Get Away with It" at the Lafayette drew $11,000, cracking par by $5,000. "The Garden of Allah," at the Great Lakes topped average by $4,708 with a $12,008 take, while "Jungle Princess" and "General Spanky" at the Century were worth $8,700, in a $5,800 house.

Total first run business was $56,411. Average is $38,400.

Estimated takings for the week ending Jan. 2:

"COLLEGE HOLIDAY" (Para.)

BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $18,003. (Average, $12,000)

"STOWAWAY" (20th-Fox)

HIPPODROME—(2,500), 25c-40c, 6 days. **Gross:** $6,700. (Average, $7,300)

"GARDEN OF ALLAH" (U. A.)

GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $12,008. (Average, $7,300)

"JUNGLE PRINCESS" (Para.)
"GENERAL SPANKY" (M-G-M)

CENTURY—(3,000), 25c, 7 days. **Gross:** $8,700 (Average, $5,800)

"THREE SMART GIRLS" (Univ.)
"YOU CAN'T GET AWAY WITH IT" (Univ.)

LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $11,000. (Average, $6,000)

"Thin Man" on Dual Big Draw On the Coast

LOS ANGELES, Jan. 7.—"After the Thin Man," on a dual with "Woman Wise," led a sensational New Year pickup in which double bills and special shows helped. The take at the Chinese was $20,300, over normal by $7,800. At Loew's State the combination went to $25,900, over par by $11,900.

At the Paramount "College Holiday," with a stage show, was another knockout. The $35,000 gross was over the line by $17,000. "That Girl from Paris" and "Racing Lady" were in the black both at the Hillstreet and Pantages, but grosses elsewhere were nothing to get excited about.

Total first run business was $138,400. Average is $107,950.

Estimated takings for the week ending Jan. 6:

"LLOYDS OF LONDON" (20th-Fox)

CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days. 6th week. **Gross:** $8,600. (Average, $17,000)

"AFTER THE THIN MAN" (M-G-M)
"WOMAN WISE" (20th-Fox)

CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $20,300. (Average, $12,500)

"REMBRANDT" (U.A.)

4 STAR—(900), 30c-55c, 7 days, 2nd week. **Gross:** $6,000. (Average, $3,250).

"ECSTASY" (Eureka)
(Return Engagement)

GRAND INTERNAT'L—(750), 35c-40c, 7 days, 4th week. **Gross:** $1,600. (Average, $1,200)

"THAT GIRL FROM PARIS" (Radio)
"RACING LADY" (Radio)

HILLSTREET—(2,700), 30c-65c, 7 days **Gross:** $11,800. (Average, $8,000)

"AFTER THE THIN MAN" (M-G-M)
"WOMAN WISE" (20th-Fox)

LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $25,900. (Average, $14,000)

"THAT GIRL FROM PARIS" (Radio)
"RACING LADY" (Radio)

PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $12,000. (Average, $8,000)

"COLLEGE HOLIDAY" (Para.)

PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: F. & M. revue. **Gross:** $35,000. (Average, $18,000)

"3 MEN ON A HORSE" (F.N.)
"FUGITIVE IN THE SKY" (W.B.)

WARNER BROS. (Hollywood)—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $13,000. (Average, $14,000)

"3 MEN ON A HORSE" (F.N.)
"FUGITIVE IN THE SKY" (W.B.)

WARNER BROS. (Downtown)—(3,400), 30c-65c, 7 days, 2nd week. **Gross:** $14,200. (Average, $12,000)

Theatre Service Formed

DOVER, Del., Jan. 7.—National Exhibitors Service, Inc., has been organized here to deal in tax records and systems for theatres, listing capital stock of 2,000 shares, no par value. The incorporators are Wilbur B. Davis, Robert D. Gordon, and William T. Stewart of New York.

Form Advertising Agency

Harrison J. Cowan, advertising manager for Dictograph Products Co., Inc., is leaving to establish his own advertising agency. Associated with him will be Arnold Van Leer. The new agency will be known as Cowan & Van Leer, Inc.

Re-Sign Miss Swarthout

HOLLYWOOD, Jan. 7.—Gladys Swarthout, who recently finished work in "Champagne Waltz" for Paramount, has been given a new contract by the company. Her next will be "The Life and Loves of Victor Herbert."

6 WHAT EDUCATORS SAY...

5 The RESULT!...Added BOX OFFICE!

4 HOW TO KEEP IT WORKING...

3 HOW TO USE IT...

2 HOW TO INTRODUCE IT...

1 WHAT THE SCHOOL TIE-UP IS...

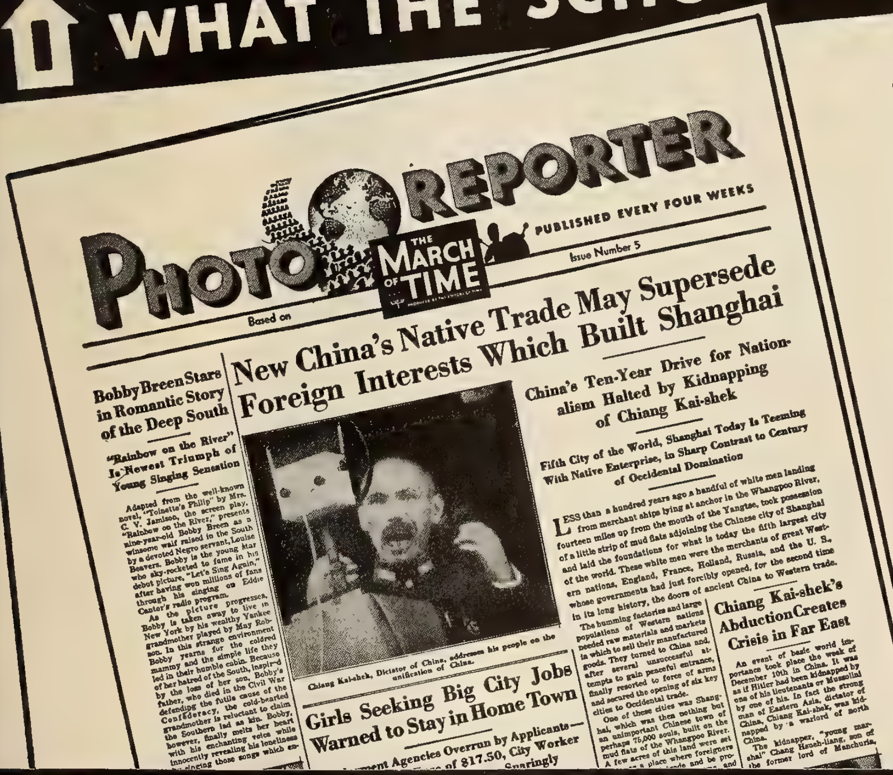


PHOTO REPORTER
Based on THE MARCH OF TIME
PUBLISHED EVERY FOUR WEEKS
Issue Number 5

New China's Native Trade May Supersede Foreign Interests Which Built Shanghai

China's Ten-Year Drive for Nationalism Halted by Kidnapping of Chiang Kai-shek

Fifth City of the World, Shanghai Today Is Teeming With Native Enterprise, in Sharp Contrast to Century of Occidental Domination

Bobby Breen Stars in Romantic Story of the Deep South

"Rainbow on the River" Is Newest Triumph of Young Singing Sensation

Chiang Kai-shek, Dictator of China, addresses his people on the unification of China.

Girls Seeking Big City Jobs Warned to Stay in Home Town

Chiang Kai-shek's Abduction Creates Crisis in Far East

THE PHOTO REPORTER is a newspaper, published during the academic year by the MARCH OF TIME. Written in news-story form, it is used by students, teachers and others interested in the study of contemporary times. It combines material from many sources into concise, easy reading.

More than 100,000 students now use the PHOTO REPORTER in class each month. Teachers find that it supplies excellent background information and timely topical discussion on the month's most memorable and newsworthy events.

With the PHOTO REPORTER in the hands of students in your schools, the MARCH OF TIME becomes a class study project . . . in many cases, teachers even send their students to the theater to supplement their study. (See card 6.)

THESE six cards tell the step-by-step story of an exploitation plan new to motion pictures. Not a one time stunt or a flash promotion, it works every month right through the school year. *Film Daily* calls it—"clear cut and practical . . . a guarantee of greatly increased patronage." These cards are in a manual that is of box-office interest to every exhibitor. Thousands have already been distributed. If you haven't received a copy call your nearest RKO exchange immediately or mail the coupon at the right to March of Time, 460 West 54th Street, New York City.

Please send me at once the new March of Time manual on Educational Service that you have successfully tried out for two years in 688 theaters from coast to coast.

*Name*______________________________

*Theater*____________________________

*City*_______________________________

FIVE MINUTES F

. . . forever from the
. . . Innocent! . . . Takin
killing! . . . Flung in
life that rages unbeli

WE WHO AR
TO DIE

with **PRESTON FOSTER . . AN**
An Edward Small Production ·
Directe

ROM ETERNITY!

s of his sweetheart!
e rap for a gangland
y into the current of
y in the death house!

YOU'VE NEVER EXPERIENCED ANYTHING LIKE IT!... BLAZING EXCITEMENT, ELECTRIC DRAMA AND TENDER HEART-BEATS THROBBING THROUGH A STORY WRITTEN BY A MAN WHO ESCAPED THE NOOSE BY AN INCH!

SHOW the thrilling romance of a man condemned by a tangle of "evidence" . . . of a girl in a million who stood by him . . . of the cop who put him in jail and fell in love with his girl.

SHOW the secrets of the death house! . . . The riot along murderers' row, when raging prisoners start a war against the guards, yelling: "Don't let that innocent boy die!"

SHOW Gangland on the loose! . . . Holdups, murder, hit-and-run killing, and rat against rat when the spoils are hot!

SHOW sensational secrets of prison life! . . . The grapevine telegraph, over which messages are sent by tapping on the water pipes . . . The way a riot is started! . . . How the convicts take care of a "squealer."

SHOW science against crime! . . . New methods of police investigation! . . . Fingerprints found by amazing methods! . . . Baffling mysteries solved with test tubes and cameras!

SHOW THE PICTURE THAT THRILLS WITH ITS TERRIFIC DRAMA AS IT WARMS WITH ITS AMAZINGLY HUMAN APPEAL!

ABOUT

ORAK . . JOHN BEAL

y Cabanne

RKO RADIO PICTURES

Delaware Exhibitors Consider Sunday Law

WILMINGTON, Jan. 7.—Exhibitors met here today to record their views on the desirability of Sunday performances. Their attitude will determine the type of bill to be presented to the legislature.

One type of law suggested would provide for local option, enabling cities and communities desiring the Sunday shows to have them while the performances would be banned in those districts which opposed them.

Another measure would legalize Sunday shows throughout Delaware. It is generally believed that the local option measure stands a better chance of being passed.

Efforts to enact Sunday exhibition legislation during the last session of the General Assembly failed. It is expected that a committee will now be named to work out and guide the proper form of legislation for the purpose.

"Million," $80,000 Winner at the Roxy

(Continued from page 1)

picture bows out tomorrow night when the theatre will close until Loew's is ready to reopen it next month with "The Good Earth."

"College Holiday" and Glen Gray and his Casa Loma orchestra at the Paramount tallied $60,000 for a second week. "Sing Me a Love Song" at the Criterion grossed approximately $12,000.

"Men Are Not Gods" goes into the Rivoli on Jan. 16.

Heffner Gets Race Night

BOSTON, Jan. 7.—Roy Heffner is distributing Race Night as well as Bank Night in New England. Heffner has obtained the Race Night franchise, after first handling it on a commission arrangement.

Kane Film Showing Set

LONDON, Dec. 31.—The Robert T. Kane all color film, "Wings of the Morning," first Technicolor feature to be made in England, will be shown to the trade in London on Jan. 25.

FARTHEST EXHIBITORS REACHED
OVERNIGHT
...BY THE ONLY NATION-WIDE
AIR EXPRESS

And nearer-bys in a jiffy. Only Air Express gives *complete* day and night nation-wide service, *including pick-up and delivery without extra charge* and *swift rail connections to any of Railway Express' 23,000 offices.*

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AIR EXPRESS
DIVISION
RAILWAY EXPRESS AGENCY

Zukor Jubilee Climaxes In Notable Studio Dinner

(Continued from page 1)

Charles Butterworth, Dorothy Lamour, Shirley Ross, Ralph Rainger, W. C. Fields, Bob Burns, Martha Raye, Carole Lombard, Gladys Swarthout and Lloyd Nolan, the latter presenting a review of some of the highlights of Zukor's career. Wallace Beery, Raymond Hatton, Victor Moore, Edward Arnold and Adolphe Menjou, all of whom were featured in outstanding productions of Zukor's earlier days, spoke briefly as they were introduced by Nolan.

Hays said:

"Adolph Zukor, my friend, we are here to pay you a highly deserved honor. You are good neighbor, splendid American, great leader. You are a good neighbor because you always have taken an interest in the lives of your fellow men. You are a splendid American because you have given full support to what you believed to be in public interest; a great leader because you have had the mind to dream and heart to make dreams come true. Your willingness to study and learn has been equalled only by your courage in pursuing new ideas which an almost uncanny sense of public reaction told you were sound. Fear has never been part of your makeup. You were a pioneer in an effort to satisfy a growing desire for better motion picture entertainment. You made feature pictures at times when such an innovation was considered financial suicide. You recognized and met problems of distribution in an ever widening circle. You made it possible for the best artists, directors and technicians to give a tired world the tonic of youth, beauty, romance.

Harp on Zukor's Courage

"Nor was your courage a thing of the moment. It has had the added quality of persistence. The great Benjamin Disraeli, who so guided Queen Victoria in her empire's triumph that an era bears her name, said in a speech made 67 years ago: 'The secret of success is constance of purpose.'

"Constance and courage—these you have had and they are attributes of a great leader. Twenty-five years of service we commemorate mark the life of motion pictures as a commercial venture. In that quarter century you have aided immeasurably in their development from humblest of beginnings to greatest public amusement on earth, a vital and entertainment necessity. For fifteen of those years we worked together and in all that time I have never called on you in vain for counsel or support in what we both believed just and right. Here I offer you the personal esteem and gratitude firmly built by our long friendship and business association.

"My friends, we do well to honor one whose career has been so closely interwoven with this amazing progress of motion picture art. We honor him because of his inspiring leadership; we honor him because of his wisdom and counsel; we honor him because of kindness and patience, his sympathy, understanding; we honor him because of great accomplishments, honor him because he has brought entertainment and joy to millions, honor him because his character and personality are such he has gained the admiration and affection of all.

"And now, Mr. Zukor, I present you this book in which so many, with careful judgment which accompanies unchanging written word, have permanently inscribed their tributes to you. I give it to you in earnest hope you may live long in our company. You will live forever in our hearts."

Replying to Hays, Zukor said in part,

"I appreciate this great tribute. But it is not mine alone. I only represent a great army of men and women in this industry who have worked and are working just as hard as I. I accept this testimonial and treasure it in their name."

Among the many messages presented to Zukor was one from Ed Kuykendall, M. P. T. O. A. president, congratulating the Paramount founder and crediting him with significant achievements in the progress of the industry. The message concluded with an invitation to Zukor to attend the annual convention of the exhibitor organization which numbers among its membership most of the Paramount theatre operating partners, and which will be held in Miami, March 16, 17 and 18.

Exchange Tour Dropped

Zukor said that he had been obliged to cancel earlier plans for a nation-wide tour of Paramount exchanges, which was to have been a feature of his 25th anniversary program, because of the demands of the current production schedule. He plans to leave for Washington for the opening there of "Champagne Waltz" Jan. 22, and will make a brief visit in New York before returning to the studio.

On the dais with Zukor at the jubilee dinner were John C. Graham, Y. Frank Freeman, Stanton Griffis, William Le Baron, Barney Balaban, Hays, Neil F. Agnew, John W. Hicks, Jr., DeMille, E. V. Richards and Frank C. Walker.

Arrangements were in charge of Christopher Dunphy, George L. Bagnall, Eugene Zukor and Ted Lesser. The radio and musical programs were supervised by Boris Morros, studio musical director.

Among those in attendance were Edward Arnold, George Archainbaud, A. H. Blank, Barney Balaban, George L. Bagnall, A. M. Botsford, George Barbier, Ben Blue, Benny Baker, Charles Bickford, W. B. Cokell, Frank Chapman, Gladys Swarthout, Robert Cobb, Gail Patrick, Eddie Cantor, Larry Crabbe, Edward Dubinsky, Louis Dapron, J. Fitzgibbons, William Farnham, Leif Erikson, Frances Farmer, Frank Forest, Samuel Goldstein, Dr. and Mrs. A. H. Giannini, C. Gilmour, L. E. Gensler, Benjamin Glazer, Keith Glennan, Harold Hurley, Henry Hathaway, Henry Herzbrun, Arthur Hornblow, John Hammell, Porter Hall, Aaron Jones, Sidney Justin, Jacob Karp, Ralph Kohn, Roscoe Karns, Joseph Levenson, Jesse L. Lasky, Paul Lukas, Ted Lesser, Ernst Lubitsch, Jeff Lazarus, Frank Lloyd, Joel McCrea, Frances Dee, Harold Lloyd, Fred MacMurray, Ray Milland, Harry Nace, M. Naify, George Nasser, Lloyd Nolan, Jack Oakie, S. Pinanski, Judge A. E. and Mrs. Pinanski, Ben Piazza, Purnell Pratt, Terry Ramsaye, Bogart Rogers, Charles Rogers, Mel Shauer, Frank Tuttle, Harlan Thompson, Akim Tamiroff, Frank Walker, Herman Wobber, Bryant Washburn, Harry Warner, Jack Warner, Darryl Zanuck, Adolph Zukor and Eugene Zukor.

Mildred Zukor Loew, L. M. Rubens, Neil F. Agnew, George Arthur, Lew Ayres, Barney Blank, Raymond Blank, Joe Berg, Travis Banton, Bob Burns, Harry Cohn, Emanuel Cohen, Harry David, Albert Deane, John Danz, Lou Diamond, C. B. DeMille, Christopher Dunphy, Johnny Downs, Howard Estabrook, Y. Frank Freeman, Danny E. Field, K. Fitzpatrick, William Frawley, Robert M. Gillham, Charles Gartner, John Cecil Graham, Stanton Griffis, Cary Grant, Karl Hoblitzelle, John W. Hicks, Russell Holman, Will H. Hays, Alexander Hall, John Howard, Milton Kusell, Austin Keough, Charles Krebs, Al Kaufman, W. A. Lightman, Myke H. Lewis, Mitchell Leisen, David L. Loew, Fred Leahy, William LeBaron, Nick Lukats, Frank Meyer, M. Marco, Victor Moore, Rouben Mamoulian, Fred Mercy, Sr., Groucho Marx, R. A. McNeil, Anthony Nace, Carroll Peacock, E. V. Richards, Charles Reagan, Ted Reed, G. A. Rasdall, Grantland Rice, George Raft, Charles Ruggles, M. Schlesinger, Edwin Silverman, Leo Spitz, Harry Sherman, Mort Singer, Edwin Sutherland, Leopold Stokowski, B. P. Schulberg, Randolph Scott, Sir Guy Standing, Harvey Stephens, Vincent Trotta, Colin Tapley, J. J. Unger, King Vidor, R. B. Wilby, George Weltner, Morgan Walsh, Fred Williams and Manny Wolfe.

Mary Boland, Olympe Bradna, Helen Burgess, Mary Carlisle, Ruth Colman, Fanchon Wolf, Belle Goldstein, Marsha Hunt, Matilda Kass, Dorothy Lamour, Priscilla Lawson, Jane Constance, Loew Priscilla Moran, June Martel, Elizabeth Patterson, Martha Raye, Terry Raye and Eleanore Whitney.

To Survey New Para. List

HOLLYWOOD, Jan. 7.—A preliminary survey of 1937-38 product will highlight the two-day conferences of Paramount studio and home office executives and theatre partners at the Ambassador starting tomorrow.

William LeBaron, managing director of production, will conduct the meetings with special sessions in charge of Adolph Zukor, Barney Balaban and Neil F. Agnew.

Among pictures to be discussed will be "The Buccaneer," "Men with Wings," "The Long Traverse," "Show Business," "Beyond Sound of Machine Gun" and "Artists and Models."

See Acceptance of RKO Orpheum Offer

(Continued from page 1)

offered some time ago to resign in the event the RKO offer was refused. Orpheum creditors and Referee Oscar W. Ehrhorn are scheduled to pass upon the offer Jan. 25.

Preferred stockholders of Orpheum would not participate in the liquidation of the company which would follow acceptance of the RKO offer, although other creditors would receive about 30 cents on the dollar for their claims. The stockholders have retained Isidor J. Kresel to represent their interests and indications are that some effort may be made either to forestall the Orpheum liquidation or to obtain some participation for the stockholders in the RKO reorganization plan.

Plan to Reconsider New Tax in Savannah

SAVANNAH, GA., Jan. 7.—This city's week-old amusement tax levy was headed for reconsideration today, through the appointment of a council committee following threats of Lucas and Jenkins to close their local houses if the tax was enforced. The committee will meet tomorrow with theatre representatives to discuss the situation.

The tax was a 10 per cent gross levy designed to raise relief funds. The council also heard an appeal from employes of the Lucas, who said they had been given two weeks' notice of the theatre's closing. John J. Bouhan, circuit attorney, told the council that the circuit pays taxes on $300,000 worth of real estate here, has a payroll of $65,000 and employs 125 people. He urged that a tax not be "saddled on one industry."

Miles Sues on "Anchors"

Arthur H. Miles has filed a suit in U. S. District Court for $1,000,000 damages against the Robbins Music Corp. and Doubleday-Doran. The suit charges infringement of the lyrics of "Anchors Aweigh." Miles claims that in 1927 Lieut. Charles Zimmerman and himself wrote the song.

In 1929 the song was assigned by Zimmerman's widow to M-G-M, who transferred it to Robbins, who later published it, stating they had revised the lyrics and claimed a copyright on the revision.

The plaintiff claims the lyrics were not revised and that this act on the part of Robbins was piracy. He claims Robbins has used, published or transferred the plaintiff's lyrics in the form of books, records and songs and has sold the rights in these to others. Besides the damages and a perpetual injunction, Miles is asking $250 for each individual offense.

Crites Sues on Patent

Virgil Crites yesterday filed suit in Federal Court against Albert Radtke, Leonard Day, Thomas Martin, Radtke Patent Corp., United Research Corp. and Warners, charging conspiracy. Crites declared the defendants were trustees holding an invention for him. He also asks its return. The plaintiff claims that in 1931 the defendants conspired to obtain a patent and certain interests, which were turned over to Warners and United Research Corp.

Delay Dillingham Sale

John Joyce, Federal referee in bankruptcy, yesterday adjourned to Jan. 29 the hearing on the sale at public auction of various theatrical, film and television rights to properties owned wholly or in part by the estate of the late Charles Dillingham. Irving Trust Co. is trustee. The adjournment was due to the absence of David Burnside, formerly associated with Dillingham, who is en route from the coast.

Shift Standard Managers

OKLAHOMA CITY, Jan. 7.—Standard Theatres has shifted its managers in houses here as follows: Paul Ketchum to the Circle, Todd Ferguson to the Ritz, Robert Johnson to the Folly, James Adams to the Victoria and Plaza, James Burge to the Midwest and Robert Busch to the Capitol.

Out Hollywood Way

HOLLYWOOD, Jan. 7.—CARL PIERSON, formerly head cutter and supervisor at Republic, joins General Pictures and will supervise three productions, the first to be titled "Three Legionaires."

MILTON BERLE, recently signed by Radio, will appear first in "New Faces of 1937," a musical, in which JOE PENNER, PARKYAKARKAS and HARRIET HILLIARD also will appear. . . . JOSEPH SANTLEY will direct.

M. H. HOFFMAN has signed KEN MAYNARD for a series of action films for Condor. . . . IRVING MILLS, head of Mills Publishing Co., closes deal with Melody Pictures for six songs for "Sing While You're Able.". . . Paramount building Swiss chalet at Ketchum, Ida., for "I Met Him in Paris.". . . WILLIAM BRISBANE and DUDLEY CLEMENTS, recently signed by Radio, report for duty. . . . DAVID L. LOEW borrows SAMUEL K. WINELAND, musical director under contract to Paramount, to direct score for "When's Your Birthday?"

SALLY BLANE to return to screen in "Dead Yesterday," 20th Century-Fox. . . . BILL DANIELS first cameraman on "Man of Possession," M-G-M. . . . DAVID SNELL to do musical score on "Dangerous Numbers," M-G-M. . . . JAMES PARKER latest addition to Republic talent school. . . . PEGGY BATES signed to stock company contract at Warners.

HAROLD ADAMSON and JIMMY McHUGH complete two tunes which VIRGINIA BRUCE will sing in "Class Prophecy," Universal. . . . E. M. ASHER to produce "As Good As Married," Universal. . . . JOEL McCREA and FRED MACMURRAY on the sick list. . . . DOUGLAS MACLEAN gets started on "23½ Hours Leave" after a delay of two weeks due to the illness of JOHN G. BLYSTONE, director. . . . LUISE RAINER and CLIFFORD ODETS take out a marriage license.

✚

Casting—GEORGE E. STONE in "Dance, Charlie, Dance," Warners. . . . FRANKLIN PANGBORN in "Swing High, Swing Low," Paramount. . . . CHARLES KING, the Escalanti family, and DON ROBERTS in "Without a Net," Republic. . . . MARY GORDON and KATHERINE SHELDON in "Racketeer in Exile," Columbia. . . . LOUIS HAYWARD set for the juvenile lead in "Delay in the Sun," Universal.

M-G-M castings include: IVAN LEBEDEFF in "Maytime," CHARLES IRWIN and HAL LESEUR in "Burnt Fingers," GEORGE SORIEL in "Espionage," MARIA CUSTENSKAYA and CLARENCE BROWN in "Madam Walewska.". . . JANE DARWELL in "Nancy Steele Is Missing," 20th Century-Fox.

✚

Writers — VIRGINIA KELLOGG adapting "Magnolia Grove" from TRISTAN TUPPER'S original, Universal. . . . URSULA PARROTT to do untitled original at M-G-M.

✚

Title Change—"Vogues of 1937" to "Vogues of 1938," WALTER WANGER.

McCourt to Providence

Boston, Jan. 7.—William McCourt has been transferred from Keith's Memorial to the Albee in Providence.

Neth Plans a 1,500 Seat House in Ohio

COLUMBUS, Jan. 7.—The largest theatre project in this territory in several years is planned by J. Real Neth, who will build a 1,500-seat suburban at a cost of $200,000. Plans have been drawn by C. Arthur Carlson, who also has the general contract. Parking facilities for 500 cars will be provided.

Work will be started at once, with completion scheduled for May. The house will be called the Markham.

Neth also operates the State, Clinton, Eastern and Cameo, and has an interest in the Ritz and Rivoli, all neighborhoods and suburbans.

Plans for erection of two additional houses have been announced by Neth. Sites have been selected and contracts let, but work will not be started until completion of the Markham.

Fight New N. H. Track

BOSTON, Jan. 7.—The local Allied branch is starting a campaign against a move to establish a second pari mutuel horse track in New Hampshire. Horse racing at Salem, N. H., proved a heavy counter attraction for Boston and surrounding theatres even before pari mutuels became legal in this state two years ago. It is felt that a second track in New Hampshire would be a serious threat to theatre prosperity.

Stapel and Biechele K.M.T.A. Lobbyists

KANSAS CITY, Jan. 7.—Directors of the Kansas-Missouri Theatres Ass'n named John Stapel, association president, to represent Western Missouri exhibitors in legislative matters at the current Missouri session. R. R. Biechele, association secretary, was named to represent exhibitors legislatively at Topeka in the Kansas session.

Stapel, named KMTA representative to the MPTOA national convention in March at Miami, was empowered to cooperate with Ed Kuykendall, MPTOA president, in the latter's effort to eliminate score charges and the music tax. Stapel also will carry the authority of the association to the national meeting so far as a local arbitration board is concerned.

Kenyon Joins M-G-M

DES MOINES, Jan. 7.—Omer Kenyon, in the theatre business here for 16 years, has been named exploitation man for M-G-M in the midwest territory with headquarters here. He will work with Claude Morris, M-G-M exploitation man from Kansas City.

London Xmas a Record

LONDON, Dec. 31. — Wet weather helped to make Christmas business in London a record. Patrons were turned away at the Empire, Leicester Square and London Pavilion. Reports from the provinces also indicated takings above all previous years during the holiday season.

35,000,000 PEOPLE

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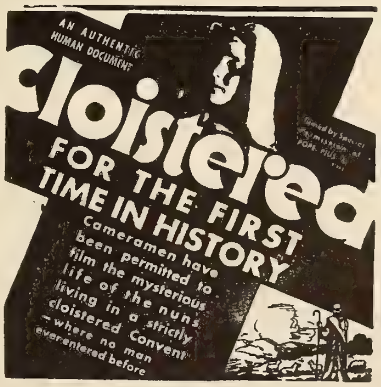
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—SHOWMAN'S TRADE REVIEW

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—FILM DAILY

" 'Cloistered' has broken all records."
—MOTION PICTURE DAILY

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THEATRES WANTED—If you have a first class house, fully equipped, we are ready to rent. Only A-1 houses in key cities.

Gary Cooper Pay Near Top At $311,000

(Continued from page 1)

Edward Klauber, CBS, $50,269.
Mary Pickford, Pickford Corp., $22,750.
George P. Skouras, Skouras Theatres, $58,192.
H. J. Yates, Consolidated Film, $75,000.
Marion Davies, Cosmopolitan Corp., $104,000.
Dave Rubinoff, $30,000.
E. W. Hammons, Educational, $62,749.
James G. Harbord, RCA, $54,000.
H. M. Goetz, Reliance Pictures, $26,272.
Edward Small, Reliance, $52,000.

Itemized by Companies

Other salaries by companies follow:

Loew's M-G-M—David Bernstein, $115,805; David Loew, $74,500; Leopold Friedman, $52,900; C. C. Moskowitz, $52,500; J. Robert Rubin, $79,475; Felix Feist, $78,000; David Bernstein (M-G-M Corp.), $56,100.

RKO—J. R. McDonough, $80,204; Ned E. Depinet, $72,224.

Twentieth Century-Fox — W. C. Michel, $52,133; Darryl Zanuck, $95,000; John D. Clark, $53,300; Herman Wobber, $59,800; Robert Kane, $86,500.

Small-Goetz-Zanuck Corp.—Darryl Zanuck, $39,833; William Goetz, $18,333; Lawrence Tibbett, $63,750; Roy Del Ruth, $48,333; Fred Allen, $25,000; Frederic March, $76,666; Loretta Young, $21,473, and Raymond Griffith, $16,750.

Universal—J. R. Grainger, $52,000; Carl Laemmle, Jr., $71,437; Boris Karloff, $45,000; Zasu Pitts, $55,555.

The Paramount Earners

Paramount—Watterson Rothacker, $50,000; Raoul Walsh, $63,000; Waldemar Young, $71,161; Richard Wallace, $63,182; Norman Taurog, $88,750; Charles Rogers, $73,000; Frank Borzage, $86,000; Carl Brissen, $80,147; George Burns and Gracie Allen, $92,000; Cecil B. DeMille, $72,000; Marion Gering, $71,833; Benjamin Glazer, $168,884; Zane Grey, $90,000; Al Hall, $65,100; Mack Gordon, $65,250; Cary Grant, $52,292; Ann Harding, $93,750; Henry Herzbrun, $73,500; Samuel Hoffenstein, $75,250; Arthur Hornblow, Jr., $71,375; Harold Hurley, $99,276; Grover Jones, $75,958; Jan Kiepura, $101,806; Norman Krasna $79,583; Elissa Landi, $74,479; Vincent Lawrence, $57,250; Albert Lewis, $54,189; Carole Lombard, $156,083; Pauline Lord, $52,197; Louis D. Lighton, $68,000; Edwin Justus Mayer, $81,500; Leo McCarey, $129,333; William Slavens McNutt, $72,917; Adolpe Menjou, $83,330; Lewis Milestone, $223,700; George Raft, $90,000; Charles Ruggles, $106,278; W. C. Fields, $76,875, and E. Lloyd Sheldon, $89,135.

Warners—H. M. Warner, $88,333; Albert Warner, $88,333; Jack L. Warner, $88,333; Joseph Bernhard, $53,000; Frank Borzage, $156,000; Ricardo Cortez, $67,917; Al Green, $98,750; Max Reinhardt, $105,000; Archie Mayo, $75,750; Sam E. Morris, $79,500; Herman Starr, $53,000; S. P. Friedman, $53,000; Robert Schless, $53,949; Jacob Wilk, $53,000; Richard Powell, $69,500; William Koenig, $82,167; Harry Joe Brown, $84,646; Robert Lord, $84,375; Sam Bischoff, $54,250; Busby Berkeley, $69,750; Wilhelm Dieterle, $76,333; Michael Curtiz; $102,325; Paul Muni, $150,000; Adolphe Menjou, $50,000; Ruby Keeler, $89,583; Dolores Del Rio, $75,870; Pat O'Brien, $64,500; Warren William. $95,458; Mary Astor, $41,663, and Bette Davis, $48,200.

'Eternal Road' Magnificent Spectacle Lacking in Heart

"The Eternal Road" is a breathtaking and magnificent spectacle. It is replete in staggering stage and production trappings, in inspired lighting. It tells its re-enactment of the essential stories of the Old Testament against huge sets that tower to the heavens, thwarted only last night by the restraining roof of the Manhattan Opera House.

It implants its story of Jewish persecution down through the ages in both broad and dramatically laborious strokes. It commands attention and induces respect by the magnitude of the task undertaken by Max Reinhardt and his associates. But its chief defect, which is also the defect of most spectacles, is its lack of heart.

"The Eternal Road" actually is a prodigious effort. The idea stems back several years. That idea went through delays of varied description and its New York opening was announced and then set back perhaps as many as 10 times. As the final handiwork stood last night, the investment is not far short of $500,000.

Superb Stagecraft

Reinhardt produced it. Kurt Weill, composer of "Three Penny Opera" and "Johnny Johnson" did the musical score. Franz Werfel, author of the stirring "Forty Days of Musa Dagh" wrote the play. Norman Bel Geddes designed the settings, the costumes, arranged the superb lighting. The legends of an old race were recounted and the Bible drawn upon. Certainly, the foundation was rich.

And much of the result is, as well. The sweep of the dramatic panorama runs across a vast stage and up and down its five levels, each of them a parallel to five strata in the consciousness of man. There is dancing and striking pageantry, sharp shafts of dazzling light shooting down from the vagueness of the flies like elongated triangles picking out the clustered and passing parades of principals and supernumeraries.

Weill's music is splendid. He has caught tragic Hebraic strains in chant-like rhythms that swell the theatre. He has captured lighter movements in appropriate form, but he also, from time to time, injects a modern tempo, particularly in the episode narrating the story of Ruth, that appears strange and out of mood with the enactment on the stage.

In this music drama, Reinhardt was alternatively successful and not in the voices of his principals. The performances musically were varied and not always as competent as one might hope them to be. And in averages in acting, he succeeded in giving the first nighters some of the worst performances of the season.

Yet, as these matters are quite apt to go, there were several in the cast who did themselves well. Sidney Lumet, as the Estranged One's son, for a boy beating his frail wings against an overpowering spectacle did a remarkable job. Myron Taylor, as the rabbi, was fine in voice. Sam Jaffe, as The Adversary, like the other pygmies struggling on this world-like background, managed to somewhat personalize his part on a canvas in which the individual players were designed to be, and were, infinitesimal.

Curious, too, were portions of Reinhardt's stage technique. In the third act, he utilized a black back drop which hid from the audience the impending setting. Earlier, however, and in plain view of the spectators he did not. While the nether regions of his stage were darkened and the dramatic thread played out in the embattled synagogue, plainly could the workings of the next piece of stagecraft be discerned. Thus, in the legend of Joseph and his brethren, the illusion was not enhanced by witnessing the stalwart stone wall of an Egyptian palace moved into position.

This reviewer also reacted in disappointment to the failure to speed up the tempo. In the preponderance of the eight episodes the vocal and choral work was augmented by repeated dancing. It was persistent and no mistake.

Jewish History Reviewed

What Werfel has done in his playmaking is to depict an ancient synagogue in a country not defined. It is crowded with men, women and children assembled in a night of terror with the impending holocaust of death or exile sweeping down on them. Their fate is to come in the morning. In the interim, the rabbi, seeking to hold together their courage, takes the Ark from the Scroll of Laws and reads the stories of their ancestors, their struggles and their hopes. As he does in sparse dialogue and in song and dance, the stories come to life on the terraced stage. Abraham, Jacob and Rachel, Joseph and his brethren, Joseph and Moses in Egypt, the Jews in the wilderness, the story of Ruth, of Saul, of David and the glories under Solomon, these are the sequences in which they unfold.

Then follows the order into exile and the curtain falls as the congregation again takes to "the eternal road" on the march again for an unknown destination where peace and happiness may be theirs. The tableaux unfold gallantly, but they also and frequently unfold ponderously. For, the drama in "The Eternal Road" is made of sombre stuff, relieved by little gayety conspiring to make an evening long and arduous in the theatre.

Central States Men Meet

Des Moines, Jan. 7. — Myron Blank, treasurer, and Harry M. Weinberg, vice-president and general manager of Central States Theatres, Inc., presided over a meeting of managers from about 60 Iowa and Nebraska theatres at Hotel Fort. Plans for the Adolph Zukor silver jubilee starting Jan. 16 were discussed at the meeting and their execution outlined.

Capital Waits Annual Budget For Tax Lead

(Continued from page 1)

bills in the Senate, where they were held up until the second day of the session, observers believe the general tenor of legislation to be sought outside the Administration program has been developed.

So far as the film industry is concerned, nine measures, all of which have been before Congress in past years, have been submitted. For the first time in a number of years, however, no bills have been introduced yet to repeal the ban on the interstate transportation of fight pictures. Also absent from the House list so far are the copyright bills of Representative Sirovich and members of his Patents Committee.

The film bills thus far introduced include the following: establishment of a commission to censor production, by Representative Culkin of New York, who also submitted his bill prohibiting block booking; a bankruptcy measure, by Representative Sabath of Illinois; alien actor immigration bills by Representative Dickstein of New York; prohibition of block booking, by Representative Pettengill of Indiana; establishment of a department of science, art and literature, by Sirovich; copyright legislation, by Senator Duffy of Wisconsin, and block booking legislation by Senator Neely of West Virginia.

Tax Bills Presented In California House

Sacramento, Jan. 7.—Tax measures affecting the industry have appeared in the California legislature. One calls for the repeal of the sales tax law, with the understanding that income and other taxes would be raised to fill the revenue gap, and real estate would be assessed at its actual value.

Another bill calls for a five-day, 40-hour week for all workers in the state. Social security measures introduced aim to increase old age pensions and aid blind and needy orphans.

Assemblyman Geoffrey Morgan says he will not introduce any anti-film legislation this session. Last year he sponsored unsuccessfully admission tax and film footage tax bills.

Hamrick Makes Shifts

Portland, Ore., Jan. 1.—Included among managerial changes made by the Hamrick-Evergreen Circuit are these: J. Daigler, formerly manager of the Paramount, promoted to assistant to John Hamrick in Seattle. W. S. Sabottka succeeds him at the theatre post. George Appleby returns as manager of the Music Box here.

Begin Five-Day Week

London, Dec. 31.—M-G-M and Warners have followed the lead of Columbia here in instituting a five-day week for all employes.

"Blossoms" at Belmont

The Belmont launches its film policy with "Broken Blossoms" next Wednesday.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 7 NEW YORK, SATURDAY, JANUARY 9, 1937 TEN CENTS

Roxy Capital Is Disclosed In Final Plan

Class A, Common Stock, Bonds Included

The capitalization of the reorganized Roxy Theatre company will include 15,480 shares of Class A stock and 77,400 shares of common stock in addition to a maximum of $3,595,208 of first mortgage 20-year 3½-4 per cent bonds, it was disclosed yesterday in a final draft of the Roxy reorganization plan distributed to depositors with the bondholders' committee.

The new stock capitalization had not been finally determined at the time the first draft of the reorganization plan was presented to Federal Judge Francis G. Caffey, details of which were published in MOTION PICTURE DAILY on Dec. 19. The plan gives 20th Century-Fox all of the common stock of the reorganized company, which amounts to 83 1/3 per cent of the combined number of common and Class A shares outstanding, in return for a 20-year film franchise and $650,000 cash from the producer-distributor.

The plan provides that each present Roxy bondholder will receive for each $1,000 bond a new $1,000 first mortgage bond and a share in distributable cash in the hands of the fiscal agent and trustee. Present noteholders will receive for each $1,000 note 10 shares

(Continued on page 4)

U. S. Firms Consent To Italian Revision

By VITTORIO MALPASUTTI

ROME, Jan. 8.—The official consent of American film companies to the new financial and quota regulations to govern the importation of films into Italy and the withdrawal of revenues from the country was received here today, officially concluding the agreements recently arrived at by Government representatives, the

(Continued on page 3)

Reorganization Meet Set for Educational

WILMINGTON, Jan. 8.—An order to Philip Cohen, Wilmington attorney, as special master, to hold a meeting of stockholders for the reorganization of Educational Pictures, Inc., of Delaware, was issued here today by Chancellor Josiah P. Wolcott. The chancellor ordered Cohen to call the meeting within two weeks after Jan. 24.

The order was issued upon the pe-

(Continued on page 4)

Asks Present Ticket Taxes Be Retained

19 Million Revenue Due, Says President

By CLARENCE LINZ

WASHINGTON, Jan. 8.—Retention of the admission tax at its present level was today urged upon Congress by President Roosevelt in his annual budget message, accompanying estimates of appropriations which will be required for operation of the Government during the fiscal year beginning July 1, next.

Bearing out predictions that no change would be recommended in the admissions tax, explanatory statements accompanying the six billion dollar budget, which is expected to reach almost eight billions when relief appropriations, to be recommended later, are made, showed that the treasury anticipates that this levy, from which $17,112,175 was collected during the fiscal year ended June 30, last, will provide

(Continued on page 4)

Exhibition Phase of Duffy Bill Dropped

WASHINGTON, Jan. 8.—The elimination of the provision that the right to produce a film shall include the right to exhibit, is the principal change made in the copyright bill, introduced this week by Senator Duffy of Wisconsin, as compared with the legislation before Congress last year.

This action was taken, he explained, as a result of the complaints from

(Continued on page 4)

L. A. Hails Zukor

Los Angeles, Jan. 8.—The City Council, in executive session, today passed a resolution recognizing the anniversary of Adolph Zukor. Congratulations were extended as well as appreciation for the producer's important role in the growth and prosperity of the city.

London Papers See Clamp on Film Finances

By BRUCE ALLAN

LONDON, Jan. 8.—Several important newspapers today published scare stories recording the alleged collapse of British production finance, while three newspapers called the reports untrue.

It was believed that the receiverships of Twickenham Film Prod., Twickenham Film Distributors and Joseph Hagen Prod., has drawn attention to the unsound basis of a large proportion of the production companies last year.

Typical headlines were: *Herald*—"British films' £2,000,000 loss. Banks will lend no more"; *Express*—"Film industry faces money crisis"; *News Chronicle*—"Banks curtail loans to film firms."

Extended editorial reference was along the lines that "the bubble has burst" because banks refused all further film loans.

The *Times, Financial Times* and

(Continued on page 2)

Senate to Probe Ownership Of Broadcasting Stations

By BERTRAM F. LINZ

WASHINGTON, Jan. 8.—A thorough investigation of newspaper and network ownership of broadcasting stations is contemplated by Senator Burton K. Wheeler of Montana, chairman of the Interstate Commerce Committee, it was revealed here today with the publication by him of letters he has sent to Anning S. Prall, chairman of the Federal Communications Commission, asking for information on the subject.

Senator Wheeler called upon the F.C.C. to furnish information as to how many newspapers now own radio stations, how many stations have been acquired during the past year and how many applications of newspapers for radio stations are now pending.

Also, the Senator wrote: "I would like to have an opinion from the chief counsel of the commission on the question as to whether or not the commission has the authority at the present time to deny an application of

(Continued on page 3)

More Developments in Radio—Page 3

RKO for 10% Cancellation, Local Boards

Score Charge Remains, Kuykendall Told

An unconditional 10 per cent cancellation privilege and approval of the establishment of local conciliation boards are the outstanding features of RKO Radio Pictures' response to the M.P.T.O.A. 10-point trade practice program, it was revealed in a letter to Ed Kuykendall, president of the exhibitor organization, from Ned E. Depinet, RKO vice-president, which was made public yesterday.

No change in the distributor's established policy in regard to either the score charge, sale of short subjects or designation of preferred playing time is advanced in the letter. These three phases of the exhibitor trade practice program are held by Depinet to be subject to negotiation between buyer and seller and to have a direct relation to the ultimate terms of the contract.

The RKO reply to the M.P.T.O.A. is the fifth to be made, Universal, United Artists, 20th Century-Fox and M-G-M having replied earlier. Statements from Paramount and Columbia have not been received and no declaration from Warners is expected by the exhibitor organization.

Following is a point-by-point summary of the RKO stand:

Cancellation—An unconditional minimum of 10 per cent where all features offered are accepted by the

(Continued on page 4)

Chicago Bank Night Decision on Monday

CHICAGO, Jan. 8.—A decision in the case invoking the injunction granted the Iris which prevented the police from interfering with the operation of Bank Night and on the strength of which 33 other theatres here are continuing the giveaway game will be handed down by Judge Niemeyer on Monday. The trial has lasted

(Continued on page 4)

SEC to Study Film Activities of Atlas

WASHINGTON, Jan. 8.—Public hearings on the activities of the Atlas Corp., heavy holder of film stocks, will be held in the near future, the Securities and Exchange Commission informed Congress today in a progress report on its study of investment trusts and investment companies, made

(Continued on page 3)

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Columbia's Two-Day Meet Starting Today

Approximately 50 representatives of the home office and six eastern exchanges will attend the two-day Columbia mid-season sales meeting which gets under way today at the St. Moritz. Abe Montague, general sales manager, will preside.

Others attending include, from the home office: Jack Cohn, Joe McConville, Rube Jackter, Lou Weinberg, Louis Astor, Max Weisfeldt, Hank Kaufman, Leo Jaffe, Maurice Grad, Milt Hannock, Leonard Picker, William Brennan, Al Seligman, and Fred McConnell.

Col. Sets Dividend

The board of directors of Columbia has declared a quarterly dividend of 68¾ cents per share on the $2.75 convertible preferred stock, payable to stockholders of record on Feb. 3.

Rainer-Odets Nuptials

Hollywood, Jan. 8.—Luise Rainer and Clifford Odets were married today at Miss Rainer's home. Only a few personal friends attended.

◂ Purely Personal ▸

ROY DEL RUTH, 20th Century-Fox director, arrived yesterday from the coast for a brief vacation.

•

Gertrude Merriam of the Managers' Round Table Club of *Motion Picture Herald* and Florence Greene of *Better Theatres* observe birthdays tomorrow. Miss Merriam's observance will be quiet; she is recovering from pneumonia at home.

•

Charles Caballero of the F. & M. theatres in New England, arrived yesterday from Worcester, Mass., to spend a few days here on bookings.

•

Harold Erichs of *Variety* is mourning the loss of his four-year-old old son, who passed away Thursday after an attack of pneumonia.

•

Peter Bekeros and his partner, George Savotgy, of the City, Highland Park, N. Y., were visitors on the film curb yesterday.

•

John D. Clark has cancelled his proposed trip to Honolulu and instead will leave for the coast shortly.

•

Frank Weskil, exhibitor of Sand Point, Ida., was a visitor on Film Row this week.

•

Betty Roach, secretary to Al Lichtman, leaves for Miami tomorrow.

•

Joseph H. Moskowitz left for the 20th Century-Fox studio yesterday.

•

Ruth Chatterton sails today on the *Lafayette.*

•

Jane Withers arrived yesterday from the coast.

Osso Sets European Deal With Columbia

A new distribution deal for Columbia pictures in France and other parts of Continental Europe was concluded yesterday with Adolph Osso, distributor with headquarters in Paris, and former Paramount representative in France. The deal was closed by Joseph Seidelman.

Osso, who has been here for the past 10 days in connection with the negotiations, sails on the *Lafayette* tonight on his return to Paris. He is accompanied by his assistant, Alexander Pincus.

Three Salaries Reported

Washington, Jan. 8.—Additional salary reports released by the House Ways and Means Committee, covering salaries for the year 1935, include three film names. The men and their salaries are: Edward Arnold, Schulberg Prod., $51,854; Graham Baker, Wanger Prod., $54,833, and John Balaban, Balaban and Katz, $78,000.

Ostrers Due Monday

Isidore and Maurice Ostrer and Arthur Lee are due to return from Miami Beach on Monday after extended vacations. Following their return discussions will be held here on opening G. B. exchanges throughout the country.

London Papers See Clamp on Film Finances

(*Continued from page 1*)

financial editor of the *Daily Mail* declared in effect that such was not the case, pointing out that there was no change in the policy of banks and insurance brokers who are doing film business as of late yesterday.

The receivership of the three Hagen companies was at the instance of the bank and insurance company involved, and observers were of the opinion that the fact that the three Hagen studios are for rent has drawn attention to the unsound basis of many production companies, for the most part £100 companies working on bank overdrafts secured by insurance policies at a total cost of 10 per cent and upward.

Trade Story Seen Responsible

A trade story published two days ago declaring that two banks were deciding against further loans is believed to have started the daily press stories.

It was pointed out in authoritative quarters that actually the banks advance money not to producers but to the insurance companies, according to the latter's credit worth.

Finance is said to be drying up because the insurance interests have had large losses, but no good film proposition is any worse off than before, it is pointed out. The insurance financing method was detailed in the evidence given by John Maxwell before the Moyne Committee on revision of the Films Act.

It is seen as probable that the press campaign with its disclosures of the alleged scandalous waste of heavy negative costs will have the effect of encouraging the Government to adopt the provision in the Moyne report which recommended a Government film commission to supervise production financing.

Present Situation Serious

Although most of the current press stories are said to have been exaggerated, it is believed that a crash in British production, admitted in many quarters to be overdue, will be precipitated by the present publicity. Several more failures are expected. Characterized as camouflage are the stories that America will not give release to British pictures, and that an increased quota is necessary here.

Another problem is the recent huge increase in British studio floor space. Some studios planned to fill this space with the £100 companies, based on insurance finance, but there is a strong possibility now that a large percentage of the new studio space will remain empty.

Twickenham's capital is £240,000, privately held, and it is understood that obligations of all three Hagen companies amount to £500,000 in secured loans and £100,000 due to creditors.

Among the rumors of instability appearing is one that a prominent producer, whose films are well known in the United States, must find £125,000 by Jan. 13 to avoid a receivership or his own removal. Another company with American connections is declared to be embarrassed by restrictions on finances due to a quarrel with the chief backer.

Wardour Films has taken over the bookings on five Twickenham films, and six finished but not yet trade shown.

Paramount Outlines '37-'38 Product Plans

Hollywood, Jan. 8.—Paramount's production plans for 1937-38 were roughed here today when studio and home-office executives, as well as theatre partners, met in the first of a two-day session at the Ambassador. Barney Balaban presided and was flanked by Adolph Zukor, still aglow from his testimonial dinner of the night before, and William Le Baron, managing director of production. The three executives delivered addresses.

Balaban, after paying tribute to Zukor, outlined the details of what he termed the most ambitious and well-planned picture schedule in the history of Paramount, a schedule which, he emphasized, is based on a budget of sufficient size and elasticity to assure the consummation of the type of program dictated by exhibitor and public alike. A starting appropriation of $30,000,000 has been set aside, he said.

Zukor Cites Harmony

Zukor stressed the element of harmony within the Paramount organization and characterized as unique the company's policy of inviting exhibitor partners to voice their opinions and desires in the formulation of a 12-month production program.

LeBaron discussed the company's immediate situation and production plans for the future. He pointed out that bookings through May are taken care of by pictures now ready for release, in production or editing and that his staff has enough stories on hand to carry through and beyond the requirements of an 80-picture program.

LeBaron also spoke of the company's reserve strength in story material, many of which are in work.

Fox Action Shifted To a Federal Court

Atlantic City, Jan. 8.—Vice-Chancellor W. Frank Sooy today ordered that the action for receivership and recapture of assets against All-Continent Corp., bone of contention in the $9,535,000 William Fox bankruptcy, be removed from New Jersey Chancery Court to U. S. District Court.

The vice-chancellor did not specify the district. Fox counsel, however, stated that under court procedure the move automatically would be to the Federal District Court at Camden, probably before Judge John Boyd Avis there.

Decides for Agency

Los Angeles, Jan. 8.—The district court of appeals affirms the verdict of a lower court which grants an agent the right to sue a client for damages beyond the date of the agency contract. The case concerned the suit of the Small-Landau agency against Lloyd Nolan, decided in the agency's favor last February by Superior Judge Thurmond Clark. Nolan's attorneys will either ask the district court of appeals to review its own verdict or take the matter up the state supreme court.

Senate Plans Ownership of Stations Quiz

(*Continued from page* 1)

a newspaper for radio facilities, on the ground that it is against public policy."

He also asked whether, if the commission does not have such authority, legislation could be passed, denying newspapers the right to acquire broadcasting stations hereafter and requiring all newspapers now owning stations to divest themselves of such property.

In another letter to Chairman Prall, he asked how many clear channels are today owned and controlled, operated by or in connection with any of the chain broadcasting companies, how many stations have been sold or transferred within the past three years, including information as to the date of each transfer, name of station, location, price paid, and whether purchased by a newspaper or a network; the number of stations owned or controlled by NBC and CBS, respectively, the number owned or controlled or on the network of any other chain, and the number of stations controlled by the Hearst syndicate.

Thad Barrows Heads Operators in Mass.

Boston, Jan. 8.—Thad Barrows today was elected president of M. P. Operators' Local 182 for the 18th consecutive year. James Burke returned as business manager.

Both executives have been prominent in the current agitation against the 2,000-foot reels, a question which is now awaiting the decision of the Massachusetts Dep't of Public Safety.

Bernard McGaffigan was elected vice-president at today's meeting. Other officers are: Albert Moulton, financial secretary; Joseph Rosen, treasurer; James Gibbons, Joseph Nuzzelt and Louis Pirovano, members of the executive board.

The organization's annual dinner was served at Landmark Hall prior to the opening of the business meeting.

Loew Auditors End Meet

Meetings of Loew's field auditors, which have been held all week at the Astor with Alan Cummings presiding, ended yesterday, following which the men started to leave for their headquarters. J. J. Ash will leave for Salt Lake City today. Robert Long left for Kansas City last night and William Marsh will depart for Buffalo tomorrow.

Otto Anders Dies

Milwaukee, Jan. 8.—Otto Anders, pioneer Milwaukee exhibitor and manager of the Cudahy and Majestic, died here today of a heart attack. He was 70 years old. Anders was a recipient of a Zukor Silver Jubilee medallion. He is survived by two daughters.

Joseph Gossett Dies

Canton, O., Jan. 8.—Joseph A. Gossett, 62, manager of the State here, a unit of the Young and Rinehart circuit, died here after a lingering illness.

Opera Broadcasts For the Argentine

The performances of the Metropolitan Opera Co. hereafter will be heard in Argentina in accordance with arrangements completed between NBC, Radio Splendid of Argentina, and RCA, sponsors of the broadcasts. This will be the first series of commercially-sponsored programs ever sent from the United States to a foreign country, other than Canada. Announcements and commercial credits are to be added to the broadcast at Buenos Aires.

In the meanwhile, the new directional beam antenna at NBC's shortwave transmitting station, W3XAL, is rapidly nearing completion, and one of them, for South and Central America, is expected to be placed in operation Jan. 15. The other, for transmission to Europe, will be ready for use by Feb. 15.

With the use of the directional-beam antenna, NBC will transmit many additional sponsored and sustaining programs to European and South and Central American countries. Ultimately, it is expected, NBC will sell time to sponsors desiring foreign networks and stations.

Motor Boat Aircast

A daily 15-minute program from the floor of the Motor Boat Show in Grand Central Palace was broadcast yesterday and continues to Jan. 14, excepting Saturday and Sunday over WEAF locally. The program will be aired from 7:30 to 7:45 P. M., and will feature entertainment by the Modernaires and Charles Barnett's orchestra.

Wortman-Barton & Co., N. Y., is the agency.

Mills Brothers Back

The Mills Brothers, absent from the airwaves for some time, return to the networks for a guest appearance on the Nash-Lafayette Speedshow today. Actually now there are three brothers and the father in the quartet. He joined the group after the death of his youngest son some time ago.

Kate Smith Goes "M. C."

Kate Smith has been nominated as the guest mistress of ceremonies on the Sealtest "Saturday Night Party" program tonight. She will introduce a new radio singer, Donald Dickson, who is her own discovery.

"Lu" Dies; Trade Regrets

Radio Row learned with regret yesterday of the passing of Mrs. Isobel Carothers Berolzheimer, "Lu" of the network team of "Clara, Lu and Em." Mrs. Berolzheimer died in an Evanston, Ill., hospital yesterday of pneumonia.

Swings to Evening Time

CBS's Concert Hall's "Modern Masters" programs, a day time feature, has scored such a favorable impression that a new evening time-period has been selected for the program. Beginning with the broadcast tonight the show will be broadcast from 8 to 8:30 P. M., E.S.T. Dr. Ernest Toch will be the featured guest on this date.

Bankhead in "Magic Key"

Tallulah Bankhead, Lotte Lehman, Metropolitan Opera prima donna; Karl Kress and Dick McDonough; Buck and Bubbles, and the Budapest University Chorus comprise the talent set for Sunday's RCA "Magic Key" program. The program is heard from 2 to 3 P. M. E. S. T. over the NBC—Blue.

Fels-Naptha Show to CBS

Fels-Naptha, through Young and Rubicam yesterday, signed for a new CBS series to begin Jan. 19. The program, as yet untitled, will be heard Tuesdays and Thursdays from 1 to 1:15 P. M., E.S.T., and will feature the orchestra of Mark Warnow and vocals by Jack Berch.

WHN on 24-Hour Grind

WHN last night inaugurated a 24-hour broadcast schedule, with its night periods completely sold commercially, from 11 P. M. to 7 A. M.

Block and Sully, Et Al

Short Shots: Block and Sully have been set for a guest appearance on a forthcoming "Caravan" broadcast. . . . CBS has bought Benny Fields' contract, which puts an end to the "Minstrel Man's" network career for the moment. . . . Eddie Cantor will guest appear on Al Jolson's program Jan. 19. . . . No audience for Vick's "Open House" broadcast when the program comes east, is the Nelson Eddy decision. . . . Ray Noble's band will probably get the music assignment on the new General Foods program with Burns and Allen. . . . Eddie Bergen, ventriloquist, has been set for at least six more Rudy Vallee guest appearances. . . . WHEF, Kosciusko, Miss., has appointed Cox and Tranz as eastern station representatives. . . . WMBG, Richmond, Va., celebrated its 10th anniversary yesterday. . . . Ilka Chase will be the guest of Bide Dudley over WOR Sunday. . . . The *N. Y. Mirror* will celebrate the fifth anniversary of the founding of the *Sunday Mirror* over WMCA today from 1:15 to 1:30 P. M. Jerry Cooper will star. . . . Paul Robinson and Virginia Verrill will be Al Pearce's Jan. 12 guests on "Watch the Fun Go By." . . . The Roxy Gang will come to life again Jan. 13 over WHN when all the original members of the late impresario's gang will come together to pay tribute to his memory. The performers will include Willie Robyn, Yascha Bunchuk, Viola Philo, Gladys Rice and Douglas Stanbury. . . . Janet Riesenfeld, daughter of Dr. Hugo Riesenfeld, and Linton Wells, author, will be interviewed by Cecil B. DeMille between scenes of the Lux Radio Theatre presentation, "The Gilded Lady," Jan. 11.

Deny Crosby Replacement

Chicago, Jan. 8.—NBC officials deny that Bing Crosby would be replaced by a Chicago radio entertainer on the Kraft Music Hall program. The radio officials said that Minnie, the singing mouse, would remain in Chicago for all broadcasts. Minnie signed an NBC artists contract this week for radio appearances.

Weisman Takes Bids On Academy of Music

Several sealed bids for the Academy of Music have been received by Milton C. Weisman, receiver for Fox Theatres, and presented to Federal Judge Manton, who is expected to hand down an opinion shortly.

Weisman yesterday made an application for a six months' extension as receiver. A hearing scheduled for yesterday was postponed until Monday due to Weisman's inability to attend.

Wall Street

Light Losses on Board

	High	Low	Close	Net Change
Columbia	38	35¾	37⅞	+1⅞
Columbia, pfd. ...	43½	43½	43½	+ ½
Consolidated	5¼	5⅛	5¼	+ ¼
Consolidated, pfd..	18	17⅝	18	+ ½
Eastman Kodak .	174¾	174¾	174¾	.....
Gen. T. Equip.....	31⅞	31⅝	31¾	.....
Loew's, Inc.	67⅜	66⅞	66⅞	— ¼
Paramount	25¾	25⅛	25⅛	— ½
Paramount 1 pfd..	178	177	178	—2
Paramount 2 pfd..	23⅝	22⅞	23	— ⅜
Pathe Film	9⅞	9⅝	9⅝	— ⅜
RKO	8½	8⅛	8¼	— ⅛
20th Century-Fox.	35¾	35	35⅛	— ⅜
20th Century, pfd.	44¼	44⅛	44⅛	— ⅛
Warner Bros.	17¾	17⅜	17⅜	— ¼
Warner, pfd.	67½	67½	67½	— ⅛

Little Curb Movement

	High	Low	Close	Net Change
Grand National ..	3½	3⅜	3⅜	— ⅛
Sentry Safety	⅞	⅞	⅞	+ ⅛
Sonotone	2	2	2	.....
Technicolor	22⅜	22	22	— ¼
Trans-Lux	4½	4¼	4½	+ ¼

Bonds Show Gains

	High	Low	Close	Net Change
Keith B. F. 6s '46	97	97	97	.....
Loew's 3½s '46....	101⅛	101	101⅛	+ ½
Paramount B'way 3s '55	74½	74½	74½	+ ½
Paramount Pict. 6s '55	100½	100¼	100½	+ ¼
RKO 6s '41 pp....	120	118½	120	+1
Warner Bros. 6s '39 wd	99⅜	99⅛	99¼	— ⅛

(Quotations at close of Jan. 8)

U.S. Firms Consent To Italian Revision

(*Continued from page* 1)

American State Dep't and representatives of the American industry.

Under the agreement the withdrawal from Italy of 24,895,000 lire will be permitted during 1937, 20,000,000 lire of which is earmarked for American pictures. Revenues above this amount are free to be banked in Italy or invested under the sole control by Italian law which applies to the investments of Italian citizens.

The division of the picture import quota specifying the number of American pictures which may be imported has not yet been fixed but the wishes of American concerns will be satisfied in this respect, it was indicated. Unofficial reports are that a total of 250 films will be admitted.

SEC to Study Film Activities of Atlas

(*Continued from page* 1)

under the provision of the Public Utility Holding Company Act.

The commission explained that because the Atlas Corp. had numerous subsidiaries and affiliates and because the present management was not fully familiar with the history, activities and development of these subsidiaries and affiliates prior to the time they became constituent companies, the requisite information had to be acquired through field studies.

On the basis of the information obtained through these field studies, tentative reports on the companies in the Atlas Corp. group have been prepared, and preliminary conferences and public examinations will be called within a short time.

Roxy Capital Is Disclosed In Final Plan

(*Continued from page 1*)

of the new Class A stock and approximately $23.79 in cash. Equity receivership creditors will receive a 50 per cent dividend on their claims. General creditors and holders of old Class A and common Roxy stock are not entitled to participate in the plan.

The new Class A stock will rate equally in all respects with the new common except that the Class A will have no voting rights. Either issue may be with or without par value.

It is planned by the reorganizers to expend $150,000 on alterations, improvements, new furnishings and equipment for the Roxy, the money to be derived from the new cash being supplied by 20th Century-Fox.

The plan discloses that the Roxy has agreed to easing of light and air specifications at the rear of the theatre premises in consideration for a new lease agreement from the Taft Hotel on the 7th Ave. lobby of the theatre. The waiving of the building restrictions suggests the possibility of new construction for the parking lot space at the rear of the Roxy.

Judge Caffey has set Jan. 29 as the date for the first hearing of creditors on the plan, which has already been approved by the bondholders' committee.

20th-Fox Films on Top

A weekly operating statement for the Roxy for the period from July 2, 1936, to Dec. 24 last, discloses that every film which showed a profit of $5,000 or more was produced or distributed by 20th Century-Fox. The point is emphasized in the bondholders' committee's letter to depositors as indicative of the importance of the film franchise provided for in the plan.

The 24-week average of film rentals paid by the house, as disclosed in the report, was $6,080; the average profit, $3,497; average weekly receipts, $33,415, and average weekly attendance, 79,475. The first week of "Sing, Baby, Sing," beginning Sept. 17, recorded highs for the 24-week period. The first week rental was $18,832; profit, $14,117; gross, $59,827 and attendance for the week, 142,206.

Low for the period was recorded by "Fatal Lady" during the week ending July 16. A rental of $2,585 was paid for the picture; a loss of $4,794 was shown on a gross of $18,931 and an attendance for the week of 47,766.

Total profit for the 24 weeks was $83,934; total rental, $145,937; total receipts, $801,966, and total attendance, 1,907,399.

Time in $25,000 Suit

Time, Inc., yesterday filed a suit in U. S. District Court, asking $25,000 damages and a temporary and permanent injunction against Anschel Barshay, for alleged infringement and unfair competition. The plaintiff alleges that Barshay in December filed a certificate in the County Clerk's office to do business under the assumed name of "The Voice of Time." He is charged with having adopted this name in order to obtain a portion of the good will and reputation of the plaintiff, and to make the public believe the two are affiliated.

RKO for 10% Cancellation, Local Boards

(*Continued from page 1*)

exhibitor, but not applicable to pictures produced by others than RKO although distributed by that company.

Local Conciliation Boards—Their establishment is approved.

Clearance—Opposes granting of unreasonable clearance; believes uniform clearance and zoning plans to be of doubtful legality.

Overbuying and Unfair Competition Between Theatres—Regarded as primarily exhibitor problems, but willing to cooperate in their solution.

Non-Theatrical Exhibitions—Emphatically opposed wherever they offer competition with established theatres.

Standard Short Form of Contract—Standard form regarded as inadvisable but agrees to attempt shortening and simplification of RKO's contract for the coming season.

Score Charges—Subject to negotiation between exhibitor and distributor.

Designation of Preferred Time—Subject to negotiation between exhibitor and distributor.

Forcing Shorts with Features—Distributor believes itself entitled "to a reasonable part" of the exhibitor's short subject playing time and will endeavor to obtain it.

Chicago Bank Night Decision on Monday

(*Continued from page 1*)

three days and has been fought bitterly by both the city and attorneys for the theatres.

Counsel for the city maintained that Bank Night is a violation of a city ordinance and fraudulent. If they are upheld by Judge Niemeyer the games will be definitely eliminated from Chicago. On the other hand, if the jurist finds for the theatres, Bank Night may continue unmolested.

K. C. Claim Settled

KANSAS CITY, Jan. 8.—James P. Quinn, attorney for Affiliated Enterprises, Inc., Bank Night patentees, has obtained an out-of-court settlement of Affiliated's claims against Rube Finklestein of the Belmont and Robert Rhodes of the Gillham for Bank Night license fees.

The Belmont refused to pay $300 in fees for use of the promotion from Nov. 22, 1935, to Feb. 11, 1936; the Gillham declined to pay the same amount in royalties for the period Nov. 26, 1935, to Feb. 15, 1936.

Boston Operators Confident

BOSTON, Jan. 8.—Despite the decision of the U. S. Circuit Court of Appeals last week that Bank Night and other money premium plans become "public property" the "moment it is disclosed to the public," distributors of the plans in Boston deny their use has fallen off as a result of the edict. Bank night contracts, in which the signers promise to use no other money plan in their theatres, prevent past and present Bank Night users from taking advantage of the decisions, it is claimed.

More for Licenses

Chicago, Jan. 8.—The City Council will demand a huge increase in theatre license fees starting July 1, according to report. The understanding is the increase will be from 50 to 60 per cent. Theatre men are planning to fight the measure, which is to be considered by the council shortly.

Reorganization Meet Set for Educational

(*Continued from page 1*)

tition of the corporation to effect a compromise or arrangement with stockholders for an exchange of securities and for a reorganization.

Grand Nat'l Leases Educational Studio

In line with his plans to coordinate all production on one lot, Edward L. Alperson, president of Grand National, yesterday closed a deal with E. W. Hammons, head of Educational, for the leasing of the Educational studio in Hollywood for a period of 10 years, starting April 1.

Sol Lesser had been negotiating for the studio prior to his departure for Europe. As a result of the deal Educational, which made two Buster Keaton shorts in the coast plant this season, will transfer its entire short subject production to Long Island.

Among Grand National producers are Richard A. Rowland, Douglas MacLean, Zion Meyers and Victor Schertzinger, B. T. Zeidman, Andrew Stone, Max Alexander and Edward Finney. The program this year calls for 44 features and eight westerns in addition to this figure.

Alperson plans to leave for Hollywood in a week. James Cagney, who has been in New York on a vacation after finishing "Great Guy," is slated to return next week to select his second story. Edward Finney, producer of the Tex Ritter westerns, also plans to depart for Hollywood in a week or so.

"Great Guy" Grosses $30,000

"Great Guy" finished its first week at the Criterion with $30,000, the best gross since the opening week. Incidentally, the "Great Guy" take is better than the combined grosses for the past seven weeks. The picture opened at the Arcadia, Philadelphia, yesterday to long lines. More than 100 day-and-date showings began yesterday.

"After the Thin Man" wound up a second week at the Capitol with $48,000. The picture is now in its third week and will be followed by Greta Garbo in "Camille."

The Strand finished a second and final week of "Gold Diggers of 1937" at $16,000. "God's Country and the Woman" opens there today. "We Who Are About to Die" at the Rialto garnered about $8,000.

Pollak Recuperating

BADGASTEIN, Austria, Dec. 31.—Joe Pollak is here from Budapest recuperating from injuries sustained in his train accident months ago. He may sail for America on Jan. 25.

Asks Present Ticket Taxes Be Retained

(*Continued from page 1*)

revenues of $19,700,000 during the current year and at least $20,000,000 during the 1938 fiscal year. Restoration of the $3 exemption would cut the 1938 revenue about $15,240,000.

"I recommend that the Congress take steps by suitable legislation to extend the miscellaneous internal revenue taxes which under existing law will expire next June and July," the President said in his message, "and also to maintain the current rates of those taxes which would otherwise be reduced next June. I consider that the revenue from such taxes or its equivalent is necessary for the financing of the budget for 1938."

The admissions tax is one of the levies on which rates would be reduced next June, existing law providing that thereafter the exemption, now 40 cents, should be restored to the pre-depression figure of $3.

F.C.C. Appropriation Raised

The budget showed that regular appropriations for the Federal Communications Commission would be increased from $1,474,000 to $1,629,000 for the coming fiscal year, but no provision was made for the financing of its special investigations for which $400,000 was provided this year.

The national archives, which are to serve as a repository for films as well as documents, will be given $752,000, against $615,000 for the current year, which will permit the organization to be completed.

The Dep't of Agriculture is to be given the same $79,000 appropriation for films which it now enjoys. The Office of Education of the Interior Dep't interested in the educational use of films and radio, will be given a total of $4,837,400, an increase of approximately $500,000 for its activities other than in vocational education. The anti-trust division of the Dep't of Justice is to be given an increase of $40,000 to a total of $475,000. The usual appropriation of $80,000 is provided for films for Navy personnel.

Exhibition Phase of Duffy Bill Dropped

(*Continued from page 1*)

authors, as well as from the American Society of Composers, Authors and Publicists, against the provisions last year which barred them from the collection of royalties from exhibitors as well as producers.

The only other change of interest to the film industry, he said, was the abandonment of the play for a 56-year copyright term and retention of the present term of 28 years with renewal for a like period.

In the assignment of Senators to the various committees, Senator Duffy was today given a post on the Senate Patents Committee, as a result of which he will have some say in the committee treatment of his measure.

"Earth" Premiere Set

HOLLYWOOD, Jan. 8.—The world premiere of "The Good Earth" will be held at the Carthay Circle here on Jan. 29.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 8 NEW YORK, MONDAY, JANUARY 11, 1937 TEN CENTS

New England Sees Bright 1937 Outlook

1936 Grosses 10% Better Than Previous Year

This is the second of a series of articles reviewing in highlight the business situation in 1936 *in various territories, with forecasts for* 1937.

Boston, Jan. 10.—Whereas the past year substituted a bicycle for a kiddy car in the climb toward prosperity, indications are that 1937 will carry on the race in a sports roadster. New England is looking upward.

Theatre receipts in 1936 in New Hampshire, Massachusetts, Vermont, Rhode Island, Connecticut and Maine increased more than 10 per cent over the year previous. The majority opinion is that grosses will increase at least half again during 1937.

"Happy New Year?" "You bet!" said one exhibitor.

Admissions appear to be going up

(*Continued on page* 8)

Hubbard, Tronolones Form Precision Lab

Roscoe C. Hubbard, Nick and Charles Tronolone, formerly with Consolidated Film Industries, have organized Precision Film Laboratories with headquarters slated to be opened shortly. Hubbard is president and will act as technical adviser, Nick Tronolone will be in charge of sales and Charles Tronolone will have the title of plant manager.

Laboratory equipment will comprise Debrie printing and developing machines, RCA high fidelity projectors, Eastman B. 2 Sensitometer and Densitometer and Morieola for the handling of 16mm. and 35mm. subjects.

Each of the executives has been identified with the industry for more than 25 years.

Ostrers Due to Sail For Home Next Week

Isidore and Maurice Ostrer, who arrive this evening from Miami, most likely will postpone their sailing for England until next week. Their reservations are on the *Aquitania*, which is scheduled to sail Wednesday, but the indication is that the Ostrers will be among the passengers on the *Berengaria* when it sails next week.

Arthur Lee, American head for G.B., also returns tonight with the Ostrers and is expected to set plans for opening exchanges in key centers.

Expect 35-50 New Theatres In N. Y. Metropolitan Area

Indications are that from 35 to 50 new theatres will be opened in the Greater New York area this year. At least 10 projects are now under construction with plans either filed or in preparation for more than 25 units.

Most of the construction is planned by independents, it was learned after a checkup. RKO plans two theatres, while Loew hasn't any intention of building within the next 12 months unless an emergency arises. The two RKO projects call for a 4,000-seat theatre on W. 23rd St. and another on 96th St. and Broadway. The uptown house may not go through. It all depends on whether or not RKO can get together with George Skouras on a pooling arrangement involving the 81st St. In the event this pool is consummated, the building plans will be restored to the circuit's archives.

In a number of cases where theatres are in various stages of work, several of the larger independent circuits have gotten together on the financing and operation. The same policy prevailed last year when Century, Randforce and some of the other prominent circuit operators put up new units.

New theatre ventures will be of the 600-seat type. The majority of the

(*Continued on page* 8)

F. & M. Takes Over Two St. Louis Houses

St. Louis, Jan. 10.—The St. Louis Amusement Co., operated by F. & M. under a long term management contract, has just closed a deal with Keiselhorst and Bishop for taking over the Shady Oak and Richmond, two west side neighborhood houses. The change in management will become effective Feb. 1 and at the same time will mark a new total of 24 units for the neighborhood circuit.

Harry C. Arthur, head of F. & M., is due back from New York Tuesday night. Mike Marco, who is in New York from the coast, is expected to visit St. Louis and spend several days here before returning west.

F. W. C. Rebuilding To Cost $1,250,000

Los Angeles, Jan. 10.—Fox West Coast has set $1,250,000 for building and remodeling during 1937. Of this amount, $500,000 will be spent on three new theatres announced previously for the Los Angeles area, and the balance for remodeling of present properties. The new houses will be the Sunbeam, at Compton, and theatres in the Westwood Village and West Pico districts.

They Should Know

Kansas City, Jan. 10.—Thieves took 5,500 feet of film and $3,000 worth of equipment from the car of Elmer F. Spies, Jam Handy representative here.

Among the film was a short, "Yeggs Aren't Safe."

When police recovered the car during the night, the film and part of the equipment had been removed.

Production Falls; 39 Films in Work

Hollywood, Jan. 10.—A gradual slowing down in production during the past three weeks has cut studio activity to 39 features and no shorts. The preceding week schedules showed 41 features and two shorts before the cameras. There were 27 features scheduled to start within the next two weeks and 57 in the cutting rooms.

Five new pictures started and seven finished during the week. The new product to get its baptism under studio cameras was as follows: "Speed Mad" at Columbia, "Man in Possession" at M-G-M, "Danger, Men Working" at

(*Continued on page* 4)

300 Roadshowings of "Romeo" Set to Start

More than 300 road shows on "Romeo and Juliet" will get under way starting tomorrow. Loew's has booked the picture on two-a-day policies in that many theatres which will charge as much as $1.10. The dates run into February and March. While in most cases the bookings are on a 50-50 basis, the company has closed deals for taking over a number of legitimate theatres for the short runs.

Special exploitation campaigns will accompany each date with W. R. Ferguson, head of Loew's exploitation, supervising from New York.

Golden Again Takes Monogram Sales Job

Edward A. Golden has resigned as sales manager of Chesterfield and Invincible to rejoin Monogram today in a similar capacity.

Golden was sales head for Monogram for many years and continued that post when the company was

(*Continued on page* 4)

Films Out of Patman Bill, He Declares

Believes Problem Should Be Handled Separately

By BERTRAM F. LINZ

Washington, Jan. 10.—Films are definitely out of the Patman bill prohibiting manufacturers from engaging in retail distribution.

This was made known today by Representative Wright Patman of Texas in discussing the bill which he will introduce shortly.

Deeming films a means of communication rather than a commodity, the Texas congressman has come to the conclusion that a general bill such as his is not the proper vehicle for regulation.

Films, he said, present a "different problem that must be handled separately," adding that "I have enough snakes without going into motion pictures."

While he is convinced that something should be done about films, he explained, they do not come strictly within what he had in mind in preparing his new bill.

Production and exhibition should be divorced, he said, and it is probable that he could get legislation covering the industry, but that would take a separate campaign in which he is not willing to engage. However, he would not be surprised, he said, if some move toward that end is made by other members of Congress.

Greenfield Bid on Academy of Music

Albert M. Greenfield of Philadelphia is understood to have entered a sealed bid for the Academy of Music, now being operated by Skouras Theatres Corp. Several other bids have been submitted by Milton C. Weisman, receiver for Fox Theatres, to Federal Judge Manton. An opinion is expected to be handed down shortly. Meanwhile, Judge Manton today will act on an application by Weisman for a six months' extension as receiver.

Music Hall Takes 3 Films from 20th-Fox

Three 20th Century-Fox pictures have been sold to the Music Hall. The first, "Lloyds of London," which closed Saturday night at the Astor after a six and a half week, two-a-day run, will open either this Thursday or next. The opening is contingent

(*Continued on page* 8)

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Columbia Concludes Eastern Sales Meet

Abe Montague, general sales manager of Columbia, yesterday wound up a two-day mid-season sales session of the eastern sales force, the fourth and last for the company, at the St. Moritz.

About 50 home office and field representatives attended. Montague announced that "When You're in Love," the latest Grace Moore film, will be pre-released Feb. 22 due to the "Columbia Montague Sweepstakes" drive.

Grainger En Route Here

Los Angeles, Jan. 10.—J. R. Grainger left here tonight for New York, stopping off at Salt Lake City and Denver for general inspection of Universal exchanges. W. J. Heineman, Los Angeles manager, will accompany him as far as Denver.

Kutinsky Takes House

Morris Kutinsky has taken over the City Line, Brooklyn, and a booking deal has been completed with Randforce.

Insiders' Outlook

By RED KANN

ENGLAND, which has been headline material in the press on one count or another day in and day out for months hand running, captured a few additional in the last seventy-two hours. Of direct film concern, Britain undoubtedly would have much preferred to have gotten along without them. But Albion and her rule over the waves cannot always rule the weaknesses of her loyal subjects. To bear witness is the current financial jam of Julius Hagen's three-ply enterprises. A jam, more than incidentally, that goes far beyond Twickenham's embarrassment as we shall set out to demonstrate. . . .

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One of the opinions gathered unto himself by your roving correspondent in London last summer and passed along after his return, dealt with the very situation now creating scare heads in British newspapers. That opinion led to the door mat of no particular company. It applied generally and blanket-like to the wild and careening course of British production and, while it made no specific mention of theatre flings, it should have.

Travel back with us, then, to August, and the thirteenth day of that month. Permit us to give you again what ran in Motion Picture Daily on that morning:

> The accepted kingpins in British production openly express their serious concern over the status of their business these days when private banks in the City, insurance money, realtors, flour kings and South African fortunes so willingly and quickly open their coffers to new studio and film-making schemes. It is the widespread opinion in all circles here, except the fly-by-night who is in for the killing, of course, that production eventually will experience a severe reaction from Get-Rich-Quick Wallingford day dreams.
>
> Mark Ostrer of Gaumont British feels this way about it. So does Capt. Richard Norton of the Pinewood studios and British and Dominion Productions. Likewise, Korda. Each edition of the British trade papers, it seems, carries word of new enterprises. With such lightning-like rapidity do they come along—in print, anyway—that men experienced in the manufacture of pictures here who should be familiar with personnel readily admit that they are confounded, mixed up and downright confused so considerable is the wildcatting. Promotions continue to be sold to moneyed interests on the basis of loosely prepared estimates, usually blown up beyond rhyme or reason to embrace handsome returns from the American market when, so far at least, those returns are not to be had.

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And, if you will indulge the early prophecy again, here is more:

> Somewhere in the future must be a day of reckoning. It may be deferred in the flush of a temporary success, but not forever can it go on as it is going on in England without a halt. The damage to be inflicted upon the producer, legitimatized by his record, therefore and inevitably must be hurtful, although not necessarily permanent. Rather is it apt to evidence itself in a gradual tightening of finance and a more rigorous scrutiny of future propositions in the light of extravagant promises thrown about elsewhere and not met.
>
> As an indication of how it runs along in London these bustling days is the indication, which we dub it deliberately in view of other markings, that British producers, in the aggregate, will turn out about two hundred and fifty features in the 1936-37 season. It is highly probable that a number will never be made; that many will be just so much celluloid, produced under auspices which are not qualified for the job, but launched under the protective cloak of the quota law and depending upon that statute and native pride for indulgent support.

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While on that August day came this in conclusion:

> Korda makes the flat statement that the small producer must finally go; that he expects England to produce somewhere between twenty-four and thirty genuine attractions a year once the initial excitement dies down, this total to spring from all sources. That he expects to be in the forefront was something he did not mention; that he feels so is, of course, to be taken for granted. Ostrer shakes his head over matters current and separately agrees that the halt must be called sooner or later, but preferably sooner. Norton adds one of the great difficulties centers in too much enthusiasm, inflamed by too ready money, and a woeful lack of production experience. Many things happened in America in 1929 and many minds were sobered by those happenings and their repercussions. In production, England is yet to go through this.

▼

After all these months, no substantial reason rears itself for any other kind of comment. The markings have been clear; the storm signals have been everything but torn to shreds, so long and so violently have they been whipping in the breeze. What may occasion surprise, and it should not occasion much, is that the break has come so soon. The significance in Hagen's corporate difficulties, therefore reaches beyond and settles like a damaging pall on the entire British production enterprise. It fastens attention of banks, insurance companies and private capital available for every promotion, but not for war debts, on a condition they either knew about or hoped would adjust itself. . . .

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Yet, we cannot subscribe to some London reactions, reported by cable, that the bubble has burst. The bubble, glistening attractively in the rose-colored lights of speculation and headlong promotion, may go. That would be a good thing. Inevitably heading for such a conclusion under the circumstances, it is just as well to get this over with and proceed to the readjustment. The substantial factors in British production, we venture to predict, will survive. They will suffer for a time from a more rigorous scrutiny of costs and programs, but they will come through. For the entire production establishment in England rests too closely to Downing Street's conception of empire and prestige to be permanently threatened. If no other recourse should be found open, the Government itself will step in and, by its usual in-the-background technique, see to it that qualified producers get the financing they require from the City. Nurturing already what is a virtual subsidy, thinly glossed over as the quota, this going of the entire way would be only one small step further by any calculation. . . .

Legion Approves 15 Of 16 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved 15 out of 16 for general patronage or adults, and called one objectionable in part. Of those approved, 11 were approved for general patronage, and four for adults. The list of new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Der Bettelstudent" (German), "Border Phantom," "The Crimson Circle," "Drei Blaue Jungs—Ein Blondes Maedel" (German), "Find the Witness," "Golgotha," "Mind Your Own Business," "Red Lights Ahead," "Romance Rides the Range," "Slalom," "Soederkaaker" (Swedish). Class A-2, Unobjectionable for Adults—"Black Legion," "Das Einmaleins der Liebe" (German), "Janosik" (Slovak), "Les Petits" (French). Objectionable in Part—"Devil on Horseback."

THE ENTIRE LOEW CIRCUIT IN THE METROPOLITAN AREA

joins practically every important circuit in the country in booking

YOU CAN'T GET AWAY WITH IT!

The New Universal's Sensational and Timely Short Feature Showing

HOOVER HIMSELF IN ACTION!

With J. Edgar Hoover and his gallant G-Men now in the headlines, smart showmen recognize the box-office value of this timely subject and are cashing in!

Phone Your Universal Exchange!

Ken Murray Signed By Campbell's Soup

Ken Murray, as intimated several weeks ago, was signed last week by Campbell Soup to succeed Burns and Allen starting March 31. Murray's initial contract is for 26 weeks. The series will continue to emanate from Hollywood over the same network and at the same time (CBS, Wednesdays, 8:30 to 9:00 P. M., E.S.T.). Murray departs for the west coast March 24 to be on hand for a guest appearance with Burns and Allen on their last program, March 24. F. Wallis Armstrong is the agency.

Burns and Allen, however, will not be idle. Some time in April they will begin a new series for General Foods, Inc.

More Film Names Signed

George Brent and Beverly Roberts have been signed for an appearance on "Hollywood Hotel" Jan. 22. They will offer re-enactments from their forthcoming picture, "God's Country and the Woman."

The following week, Jan. 29, "Hollywood Hotel" will present Anita Louise and Errol Flynn in scenes from "Green Lights."

Unless a change in plans is effected, Dick Powell, "em cee" on the program for the last three years, will not be heard on the aforementioned broadcast dates. Powell left the program after last week's broadcast.

Mutual Serial Gets Going

"Hope Alden's Romance," new serial novel written by Margaret Sangster, which began its stay on the Mutual network Monday, will be heard daily except Saturday and Sundays.

Playing the title roles will be Luise Blocki, wife of Fritz Blocki of the State-Lake Theatre, Chicago. Lester Tremayne, Ruth Bailey, Edith Davis and Gene Morgan will play the supporting roles. Purity Bakeries Service Corp. is sponsoring.

Thirteen stations will carry the program—WOR, Newark; KRBC, Abilene, Texas; WLW, Cincinnati; WFAA, Dallas-Fort Worth; WJR, Detroit; WEBC, Duluth; KPRC, Houston; KMBC, Kansas City; WHAS, Louisville; WCCO, Minneapolis; KMOX, St. Louis; WSPD, Toledo, and WFBM, Indianapolis.

And Still They Come

Patricia Ellis and Edward Everett Horton and Guiomar Novaes, concert singer, have been engaged as Bing Crosby's guests for the Jan. 14 "Music Hall" broadcast.

CBS Names Santaella

Hollywood, Jan. 10.— Salvatore Santaella has been named musical director for KEHE and the CRS chain here. He succeeds Frank Westphal, who has been guest director on a special permit from the musicians' union. Santaella was formerly with KMTR.

KVL to Become KEEN

Seattle, Jan. 10.—KVL will change its call letters this week. Permission has been granted by the Federal Communications Commission for the station to take the letters KEEN.

WTIC Hours Lengthened

Hartford, Jan. 10.—WTIC's operating schedule has been extended from 6 A.M. to 1 A.M.

Cancel Sponsors' Time for Inaugural at a Heavy Cost

It will cost the nation's three major networks a sizeable amount of money to broadcast the presidential inaugural ceremonies Jan. 20. Aside from the expenditures for special equipment purchases, a considerable number of sponsored programs will be cancelled from the day's broadcasting schedules, necessitating in many instances, a cash rebate from networks to sponsors.

Although the exact time for the broadcasts from Washington is contingent upon final ararngements by government officials in charge of the ceremonies, it is expected that they will begin approximately at 11:30 A. M., E.S.T. at which time President Roosevelt will leave the White House for the Capitol. However, the day's political schedule will actually begin at 8:30 A. M. for CBS, at 9 A. M. for NBC-Blue; 11 A. M. for NBC-Red; and at approximately 11:30 A. M. for Mutual.

As the schedule now stands, the following sponsored programs will probably be cancelled on the NBC-Blue network: 9:45 to 10, Ivory Flake; 10:15 to 10:30, Oxydol; 10:30 to 11, Camay Soap; 11 to 11:15, Ivory Soap; 11:15 to 11:30, Chipso; 11:30 to 11:45, Crisco; 11:45 to noon, Ivory Soap; 12 to 12:15, Beneficial Management program, WJZ only; 12:25 to 12:30, Esso News Reports; and from 2 to 2:30, *Modern Magazine* program.

Cancellations on CBS

The NBC-Red cancellations tentatively comprise: 11 to 11:15 A. M., Babbit; 11:15 to 11:30, Sterling Home Products; 11:30 to 11:45, Phillips Milk of Magnesia; 11:45 to noon, Wasey Products; 12 to 12:15, Kellogg; 12:15 to 12:30, Kleenex; 12:30 to 12:45, repeat Sterling Products program; 1 to 1:05, Esso News Reports; 1 to 2 P. M. all repeat programs for American Home Products.

The tentative list of the sponsored cancellations on CBS includes the Heinz Magazine of the Air at 11 A. M.; Lever Bros. "Big Sister" at 11:30 A. M.; Dr. Allan Roy Dafoe for Lehn and Fink products at 11:45 A. M.; the "Gumps" for Lehn and Fink at noon; Ted Malone for Lehn and Fink at 12:15 P. M.; the "Romance of Helen Trent" for Affiliated Products at 12:30 P. M.; "Rich Man's Darling" for Affiliated Products at 12:45 P. M.; the "Five Star Revue" for Corn Products at 1 P. M.; and the Gold Medal Hour from 1 to 2 P. M., all E.S.T.

The Mutual schedule will not be decided upon until a late hour today. Therefore its sponsored program cancellations are not yet known.

How It Works

When sponsored programs are cancelled to allow for public events programs such as the inauguration, the networks bear the brunt of the financial losses entailed. If the schedule allows, an extra time period is granted to sponsors whose programs have been cancelled. If the schedule cannot permit this, the network rebates the time price for the cancelled period to the sponsor.

In remote instances, the networks also pay the salaries of artists on the affected programs. However, many of the artist contracts now carry clauses stating no salaries are to be paid when programs are cancelled for reasons aforementioned.

The protective clause against paying artists salaries was inserted four years ago when NBC was scorched in cancelling a Maxwell House "Showboat" program for a national election campaign address. The artists' salaries totalled $10,000, paid by NBC.

Designed for South America

Two new features, "Music Hall on the Air" and "Women's Page," took hold last week on NBC's regular series of broadcasts to South and Central America over the network's short wave transmitter, W3XAL.

The "Women's Page" was inaugurated Friday night from 8 to 8:30 P. M., E.S.T. The program will feature guests from the scientific and business worlds. The "Music Hall" program starts Jan. 10 at 12:30 P. M. and will feature Erno Rapee and a 75-piece orchestra.

Half-hour programs six days a week are now being broadcast to South and Central America, including a screen program featuring motion picture guests and reviews of pictures.

Inter-City Spelling Bees

A series of inter-city spelling bee programs with school students of New York and other major cities competing was inaugurated yesterday over WJZ and NBC stations in the cities participating. The opening broadcast was heard from 9 to 10 P.M., E.S.T., over WJZ here and WMAQ, Chicago.

Other broadcasts scheduled are: Jan. 17, between New York and Pittsburgh; Jan. 24, New York versus Washington, D. C.; Jan. 31, New York versus Cleveland.

14 New WNEW Accounts

Breaking an all-time station sales record, WNEW signed 14 new commercial accounts the first week of January. The accounts include Twenty Grand cigarettes, MacFadden Publications, Ionized Yeast, Riverbank Canning, the American Institute of Food Products, and additional local accounts.

Herman Bess, vice-president in charge of sales at WNEW, states the sales represent a total of approximately $4,500 a week to the station.

Wallace, a Radio Actor

For the first time in radio history, a member of a Presidential cabinet will be presented on the air in a regular series beginning tomorrow noon over the NBC-Blue. He is Secretary of Agriculture Wallace, who will appear weekly on the National Farm and Home Hour.

Tucker, Courboin, Et Al

Short Shots: Sophie Tucker comes back to the air Jan. 16 as Floyd Gibbons' "Speedshow" guest. . . . Dr. Charles M. Courboin, Mutual organist, left New York yesterday on a two week concert tour.... Lee Wiley has been set as Jack Oakie's guest next Saturday.... Attilio Baggiore, WGN artist, leaves today on a concert tour and will return to the air in two months. . . . Fred Waring and Ronnie Ames return from Hollywood today. The Waring band leaves for a vaudeville tour next week. Three dates have been set for the Pennsylvanians, with more to follow. . . . WNEW will broadcast the first skating carnival of the season from Madison Square Garden tonight. . . . The name of the new Floyd Gibbons program has been changed to "Your True Adventures" . . . Ethel Barrymore Colt, daughter of the actress, will appear on her mother's "Famous Actors Guild" program Wednesday night. . . . "Romantic Serenaders," a new Mutual daytime program, sponsored by the Olson Rug Co. starts Sunday. . . . Col. U. S. Grant, grandson of President Grant, will appear on the CBS network Jan. 16, from 1:15 to 1:30 P. M., E.S.T. . . . Postmaster General Farley will be heard from 1:30 to 11 P. M., E.S.T. over the NBC-Blue Jan. 19. . . . Jack Baker is now the new male vocalist on the NBC "Breakfast Club" program. . . . Sally Smith, WGN leaves Chicago this week for a Warner screen test in Hollywood and will be accompanied by Elinor Harriet, who joins the Amos 'n' Andy cast Jan. 15.

Golden Again Takes Monogram Sales Job

(*Continued from page* 1)

merged into Republic. He left Republic about a year ago to supervise sales for George R. Batcheller, president of Chesterfield, and Maury Cohen, who recently withdrew from Invincible to join RKO as a producer.

Monogram Producers Named

Hollywood, Jan. 10.—Four associate producers have been named to handle the 34 features which Monogram plans for 1937-38, under the supervision of Scott R. Dunlap, vice-president. No outside product will be bought, according to W. Ray Johnston, president. Production will be at the New Hollywood studio, starting on March 15.

The four producers are I. E. Chadwick, Lon Young, Ken Goldsmith and Dorothy Reid.

Production Falls; 39 Films in Work

(*Continued from page* 1)

Paramount, "Without A Net" at Republic and "Night Key" at Universal.

M-G-M continued to hold the lead with eight features in work.

Columbia had three features shooting, three preparing and nine editing. M-G-M had eight, one and nine; Paramount, seven, four and seven; Republic, one, two and four; Radio, four, four and five; Roach, one, zero and two; Selznick International, zero, zero and one; 20th Century-Fox, four, five and six; Universal, four, two and two; Walter Wanger, zero, zero and two; Warners, six, five and eight; independents, one, one and two.

With no shorts in work Columbia had two preparing and three in the cutting rooms. M-G-M had two and six; Radio, two and two; Roach, one and one, and Warners, one and one.

Empire's Tax, Wage Claims Are Allowed

A total of $4,465.55, representing all preferred claims for wages and taxes, was awarded at the creditors' hearing on allowances growing out of the sale of assets of Empire Laboratories, Inc., and affiliated companies.

Among other allowances granted were: $678.52 to Joel Gross, receiver; $1,307.44 to Samuel M. Friedman, attorney for receiver; $1,000 to Friedman and Ruben Massarsky, solicitors for the complainants, and $2,500 to Gross as receiver in chancery.

Among the principal buyers at the recent sale were J. H. Hoffberg, Sam Goldstein, Melvin Hirsch, Harry Kosch and Harry Lewis, the latter two, attorneys acting for clients. Their purchases were largely negatives and prints. Most of the mechanical equipment was taken by United Film Libraries.

Proceeds of the sale were estimated at $30,000.

It was disclosed on Saturday that all assets have not been sold and that another sale date will be set shortly.

Stuart Makes Changes

Herschel Stuart, general manager for Consolidated Amusements, has made three managerial changes in the circuit's Bronx house. Ed Siegal, who has been at the Lido for Leff & Meyers, is now managing the Jerome. Jack Smith, formerly at the Jerome, is now at the Oxford, which he originally managed. Reynold Wallach, formerly in charge of the Lyric, Cincinnati, and Rialto, Washington, is now at the Mosholu.

Two Charged with Arson

Kansas City, Jan. 10.—Lawrence Ginn, Lawrence County, Mo., prosecutor, has arrested Dorman Sisk and Eliza Arnold, who three months ago took over the new Aurora, Aurora, Mo., from Lee Wiley, on a charge of arson. The two theatre operators are out on bond awaiting trial in the Circuit Court at Mt. Vernon, Mo., Jan. 12.

Educational Starts Here

Shooting will begin tomorrow at the General Service Studio in Astoria on the first of seven Educational shorts. The first will be "The Big Courtship," directed by William Watson. Al Christie's next with Buster West and Tom Patricola, will start next week.

Switch Cantor's First

Hollywood, Jan. 10.—Eddie Cantor's first musical for Twentieth Century-Fox will be based on "His Arabian Nights," a story by Gene Fowler. "Saratoga Chips," originally scheduled as Cantor's first for the company, will be produced at a later date.

Would Give Censor Power

Portland, Ore., Jan. 10.—Only the Portland film censor board, not the City Council, will have the power to decide whether a film can be shown in Portland, according to the ordinance drawn up by Mayor J. K. Carson.

Brown on Garbo Film

Hollywood, Jan. 10. — Clarence Brown will direct "Madame Walewska," Greta Garbo's next.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Fire Over England"

(London Films-United Artists)

Hollywood, Jan. 10.—Breaking all precedent by previewing a British production here in a bow to its American director, William K. Howard, in his home town, this spectacular historical drama won the approval of a Hollywood audience.

Telling the dramatic story of England in the days of Queen Elizabeth when the island kingdom challenged the sea might of Spain, the film also narrates a heroic love story, heart-touching in its quality. Slow to start, much attention is given to establishing identities, historical and political significance, and the show builds to a stirring climax wherein Michael Ingolby (Lawrence Olivier), leading a group of repatriated courtiers, carries fiery death and destruction into the Spanish Armada to panic the mighty sea host. The quality of production detail is rivalled by the merit of the motivating story. Therein is shown the intrigue that beset the court of Elizabeth (Flora Robson) and the danger that menaced the love story of Olivier and Vivien Leigh, a lady-in-waiting.

Effectively capturing the spirit and times, the film paints the character of Elizabeth in a manner entirely different from many pictures based on her career. Entertainment first, the picture bases its imaginative romance and drama on historical fact to give it educational value as well. Comparing favorably with American productions of foreign historical subjects, the picture is intelligently and convincingly acted by Miss Robson, Olivier, Miss Leigh, Leslie Banks, Raymond Massey, Tamara Desni, Morton Elton and Henry Oscar in particular and the entire cast generally.

Although the Erich Pommer producing technique contains much symbolism, Howard's direction balances the romance, drama, suspense, action and spectacle along the best American lines. Based on a novel by A. E. W. Mason, the screenplay is by Clemence Dane, Sergei Nalbandov and the photography by James Wong Howe.

Production Code Seal No. 2,869. Running time, 90 minutes. "G."

"Bulldog Drummond Escapes"

(Paramount)

Hollywood, Jan. 10.—Bulldog Drummond returns herein and the result is satisfactorily melodramatic and embellished with all the Drummond fixin's. In this case, Ray Milland is Drummond and does a good job of the characterization of the alert and courageous captain, whose forte is danger and adventure. The film should be found pleasing entertainment for those who like their mystery material garnished with plenty of London fog, atmospheric houses in the heather, swamps and murders.

Heather Angel is the girl, rescued and to be married by Drummond in the last sequence; Sir Guy Standing is the Scotland Yard officer, annoyed, but assisted by Milland, and Reginald Denny is Milland's helper, against his will because he is about to become a father, and contributor of a measure of comedy thereby.

Edward T. Lowe's screenplay has Drummond returning to town, coming upon the girl in the dark road on the moor, the murder of a man in the swamp, and the efforts, finally successful, of Drummond, in saving her from her persecutors, whose nefarious activities as counterfeiters are uncovered, but not until innumerable people, apparently, are hit on their respective heads with all sorts of objects. Drummond's life is threatened, and it develops that Sir Guy knew about the counterfeiters all the time. James Hogan directed.

Production Code Seal No. 2,952. Running time, 67 minutes. "G"

"The Mighty Treve"

(Universal)

Hollywood, Jan. 10.—Appealing chiefly as the story of a boy's love for his dog, this is an episodic narrative which should satisfy as average entertainment. Noah Beery, Jr., Barbara Reed, Samuel S. Hinds and Tuffy, the dog, carry the burden of acting.

The orphaned Beery meets Miss Reed and Hinds when he starts to make his way in the world. Overcoming Hinds' dislike for dogs, all prosper on a sheep ranch until Beery and Treve separate and the dog is thought to be a sheep killer. Neighboring ranchers condemn Treve on circumstantial evidence and just before the animal's execution a wolf is proved the true culprit and all the situations are saved.

Lewis Collins' direction ties the episodes into an interest-holding story that reaches dramatic heights on occasion. Albert Perkins, Marcus Goodrich and Charles Grayson wrote the screenplay from the Albert Payson Terhune story. Val Paul produced. The picture rates essentially as action entertainment and can best be exploited accordingly.

Production Code Seal No. 2,896. Running time, 65 minutes. "G"

Meredith Re-Signed

Hollywood, Jan. 10. — Burgess Meredith's option has been taken up bv Radio.

Grand National has signed John P. Medbury to write the dialogue for "Killers of the Sea," which Raymond Friedgen is producing.

Onslow Stevens, who is currently appearing on Broadway with Margaret Sullavan in "Stage Door," has been signed to a long-term contract by Radio. He will report when the play ends.

David O. Selznick has signed John Cromwell to direct "The Prisoner of Zenda," which will star Ronald Colman.

Walter Wanger has signed Tim Holt, son of Jack Holt to a term acting contract.

Due to the death of Ross Alexander, Lee Dickson will receive second billing with Ruby Keeler in "Ready Willing and Able."

Five Plays Close

Five Broadway stageplays closed Saturday night. "Three Men on a Horse" called it a day at the Fulton after a run of 102 weeks. "Reflected Glory," with 127 performances on its escutcheon, left the Morosco. "Prelude to Exile," which opened at the Guild Theatre Nov. 30, was the third with 48 performances; "All Editions," which opened at the Longacre Dec. 22, with 23 and "Around the Corner" with 16. The latter opened at the Forty-Eighth St. Dec. 28.

Charter Rogers Fund

Albany, Jan. 10.—The Will Rogers Memorial Fund, New York, has been chartered here as a membership corporation without capital stock. The purpose is the perpetuation of Will Rogers' memory through the acquisitoin and operation of a sanitarium. Will H. Hays, Gene Buck, F. Trubee Davison, Joseph M. Hartfield, Edward V. Rickenbacker, Harold Rodner, Alfred E. Smith, and J. Henry Walters are the first directors.

Skouras Trip Delayed

Spyros Skouras, Ed Zabel, William T. Powers and Irving Barry again have delayed their departure to the field for one and two-day meetings with divisional operating heads of National Theatres. The new departure date is Jan. 17 with conferences scheduled in Kansas City, Milwaukee, Denver, Seattle, Los Angeles and San Francisco. The group will be gone about two weeks.

Hayden Rites Today

Funeral services will be held here today for Charles Hayden, internationally known banker who died at 66 late Friday night. Hayden had been closely connected with the financing of considerable film activity.

Bishop's Wife, Son Die

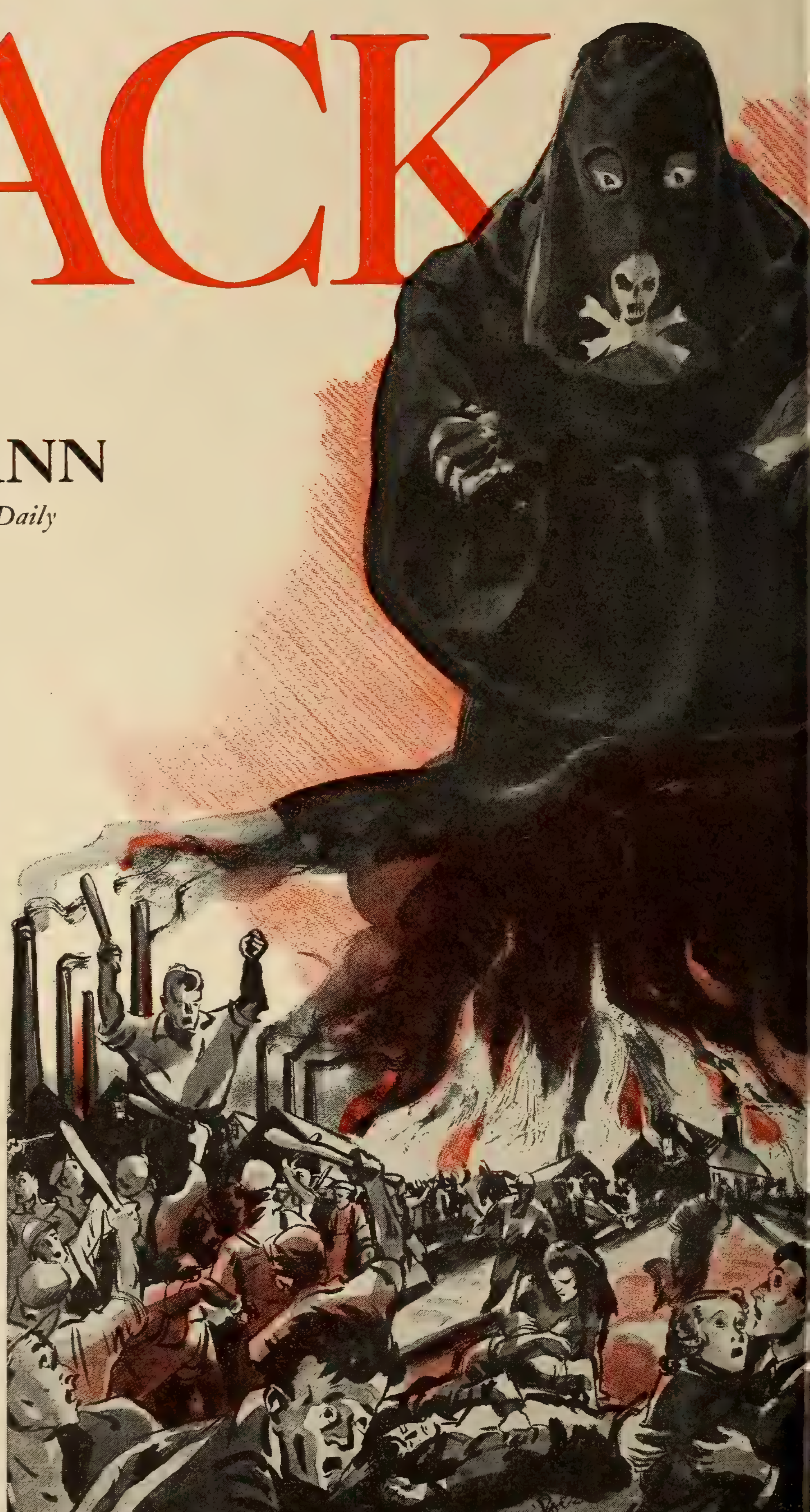
Detroit, Jan. 10. — Mrs. Grace Bishop, wife of William G. Bishop, and his son, William, Jr., are both dead here of pneumonia. They died within three days of each other.

Julian Cuthill to Talk

New Haven, Jan. 10.—Julian Cuthill will be the principal speaker at the Allied Theatres of Connecticut meeting Tuesday night.

A Fistful of *DY*

'BLACK



by RED KANN

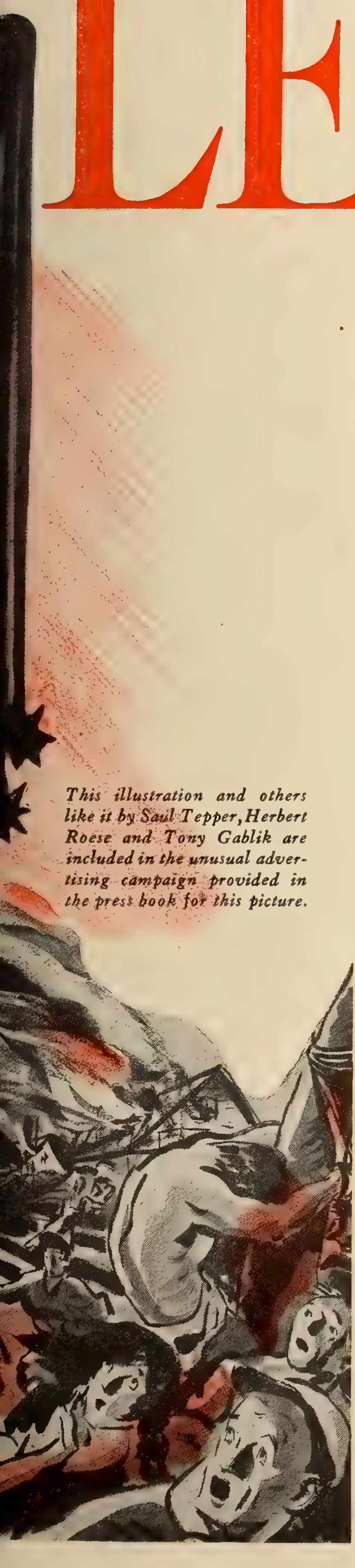
Editor, Motion Picture Daily

CELLULOID dynamite. That's "The Black Legion." Word has been trickling through from the coast for weeks now about this Warner picture. Archie Mayo spoke about little else when he was around a fistful of weeks back. But he directed and reservations seemed conservative, if not in order. Yet, now and fresh from the projection room, we recall the points he stressed, how he had persisted in his belief that this was an important job by the nature of the material and not from his part in it. In most instances, the good Hollywood folk talking about their own handiwork, must be pardoned for exaggeration; the coast air. In the instance of Mayo who has ranted and raved against routine stories and message-less vehicles, he is to be believed. Then, there was Harry Warner, who not far back, spoke off the record about this picture and urged that it be seen the minute available. . . .

Yesterday brought that minute. It brought a lot of minutes and most of them were jam-crammed through with excitement and horror and repulsion over the sorry reflection that, in this day and in these times, a monstrous, outside-the-law thing, such as the Black Legion, could exist and even thrive. Yet, of course, it did. The newspapers were full months ago and from the factual record and with little story embroidery

NAMITE about

LEGION'



This illustration and others like it by Saul Tepper, Herbert Roese and Tony Gablik are included in the unusual advertising campaign provided in the press book for this picture.

HE'S THE KILLER!
Humphrey Bogart, unforgetably established in 'Petrified Forest', heads the cast of Warners' most daring exposé since 'I Am a Fugitive'!

and license the Warners have put together a crying indictment of only one phase of the political and religious bigotry that continues to stalk this land of the free and the brave. Little need was present to let Hollywood scenarists loose on an imagination tour. There was enough and more in the amazing and actual history of the terroristic organization to load any single feature with explosives. . . .

It is all there. While the foreword makes it very clear that what follows is based on no actual incidents or on fact itself, this will deceive no one who looks and, we hope, millions will for the good it has a chance of doing. Get no idea, moreover, that the Warners went public-spirited and sacrified their commitment to entertain. Not at all. It merely happens that this is one of those infrequent cases where a picture not only tells a chapter that ought to be told, but also tells it in terms of brutal and easily understood drama. "The Black Legion" moves motion pictures one notch forward in the recognition, eventually to come, that, although films may be designed chiefly to entertain, they must also go beyond in the cause of social problems. . . .

HIS WORD IS LAW!

Respected everywhere for their force and integrity are Red Kann's picture analyses. This one is reprinted from M. P. Daily of Dec. 30th.

All of this may sound like a wide and flying leap off the deep end on behalf of one lone attraction. It may even read like the hailing of the perfect picture. It is not the perfect picture. The earlier episodes, planting the contentment of Humphrey Bogart and his family, are extended and stretched pretty thin, no doubt to sharpen the contrast which follows his oath to the Black Legion, its incendiarisms, its floggings, its beatings and its murders. The strength is there because it is thoroughly inherent in the subject matter, the drama in the established record. Whitling its mass down, concentrating on highlights and filming them in climactic order—these are what Mayo has done. The story he was telling seemed well nigh impossible to defeat.

The director grafted an excellent cast and striking types and saw to it that they did their tasks well. Bogart is splendid as the mechanic caught up in the false passions of the Legion; Erin O'Brien-Moore is very good as a wife. Inexorably and as it happened, the story moves to its close. Bogart, ready to face the music and leaning on the court to protect his threatened wife and child, in a torrent unleashed crumbles the fake defense, indicts his brother legionnaires. The sort of newspaper headline yarn which they do better than the others, you can thank the Warners and Mayo for no compromise finish, no phony end-of-the-sunset clinch.

Bogart goes to prison for the remainder of his life and along with him his criminal associates. They should have. They, or their counterparts, did in reality and on the screen they do it again. . . .

◂ Purely Personal ▸

GUS S. EYSSELL, assistant to W. G. VAN SCHMUS, managing director of the Music Hall, is aboard the *Orizaba* bound for a month's holiday in Mexico and Havana.

•

AL ROSENBERG, head of Evergreen State theatres in the Washington territory, returns this week from the Rose Bowl vacation.

•

EDWARD KERN is previewing "Broken Blossoms" tomorrow at the Belmont. Cocktails will follow the screening.

•

HOWARD LINDSAY, the playright, has signed a contract with Paramount. He is en route to the coast.

•

KAY FRANCIS, CONSTANCE COLLIER, MARY NEWCOMBE and DORIS KEANE are due today aboard the *Aquitania*.

•

JOHN HAY WHITNEY and HENRY KING arrived on the coast yesterday via American Airlines.

•

SAM MARX, literary editor for SAMUEL GOLDWYN, will reach New York today for a short stay.

•

MAXSON F. JUDELL arrives from Hollywood today to discuss production.

•

MONTY BANKS, English producer, is in town. Ditto HARRY D'ARRAST.

•

MIKE MARCO is due from Hollywood on Monday.

•

ALEC MOSS plans to sail for a Havana vacation about Jan. 20.

•

C. J. SONIN of M-G-M is in Chicago.

•

FAY BAINTER left for Hollywood Friday

•

LOUIS K. SIDNEY returns from the coast a week from today.

•

STEPHEN PALLOS is due from the coast early this week.

Music Hall Takes 3 Films from 20th-Fox

(Continued from page 1)

on the run of "That Girl from Paris," which may be held a third week.

"On the Avenue," the Irving Berlin musical, is expected to be the second attraction, with "Wings of the Morning" the third. These two are being released the latter part of February and probably will be dated into the Music Hall then.

Several weeks ago, W. G. Van Schmus booked "As You Like It" into the Music Hall, the first 20th Century-Fox picture since the split between the two factions on terms. The current tri-film deal is understood to be charged against an old commitment by the Center, one of the factors which is said to have brought about the breach between the Music Hall and the distributor. During the short time the Center was opened before "White Horse Inn" made its debut, Van Schmus was handling the bookings.

Expect 35-50 New Theatres In N. Y. Metropolitan Area

(Continued from page 1)

houses erected last year were this size with a few seating from 1,000 to 1,500.

Solidification of the circuits in open territories and closer coordination of operation between the independents were prominently featured in the past year's local exhibition history. Consolidated Amusements, Skouras Theatres, Century, Associated Playhouses and Sam Cocalis were among those who added new units in several of their situations and also made booking deals with smaller operators.

The New York Film Board of Trade's annual theatre directory, which will list 1,164 houses in the Greater New York area, will be ready for distribution either Thursday or Friday. The survey will show all theatres wired for sound and less than 100 closed.

Many of the theatres which changed hands last year underwent a change in name. This is the first time that there have been so many name transitions in one year. The latest instance is that of Morris Kutinsky, who has taken the City Line in Brooklyn and will call it the Earle when it is opened. In another instance an independent changed the name of a new theatre twice before the doors were opened.

The 1,164 theatres is an all-time high for the local exchange area. It is exclusive of legitimate houses, but includes those theatres which formerly featured stage attractions and have been converted to films.

K. C. Building Continues

KANSAS CITY, Jan. 10.—Remodelings, reopenings and theatre construction held a rapid pace in this area in the closing days of 1936, with every indication that the coming spring will show a maintenance of that activity.

D. J. Foley has reopened the Mida at Sweep Springs, Mo., after refurnishing the house and installing new sound equipment.

Mrs. Ethel Chilton has opened the Chilton at Doniphan, Mo., with new sound, and other modern equipment and furnishings. Sam D. Hyter has installed new sound in his Kansas, Kiowa, Kan. M. W. Borgmier is reopening the Ritz at Trenton, Mo., after remodeling, reseating, and new sound.

The Major at Washington, Kan., is a new one for Charles Swiercinsky. Seth Simpson has reopened the Tina at Tina, Mo., a 220-seat theatre closed for a long time.

Glen W. Dickinson is redecorating the Dickinson, Lawrence, Kan. His personal holding, the Macon, Macon, Mo., is being reseated.

W. H. Hardman is reseating his Royal at Frankfort, Kan. C. A. Schultz of Commonwealth Amusement has reopened the Plaza at Trenton, Mo., after remodeling. Commonwealth has reopened the Johnson at Carrollton, Mo., as the Uptown after reseating, remodeling, refurnishing, and adding a new $2,000 electric marquee and signs. Altogether approximately $10,000 was spent.

May Urge Sales Tax

TRENTON, Jan. 10.—In his annual message to the Legislature on Tuesday Governor Hoffman is expected to urge again the enactment of sales tax and income tax bills for the purpose of raising needed revenue during the coming year.

Out Hollywood Way

HOLLYWOOD, Jan. 10.—MERVYN LEROY will start "Death in the Deep South" on March 1. . . . ABEN KANDEL working on the screenplay.

Radio exercises options on BURGESS MEREDITH, CONSTANCE WORTH and FRANK THOMAS. . . . MEREDITH'S next "Stage Door"; THOMAS and Miss WORTH cast in "China Passage." . . . RITA CANSINO signed by Grand National as TEX RITTER'S leading woman in "Trouble in Texas." . . . JOEL MCCREA, GEORGE RAFT and FRED MACMURRAY back at work after illnesses.

ORIN HEYWARD, under contract to B. P. SCHULBERG, here to start work. . . . HARRY SHERMAN, NATE WATT and EUGENE STRONG seeking new "Hopalong Cassidy" locations in Arizona and New Mexico. . . . NATHANIEL SHILKRET will score "Stepping Toes" and ROY WEBB "New Faces of 1937," Radio.

FRED HOPE assistant art director on "Night Must Fall." . . . Special lyrics to be put in "In Ould Kilmainham Jail," to be used in "Parnell." . . . Universal signs JIMMY SAVO for "Hippodrome," to start in March.

+

Casting—WILLIAM DAVIDSON in "Marked Woman," Warners. . . . DAVE APOLLON in "Mr. Broadway" and WALTER CONNOLLY, on loan from Columbia, in "Delay in the Sun," Universal. . . . LORETTA YOUNG in "Cafe Metropole," 20th Century-Fox. . . . M-G-M castings include FORRESTER HARVEY, WILLIAM STACK and HENRIETTA CROSSMAN in "Man in Possession," MAX DAVIDSON in "Man of the People." . . . HOLLY LLOYD, SPENCER CHARTERS, OTTO HOFFMAN, JAMESON THOMAS and EDWIN MORDANT in "Two Shall Meet," Grand National.

+

Writers—P. J. WOLFSON on "A Damsel in Distress," Radio. . . . HARRY HAMILTON given a one-year contract at M-G-M. . . . GENE FOWLER and DAMON RUNYON invited to be guests of honor at the inauguration of CHARLES O. GRIDLEY as president of the National Press Club, Washington, Jan. 23. . . . JACK TOWNLEY assigned to do screenplay of "Mrs. America," next for VICTOR MOORE and HELEN BRODERICK, Radio.

+

Director—JOHN CROMWELL signed by David O. Selznick to direct "The Prisoner of Zenda."

+

Title Change—"Tennis with Fred Perry" to "Tennis Tactics."

New England Sees Bright 1937 Outlook

(Continued from page 1)

for the first time since the depression. The price increase at the Metropolitan, Paramount house, several months ago is expected to be duplicated by Loew's and RKO.

Statistical experts state that New England's lowest ebb was reached during 1933. Improvements have been recorded in almost every line since that year. Those during 1936 were the most pronounced to date, while the 1937 prospects appear even brighter, according to the Boston Chamber of Commerce. This source says employment in New England has increased nearly 18 per cent and payrolls 35 per cent during the past three-year period, with 1936 by far the best year.

Receipts of foreign and domestic wool in Boston, for instance, picturing indirectly bettering manufacturing conditions here, show a figure of about 400,000,000 pounds for the past year, a point near the peace-time record for all time and a gain of 37 per cent over 1935. Department store sales, according to the Federal Reserve Bank, are up 13 per cent. Bank debits have gained 41 per cent while bank clearings have increased 25 per cent. Building permits in metropolitan Boston are ahead 96 per cent.

Real Estate Values Up

BOSTON real estate bond values in 1936 increased about 66 per cent above the 1932 low. Many New England cotton mills, closed in recent years, will reopen in 1937, according to Government experts.

National Theatre Supply Co., Capitol Theatre Supply Co., Joe Cifre, Inc., and the Theatre Service and Supply Co. acknowledge 1936 to be their most prosperous year in many. Business is continuing at a strong pace. The premium business is exceptionally good.

Wall Street

Slight Board Changes

	High	Low	Close	Net Change
Columbia	7¾	36¾	37¼	— ⅝
Columbia, pfd.	44	43⅞	44	+ ½
Consolidated Film	5¼	5⅛	5¼	.....
Consolidated, pfd.	18¾	18	18¾	+ ¾
Eastman Kodak	174	173½	174	— ¾
General Theatre Equipment	31½	31	31⅛	— ⅝
Loew's, Inc.	66⅞	66⅛	66⅞	.....
Paramount	25⅝	25⅛	25⅝	+ ½
Paramount 1 pfd.	178½	178	178½	+ ½
Paramount 2 pfd.	23⅜	22¾	23⅛	+ ⅛
Pathe Film	9¾	9⅝	9⅝	.....
RKO	8¼	8	8¼	.....
20th Century-Fox	35¼	35	35	— ⅛
Warner Bros.	17½	17⅛	17¼	— ⅛

Little Curb Activity

	High	Low	Close	Net Change
Grand National	3½	3¼	3¼	+ ⅛
Sonotone	2	2	2	.....
Technicolor	22	21½	21½	— ¼

Fractional Bond Movement

	High	Low	Close	Net Change
Paramount Pictures 6s '55	100¼	100¼	100¼	— ¼
RKO	120	120	120	.....
Warner Bros. 6s '39 wd.	99½	99⅜	99½	+ ¼

(Quotations at close of Jan. 9.)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 9 NEW YORK, TUESDAY, JANUARY 12, 1937 TEN CENTS

Second Delay Expected for RKO Hearing

Israels' Illness Holds Up Creditors' Talks

Indications are that the first hearing of creditors on the RKO reorganization plan, which is scheduled for Thursday before Federal Judge William Bondy, will be postponed for the second consecutive time.

The first postponement was obtained by Carlos Israels, of counsel for the RKO general creditors' committee, which is conferring with counsel for Atlas Corp., proponent of the RKO reorganization plan, on changes in the plan sought by the general creditors. Israels advised the court that his committee had not concluded its discussions. Meetings between the committee and the proponents of the plan were suspended in an indecisive stage recently due to the illness of Israels, which gives ries to the belief that the second postponement of the court hearing will be asked.

Isidor J. Kresel, who was retained some time ago by the preferred stockholders of Orpheum Circuit, has filed a petition in Federal court for leave to intervene in the RKO proceedings. Indications are that this is a prelude to attempts by the Orpheum stockholders to gain a participation in the RKO reorganization. The petition is expected to be referred to Judge Bondy and may be heard with other pending RKO motions apart from the plan itself on Thursday.

B Product Is Cut 25% by Paramount

Hollywood, Jan. 11.—A 25 per cent slash in B product will be instituted by Paramount immediately, William LeBaron stated today.

The cut is made as a result of protests registered by theatre partners during the recent product meeting. The exhibitors protested against the large number of inferior B pictures.

Paramount will apply the money saved by the 25 per cent slash to build bigger budgets and cast names for the remaining 75 per cent.

Columbia Bid Top on "You Can't Take It"

Columbia, declared Jack Cohn yesterday, has closed for the rights to "You Can't Take It With You," current Broadway stage hit by George Kaufman and Moss Hart. Purchase

(*Continued on page* 6)

Loew's May Modify Percentage Pacts in Philadelphia Dispute

Philadelphia, Jan. 11.—Loew's may modify contracts with exhibitors on percentage pictures, the changes to affect the number of pictures to be played and not prices, it was learned today. Provisions for the 40, 35 and 30 per cent films will be retained, but clauses pertaining to the number in each group may be changed to cover only pictures to be delivered.

A meeting of U.M.P.T.O. members is scheduled for Friday when it is expected this point will be discussed. Loew's attitude is that it is willing to write in such a provision, but other than that no concessions have been made and none will be, it was said.

In the current issue of *Contact*, the organization's bulletin, the Hirsh Amusement Co., which operates the Pike, is charged with walking out on the so-called united front against Loew's on percentage terms. The circuit recently purchased the 1936-37 product away from the Ritz, its competitor, and the exhibitor unit takes the stand that this move is one of the reasons why film rentals are so high in this territory.

Games Stop as Chicago Kills Iris Injunction

Chicago, Jan. 11.—Judge Niemeyer, in Superior Court here this afternoon, dealt a body blow to Bank Night and chance games generally when he dissolved the temporary injunction obtained by the Iris to prevent police interference with the operation of the giveaways. Thirty-three additional theatres which had filed intervening

(*Continued on page* 7)

Local Board Setup Awaits Kuykendall

Initial organizational work in connection with the setting up of local conciliation boards probably will be launched with the arrival here of Ed Kuykendall, M. P. T. O. A. president, in about two weeks.

The development of the boards is expected to call for final meetings of

(*Continued on page* 12)

San Francisco Made Marked Gains in 1936

San Francisco, Jan. 11.—San Francisco theatres in 1936 enjoyed business which was notable for two elements, a general increase, and the unevenness with which the increase registered.

Theatres all over the country were hit generally but San Francisco's houses were faced with far more

(*Continued on page* 6)

FCC Lacks Funds for Making Erpi Report

By CLARENCE LINZ

Washington, Jan. 11.—Publication of the Federal Communications Commission's preliminary report on Erpi depends upon the granting of additional funds by Congress, is was learned at the commission today.

The appropriation for the A. T. &

(*Continued on page* 12)

'High Tor' Very Worthwhile; 'House in Country' Washout

By PLAYBOY

Last night's opening, at the Vanderbilt, was short. The curtain drooped on the third act at 10:40 P. M. and we don't mean dropped. At that, it was a long time coming.

"A House in the Country," written

(*Continued on page* 12)

Vision and foresight, and plenty on each count, have gone into Maxwell Anderson's new play, "High Tor." They bestirred themselves in the playwright's mind and, finally, they emerged from his typewriter for

(*Continued on page* 12)

Berry to Ask New Control Of Industry

Enlarged F. T. C. Would Enforce Statute

By BERTRAM F. LINZ

Washington, Jan. 11.—Industrial control along the lines of the invalidated National Recovery Act, with enforcement in the hands of an enlarged Federal Trade Commission, will be recommended to Congress this week by Industry Coordinator George L. Berry, it was revealed here tonight.

Members of the correlating committee of Berry's Council for Industrial Progress met in Washington today to put the final touches on the measure, which virtually would put the commission above the courts, since only its actions and not the facts on which such actions were based would be reviewable by the U. S. Supreme Court.

The commission would have the power to set wages and maximum hours for any industry, and would make illegal the transportation in interstate commerce of any commodity produced in violation of its regulations.

Should the commission hold that any particular industry is operating properly, the Dep't of Justice would be powerless to enforce the anti-trust statutes after a commission finding that the acts complained of did not contravene those laws.

Details of the measure on which the committee worked today have not yet been made public.

G.B. Exchange Plan Mystery to Ostrer

Returning from "a few days' rest" in Miami, where he paid Nicholas M. Schenck a social visit, Isidore Ostrer, president of G. B., stated upon his arrival last night that he had made no decision on opening exchanges in this country.

Ostrer gave reporters the impression he knew nothing, or very little, about the stories which appeared in the newspapers and trade press with

(*Continued on page* 6)

U. S. Supreme Court Will Hear Fox Case

Washington, Jan. 11.—Counsel for Hiram Steelman, trustee in bankruptcy of William Fox, today sought from Associate Justice Cardozo of the U. S. Supreme Court a stay of pro-

(*Continued on page* 8)

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Expect Ohio Ruling To Be Made in March

COLUMBUS, Jan 11.—Court decision on the suit of RKO Distributing Corp. vs. the State of Ohio to prohibit enforcement of the anti-preferred playdate law, is not expected before March 1, according to P. J. Wood, secretary of the Ohio I. T. O. Both sides have been given until Jan. 30 to file further briefs.

MITCHELL MAY, Jr.
CO., INC.

• •

INSURANCE
Specialists To
The Motion Picture
Industry
75 Maiden Lane, N. Y. City
510 W. 6th St., Los Angeles, Cal.

Location Unit Check Used by Actors' Guild

HOLLYWOOD, Jan. 11.—The Screen Actors' Guild has issued a virtual ultimatum to producers that they cannot take location companies into any of the coast territory from Canada to Mexico if the companies include players without union cards.

Although Guild executives have refused to issue official statements, this is known to be the means employed by the Guild to bring producers to terms without calling a general strike. The first definite indication of union surveillance of location companies occurred Friday, when the Guild and makeup local pulled six Paramount stock players, two hairdressers and one wardrobe man off the location company working on "Souls at Sea," at San Pedro.

The players taken off were either non-Guild members or members who had not paid up their dues. It is understood that immediately a company leaves the studio, the troupe is subject to a systemized Guild checkup, in accordance with an order from the organization heads. Players pulled from the set are given the opportunity to join the Guild, it was learned. The Guild's location checkup has been in effect for the past month.

Balaban and Griffis Stay Week on Coast

HOLLYWOOD, Jan. 11.—Barney Balaban, Paramount president, and Stanton Griffis, chairman of the executive committee, are remaining here one week to work out further details relative to the production plans discussed at the annual Paramount production conference, just concluded here.

Robert Gillham, director of advertising and publicity, will also remain here for a few days. The rest of the New York home office contingent, and the Paramount theatre partners, who came here for the Silver Jubilee celebration for Adolph Zukor, departed over the weekend.

Coast I. A. T. S. E. Meets

HOLLYWOOD, Jan. 11.—Routine appeals and charges were considered by officials of I.A.T.S.E. during the first day of their business meeting here today. Lewis Krause, assistant to the president, stated that no daily discussions are definitely outlined. It has not been decided, he said, whether or not the unionization of theatre employes will be considered during the current confabs.

Meetings will continue tomorrow and are expected to extend throughout the week.

Stockholder Meeting Set

ST. LOUIS, Jan. 11.—The annual meeting of the stockholders of the St. Louis Amusement Co. will be held next Tuesday, according to Thomas N. Dysart, president. The company has arranged to install new RCA Photophone high fidelity equipment in 12 local theatres and in the Washington, Granite City, Ill.

Resolutions

A list of New Year's resolutions for Warner theatre managers has been compiled by Joseph Bernhard and forwarded to every manager.

The first — "To operate your theatre as though it were your own."

And last—"To remember always that while profit makes a good showman, it takes the good-will of the public to make a profit."

Managers are now reported to be working on a set of resolutions for home office executives.

Begin Hearings in Copyright Action

LOS ANGELES, Jan. 11.—Preliminary argument was heard here today by Federal Judge Leon R. Yankwich, in the $5,600,000 copyright infringement suit filed by Leo Mantin, actor-composer, and his wife, Eleanore Ninin, actress, against United Artists Studios, Darryl F. Zanuck, 20th Century Prod., 20th Century-Fox Prod., Joseph M. Schenck and Maurice Chevalier.

Mantin charged the music from the song, "You Took the Words Right Out of My Mouth," sung by Chevalier in the film "Folies Bergere," was lifted from his copyrighted song, "Jealousy Is Part of Human Nature." Mantin claims his own musical show failed and he suffered humiliation as a result of the alleged acts of the defendants. The court took under advisement a motion for dismissal on the ground that Mantin is a native of Portugal and therefore an alien.

Also Suing Paramount

Mantin and his wife also filed an infringement suit against Paramount Pictures, naming Ernst Lubitsch, Maurice Chevalier, Jeannette MacDonold, Adolph Zukor, Richard Whiting and Famous Music Co. Damages of $1,000,000 are asked.

The plaintiff alleges that the theme song entitled "One Hour With You," sung by Chevalier in a Paramount film, was taken from their song titled "Si, Si, Senorita from Spain," copyrighted 1931.

The suit goes to trial Tuesday before Judge Yankwich.

Application for a dismissal is expected.

J. W. Katsis Sues Warners

Jules W. Katsis, a former employe of Warners, yesterday filed suit in N. Y. Supreme Court, against Albert, Harry and Jack Warner, and Warner Brothers Pictures Corp. for $43,500. The plaintiff claims this amount is due him for stock in the film company which he claims he held to his detriment after being personally assured by the defendants that dividends would be paid.

MPTO Meeting Today

OMAHA, Jan. 11.—A special meeting of the M.P.T.O. of Nebraska and Western Iowa has been called by Charles E. Williams, president, tomorrow, at the Loyal Hotel here. The meeting was called following a poll of the membership by mail in which approximately 50 per cent declared themselves in favor of it.

Dept. of Commerce Predicts Good 1937

WASHINGTON, Jan. 11.—"With general economic improvement within the United States continuing at the present rate, coupled with the production of high quality pictures which have been scheduled by the producing companies, there is every indication of increasingly larger patronage at film theatres during the coming year," it was declared today by Nathan D. Golden, chief of the motion picture section of the Dep't of Commerce.

Improved pictures and advancing recovery of last year were reflected in the industry by an increase of 10 per cent in theatre attendance, with an average of 88,000,000 admissions a week, boosting the national box-office receipts over a billion dollars for the first time since 1929, Golden pointed out. In some sections of the country, he said, admissions were as much as 30 per cent above 1935. Reports to the department also disclosed that more than 500 houses were built or reconditioned during the year at a cost of $27,000,000, and that many houses closed for as long as 15 years were reopened.

To produce the high quality pictures which were released during the year the producers spent $135,000,000 on approximately 500 feature films, an increase of $10,000,000 which was due in part to the better grade of output and in part to the increased wages and salaries paid by the industry.

Loew's to Extend Its Own Checking System

Loew's will extend its own checking system to all its branches, it was learned yesterday. So far, the company has checkers working out of 10 exchanges and within the next week or 10 days another group of branches will supplant the Ross Federal men with its own crew.

Col. E. A. Schiller, who is supervising the introduction of the system in cooperation with Alan Cummings, will leave shortly for the west to inaugurate the plan.

Warners for years have had their own checkers on percentage pictures. Loew's discussed Interstate Checking, but decided in favor of its own men operating from exchange headquarters without outside affiliation.

Signed Two Writers Only, States Pallos

HOLLYWOOD, Jan. 11.—Prior to his departure yesterday from the coast, en route to England, Stephen Pallos, representative of Alexander Korda of London Films, told MOTION PICTURE DAILY, "I have had conversations with several producers and directors. None of these has been signed, nor will they be until I return to London to discuss program requirements with Korda."

He said, however, that "Oliver Garrett and Lester Cohen, writers, have been signed, and will go to London immediately to work on "Four Feathers."

Dobie F. N. Director

LONDON, Jan. 2.—D. C. Dobie, general sales manager of First National Film Distributors, Ltd., has been appointed a director of the company.

WOL Moves Studios Into New Quarters

Washington, Jan. 11. — WOL, local affiliate of Mutual, today moved its offices and studios into new quarters at 1726 K St., N. W. The station's occupancy of the entire fifth floor of the recently completed Heurich Bldg. gives WOL the distinction of operating under the most modern conditions of any station in Washington.

It will be another week, however, before the new studios will be placed in actual operation. WOL's transmitter is at present remaining at the old location in the Annapolis Hotel. In the event the F. C. C. acts favorably on WOL's application for a power increase to 1,000 watts, the transmitter will be transferred to Chillum, Md.

WOL is owned and operated by the American Broadcasting Co. and presents, in addition to local programs, features from the Mutual and Intercity Broadcasting Systems. Leroy Mark is president.

Cohn "Deeds" Award Will Be Broadcast

Hollywood, Jan. 11.—Harry Cohn will receive the award of the New York critics for "Mr. Deeds Goes to Town" on Jan. 24 and will make the presentation to Frank Capra over the NBC-Blue network in a program to emanate from Hollywood. Gary Cooper and Jean Arthur will do a scene from the film.

Rouben Mamoulian will make an air appearance to receive his "Best Direction" award for "The Gay Desperado."

Fred MacMurray to Succeed Dick Powell

Hollywood, Jan. 11.—Fred MacMurray will succeed Dick Powell on the "Hollywood Hotel" program. It has been learned from authoritative sources that a 13-week contract has definitely been set although CBS officials and F. Wallis Armstrong, advertising agency, still refuse to confirm.

The agency is now endeavoring to get Burns and Allen and other big names for the initial broadcast.

Pete Pringle Joins KNX

Hollywood, Jan. 11.—CBS augmented its personnel list over the week-end as a continuation of a general expansion move.

Pete Pringle joined KNX as night editor; Maurice Webster joined the announcing staff and William Forbes was added to the Commercial Dept. Forbes was formerly with the Hanff-Metzger Agency and recently with the Don Lee System.

Lud Gluskin is due tomorrow.

Hearst Gets Texas Permit

Austin, Tex., Jan. 11.—Hearst Radio, Inc., has been given a 10-year permit to do business in this state.

Old and Young

Cincinnati, Jan. 11.—Frank Simon's Armco Band, aired over WLW and NBC-Blue, boasts of the oldest and youngest trombone players. They are Carl Kohlman, 75, and Ben Niles, 19.

'Dialogue Programs' Latest Show Classification at NBC

Audience participation, the big new idea in air entertainment, has finally outgrown its niche in the "talks" classification on NBC and has been allotted a brand new desingation of its own— dialogue programs. The decision to set aside the audience participation programs as a separate group is due to a recent statistical survey which showed that they were taking up 3.9 percent of all sponsored programs on the Red and Blue networks. It marks the second classification change made in the six years NBC has been analyzing its programs.

NBC programs featuring studio audience participation include "Showboat," "We, the People," "Sidewalk Interviews," "National Spelling Bee," "Uncle Jim's Question Bee," "Our Neighbors," "America's Town Meeting of the Air," "Do You Want To Be an Actor?" "Husbands and Wives," and "Personal Column of the Air."

Oddly enough, the trend toward audience participation programs at CBS is infinitesmal. The only such programs there are Colgate-Palmolive Peet's "Community Sing" and "Professor Quiz."

WOR, NBC Renewals

Several new and renewal accounts begin over WOR shortly. The Drackett Products Co., through the Ralph H. Jones advertising agency, begins Feb. 2, from 1:45 to 2 P. M., E.S.T., and will be heard Tuesdays and Thursdays.

The Journal of Living Publications, Inc., through Schillin Advertising Corp., renews, beginning tomorrow for a 13-week period. The program is heard Mondays, Wednesdays and Fridays at noon.

Hoffman Beverage Co., through Batten, Barton, Durstine and Osborn, renews for 13 weeks beginning tomorrow. The program is heard Tuesdays, Thursdays and Saturdays at 11 A. M., E.S.T.

And on NBC, effective as of the past weekend, General Foods, Inc., renewed their Maxwell House "Showboat" program over 59 NBC-Red stations. Benton and Bowles is the agency.

As of today, the Kellogg Co. renews "Girl Alone," heard five times weekly over eight NBC-Red stations. N. W. Ayer is the agency.

The RCA "Magic Key" program, heard over 79 NBC-Blue network stations, was renewed as of yesterday through Lord and Thomas.

Another Procter and Gamble

Another in the ever expanding family of Procter and Gamble programs begins Jan. 25 over the Basic Red, Southeast, Southcentral, Southwest, Red Mountain and Red Coast NBC networks. The Blackman Agency placed the program, which will be aired Mondays through Fridays from 4:45 to 5 P. M., E.S.T.

The Alberts in New Series

Grace and Eddie Albert, radio's "Honeymooners," have been signed for a new four-week series of programs to be heard over WEAF only and sponsored by the Olson Rug Co. The program will be heard Tuesdays and Thursdays at 9:45 A. M., E. S. T. starting Jan. 19. Presba, Fellers, and Presba, Chicago, is the agency.

New Series for Lever Bros.

"Aunt Jenny's Real Life Stories," a new radio series, will make its debut over CBS Jan. 18, from 1:45 to 2 P. M., E. S. T. and will be heard Mondays through Fridays thereafter.

The series, sponsored by Lever Bros. in the interest of their product, Spry, will be heard over 42 Columbia stations. Ruthrauff & Ryan is the agency.

Warners Book Air Show

As exclusively predicted in Motion Picture Daily last week, Haven McQuarrie's air show, "Do You Want to Be an Actor?" has been booked for Warner theatres. The first unit begins a week's run in Warner's Hollywood tomorrow.

Another for Colgate

"Jack and Loretta" is the title of a new morning program which is being broadcast Mondays through Fridays over CBS. Colgate-Palmolive-Peet is sponsoring for Kirkman's Soap. N. W. Ayer & Co. is the agency.

Cross, Knight, Et Al

Short Shots: Roy Atwell, Ruby Mercer and Milton Cross will guest appear on the Maxwell House "Showboat" program Jan. 14 . . . WOR-Mutual's evening dance schedule will be augmented by three bands this week. The bands are those of Freddie Berrens, Barry Winton and Dave Schooler . . . Clayton Knight, illustrator, will be the featured guest on the "Moments You Never Forget" program Jan 16 . . . Nelson Eddy arrives in New York Feb. 28, and will broadcast locally for four consecutive weeks before the conclusion of the program series . . . Walter O'Keefe has been signed for a guest appearance on Rudy Vallee's program this Thursday night . . . Smiling Ed Mc Connell will be the guest of honor on the "Barn Dance" program Jan. 16 . . . Ralph Juul, currently heard on "Rich Man's Darling," joins the cast of "Modern Cinderella" this week . . . Walt Framer, inaugurates a film chatter and interview program over KDKA, Pittsburgh, this week. Framer will broadcast Mondays, Wednesdays and Fridays at 5:45 P. M., E.S.T. . . . Pat O'Brien will be the "emcee" at the annual banquet for the Notre Dame football team in South Bend, tonight. . . . Marguerite Monroe, Wayne Randall's efficient secretary at NBC for many years, has resigned. Evelyn Sniffen succeeds her . . . Bill Neel is back in the NBC press department after a four-month leave of absence, during which time he assisted Stanley High, director of the Good-Neighbor League in the presidential campaign . . . Vivian Della Chiesa arrives from Chicago today for a week's vacation stay . . . Buck Jones, western film star, will appear as guest on Jack Benny's program this Sunday . . . Helen Hayes was unable to broadcast last night because of a laryngitus attack. Ruth Gordon, now appearing on Broadway in "Country Doctor," substituted.

Dodge Program Held Off the Air by Strike

It was only a question of time before the automobile strike would penetrate indirectly into radio. It became known yesterday that the Dodge Motor Co., whose workers incidentally are not out on strike, has decided to hold up its forthcoming new program on the Mutual network pending a settlement in the troubled affairs of the industry.

Meanwhile, the only other automotive program to be affected by the strike is General Motor's transcribed series for Chevrolet, which faded from some 300 stations last week. It is generally believed that the program would have been re-signed had it not been for the strike and the company's consequent inability to deliver cars to its dealers.

Fitch Will Become NBC's Program Head

Charles W. Fitch, NBC personnel manager, has been elevated to manage the program department, it was learned authoritatively by Motion Picture Daily yesterday. Announcement to this effect will be made shortly by Lenox R. Lohr, NBC president.

Fitch succeeds Alfred H. Norton, who recently was declared manager of the NBC managed and owned stations. The new personnel head joined NBC last September and previously was assistant director of the PWA housing division. He was also in charge of all exhibits at the Century of Progress Fair in Chicago under Lohr.

Payne Attacks Lobby Seeking Short Waves

Boston, Jan. 11.—Private industry lobbies are attempting to absorb Government-owned short wave channels and are attempting to block the establishment of a Government short wave station, declared George H. Payne, member of the Federal Communications Commission, here today. He spoke before the Harvard School of Business Administration.

Payne contended that a Government station was necessary and said that he hoped that it would not "be necessary to wash all this dirty linen in public."

Grossman Made Manager

New Haven, Jan. 11.—Murray Grossman, former WBRY salesman, has been named commercial manager of the station. Theodore Jarvis has been added to the sales department on the Waterbury end.

El Lush Resigns at WELI

New Haven, Jan. 11.—El Lush has resigned as WELI announcer and has been replaced by Ralph Kanna, continuity man and announcer on the original WELI staff, who has been on a leave of absence.

Has Singing Mouse

Salisbury, Md., Jan. 11.—George Morris has discovered a singing mouse on his premises here and plans to arrange for the talented little fellow to appear in films or on the radio.

A SQUEALER

HERE IS DRAMA WITH PUNCH... PUNCH DELIVERED BLOW ON BLOW AGAINST YOUR MOUNTING EMOTIONS AND REELING HEART!... MERCILESS!... TENDER!... TENSE AND THRILLING!... A SHOW TO SEND YOUR PATRONS HOME TINGLING WITH EXCITEMENT!

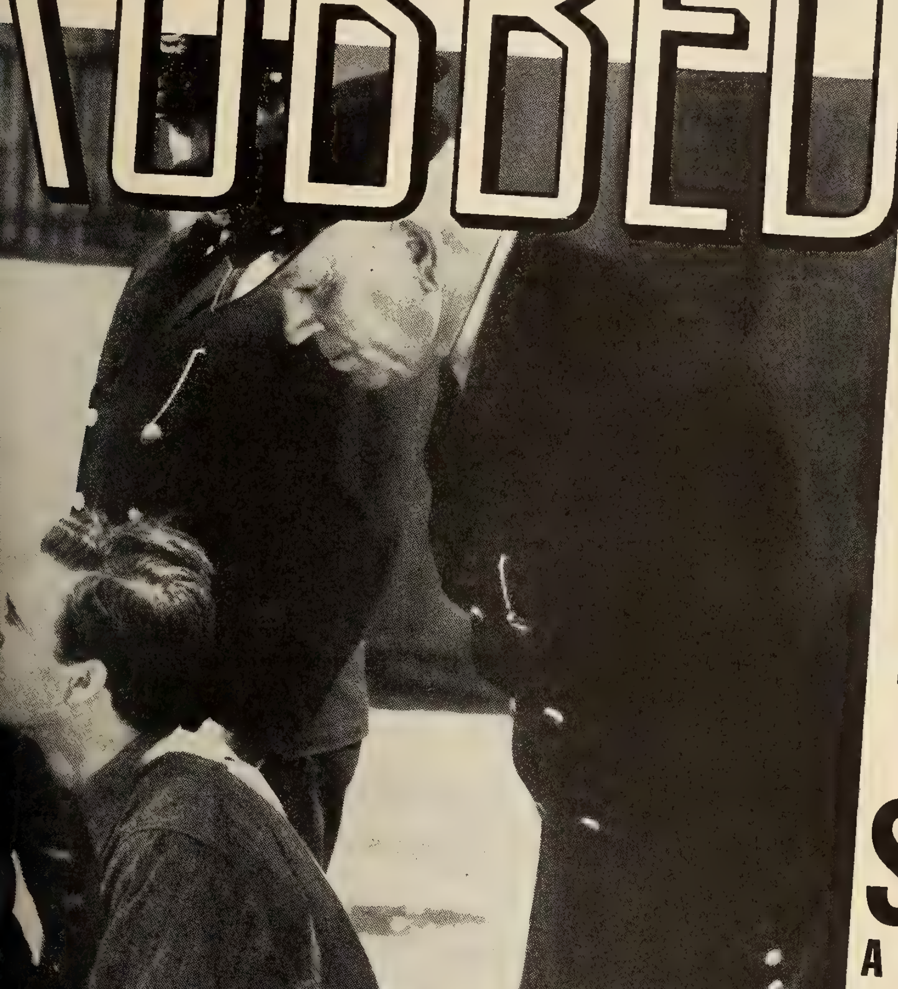
WE WHO ARE ABOUT TO DIE

with **PRESTON FOSTER**
ANN DVORAK
JOHN BEAL

RKO RADIO PICTURES

An Edward Small Production
Directed by Christy Cabanne

RUBBED OUT!



Drama in the death house!... Prison life exposed! . . . An innocent boy torn from the arms of his sweetheart to take the rap for a gangland killing!... Secrets of murderers' row told with a pounding power that will leave you breathless.

SEE...

A BOY CONDEMNED! . . .

"Murder in the first degree" for the boy who only yesterday planned to marry! . . . Alone he must pay the price of framed-up evidence.

A GIRL IN A MILLION! . . .

Sweetheart of hounded John Thompson . . . believer in his innocence . . . fighter for his freedom.

A COP WHO COVETED! . . .

The "dick" who put the boy in jail . . . and tried to steal his girl.

RIOT IN THE DEATH HOUSE!

Murderers' row a bedlam . . . Tear gas hissing! . . . Missiles flying! . . . Machine-guns rattling! . . . Scores of frenzied men massed against the guards, screaming: "Don't let that innocent boy die!"

PAYROLL HOLDUP! . . . . .

Gangsters in action as they cow a factory force and grab the heavy payroll, sudden death splashing from flaming guns!

CIENTIFIC DETECTION!

uth serum" used on a prisoner . . . A
eal" wrung from lips that promised to
out all squealers!... Fingerprints found
ew methods! . . . Laboratory aligned
st crime!

PRISON GRAPEVINE! . .

The undercover "telegraph" in operation . . . Tap, Tap, Tapping its fateful message over the waterpipes through the walls: "Thompson's not guilty!"

HIT AND RUN KILLING! . . .

The murder car fleeing . . . mowing down a carefree lad who crossed its crazy path . . . a howling mob in hot pursuit!

San Francisco Made Marked Gains in 1936

(*Continued from page* 1)

than that. Among elements which hurt were unusually successful opera and symphony seasons, the appearance here of several top-ranking stage stars or much-discussed plays, and similar cultural activities. In addition, a year of intermittent labor upsets in northern California culminated in October in the still unsettled waterfront strike which directly separated some 7,000 strikers from various payrolls, and indirectly but perceptibly hurt the entire city's business activity.

Nevertheless, San Francisco theatre grosses increased healthily, if unevenly, during 1936, and many local theatre men believe that 1937 will see new box-office records established. The second half of 1936 saw weekly house averages moving upward; RKO's Golden Gate from $14,500 per week to $16,000; the Orpheum from $8,000 to $9,500, and all three F.W.C. first runs in proportion. Suburban theatres also registered increases.

Ten New Theatres Built

After four years of virtually no building, eight or 10 new houses were constructed in and around Greater San Francisco, and perhaps a dozen more are planned for the spring of this year.

Despite a trend in other cities toward price increases, most San Francisco theatres appear satisfied with the present admission scales, which range from the grinds' 10 cents up to F.W.C.'s loge charge of 75 cents for evenings. In the suburban and smaller communities, 30 cents is average.

That business in general is booming despite the labor unrest is proved by Chamber of Commerce figures for November, 1936, in which the city's commercial activity failed by only one per cent to establish a new seven-year high.

Denver Boom General

Denver, Jan. 11.—This city saw grosses on the upgrade and business booming as the new year started. In the past four years the Government has more than doubled the number of Federal employes here.

Bank clearings jumped from $1,287,715,585 in 1935 to $1,464,972,316 for 1936. During the past year bank deposits have increased more than $18,000,000, from $162,981,629 to $181,662,028. Manufacturing payrolls increased from $70,000,000 to $75,000,000, with wage earners in manufacturing increasing from 60,500 to 65,000. Building permits in the city of Denver gained about 50 per cent in 1936 over 1935.

Retail trade in Denver increased over $23,000,000 in the past year, and postal receipts set a new six-year record. Postal receipts totaled $3,800,000 in 1936 as against $4,059,839 in 1929, the record year for Denver.

Considerable new building and remodeling is expected in the spring.

Plattsburg House Burns

Plattsburg, Mo., Jan. 11.—The Opera House here burned to the ground. M. J. Trimble was owner.

Out Hollywood Way

Hollywood, Jan. 11.—George Stevens has been named director for Fred Astaire's first solo starring picture, "Damsel in Distress," which gets under way shortly.

First story of the year to be registered at the Screen Writers' Guild is by Victor Mansfield (Victor M. Shapiro). . . . Burton Lane and Ralph Freed write title song for "Swing High, Swing Low," Paramount. . . . "Slim" finished at Warners after 10 weeks in work. . . . Francine Larrimore recalled for additional scenes in "John Meade's Woman," Paramount. . . . William H. Wright sustains broken arm playing tennis. . . . Victor Fleming in hospital for minor operation.

Harry Sherman schedules Clarence E. Mulford's "The Round-Up" as the fourth in the Hopalong Cassidy series. . . . James Hogan taken to his home in Van Nuys after two weeks in the hospital suffering from pneumonia. . . . Mary Rogers home with the flu. . . . "End of Adventure" starts Jan. 13. . . . M. K. Jerome and Jack Scholl, songwriters at Warners, assigned to do two numbers each for "Win, Place and Show" and "The Lifeless Diplomat," three numbers for "Dance, Charlie, Dance" and five for "Talent Scout."

Ted FioRita and his orchestra and soloists signed by Radio for an untitled picture. . . . Maury Cohen has drawn his first two assignments at Radio—"Raggedy Ann" and "Going, Going, Gone." . . . "Short Haul," Trem Carr production for Universal, has been rewritten to eliminate San Francisco waterfront sequence because of maritime strike.

✚

Casting—M-G-M castings include Una O'Connor in "Man in Possession," Sherry Hall and King Baggott in "Burnt Fingers." . . . William Gargan in "Wings Over Honolulu," Universal. . . . Frank M. Thomas, George Irving and Philip Huston in "Wings of Mercy," Radio. . . . Dudley Clements and Winstead Weaver in "Escadrille," Radio. . . . Paramount castings include Raymond Walburn, on loan from Columbia, in "High, Wide and Handsome," William Harmer, Rita Owen and Harvey Clark in "Internes Can't Take Money," Purnell Pratt, James Blaine and Tom O'Grady in "Murder Goes to College," Lee Shumway and Marty Faust in "Souls at Sea," Richard Kipling, Gino Corrado and Lotus Liu in "Swing High, Swing Low," Pedro Rigas and Harry Field in "Waikiki Wedding" and Louise Beavers in "The Years Are So Long." . . . Alice Faye in "Wake Up and Live," 20th Century-Fox. . . . Dorothy Wilson gets feminine lead opposite Charles Quigley in "Racing Luck," Columbia.

✚

Title Changes—"Happiness Preferred" to "Outcast," Major. . . . "The Thing is the Play" to "Goodbye, Broadway."

✚

Writers—Joseph Poland to write eight of "Three Mesquiteers" series, Republic. . . . Lionel Houser to do additional work on "Stones Cry Out," Universal.

✚

Directors—Lewis King to direct "Talent Scout," Warners. . . . Walter Lang to direct "Delay in the Sun," Universal. . . . Dave Miller assigned to "Flicker Flaws," M-G-M short. . . . Charles S. Coleman, Jr., given term pact, Columbia.

✚

Story Buy—"You Can't Beat Love," an original by Olga Moore, by Radio.

Weisman's Term as Receiver Continued

Justice Martin T. Manton yesterday authorized Milton C. Weisman to continue his receivership of Fox Theatres for six months commencing Jan. 12. Manton also allowed Weisman to accept the bid of Skouras Theatres Corp., the present tenant, for the Academy of Music. There were two other bids; the first presented by Zold and Brandwen, representing Philip Fiff and the other by Bankers' Security Corp. They offered, as their joint bid, $151,500 in cash. The Skouras bid was for $155,000. Skouras, since October, 1931, has been paying Fox Theatres a total of $175,000 each year. The value of the building as of Dec. 3 was $635,172. Equipment is valued at $247,972 and there is a first mortgage in 6½ per cent gold bonds of $535,000.

Weisman also filed a report as receiver of Fox Theatres for the period from July 1 to Dec. 31. He listed receipts at $883,702, of which $723,423 was cash on hand as of June 5, and disbursements of $753,353. The total of claims allowed to date is $5,713,858. Claims not yet tried or decided are $6,873,354. Weisman also stated that he had filed a claim for $17,000,000 against William Fox in New Jersey.

Columbia Bid Top on "You Can't Take It"

(*Continued from page* 1)

figure, which was not divulged by Cohn, was $200,000, the highest paid by any producing company in recent years for a stage property and one of the highest on record.

Columbia closed in the face of stern competition advanced by M-G-M, Paramount and several other companies.

Storms Hit Shipments

Omaha, Jan. 11.—Icy, drift-blocked roads caused when heavy rainstorms ended in blizzards have played havoc with film distribution in some sections of this territory. Some exhibitors were forced either to darken their houses or again run the films they had on hand. Even train traffic was suspended in places.

Offers Sunday Film Bill

Montgomery, Ala., Jan. 11.—Representative Tolbert has introduced a bill in the Alabama legislature to legalize Sunday films in Fort Payne.

Representative Miller has introduced another bill amending the revenue act to permit theatres to deduct from their gross receipts amounts paid to the state in the form of licenses.

G.B. Exchange Plan Mystery to Ostrer

(*Continued from page* 1)

regard to G. B's own exchange system. When he was told the story appeared in the Miami papers, he said: "Oh, yes! I heard something about that."

"I havn't given the matter any thought," he said, "and will not consider any such plan until I return to England," Ostrer asserted. In reference to the letter sent by Sidney R. Kent, advising G. B. that the 20th Century-Fox exchanges could not physically handle other than G. B. product, he said he had not seen the letter, but "Arthur Lee mentioned it" to him.

"There hasn't been any change in our situation with 20th Century-Fox since I left London," Ostrer stated, and asked whether G. B. will continue to distribute through the present setup, he answered "I imagine so." Ostrer was silent on what disposition would be made of the 10 B. I. P. and Herbert Wilcox pictures taken on by Lee for distribution in this market.

Lee Silent

Lee, who returned with Isidore and Maurice Ostrer, would not talk on the proposed exchange plan last night. He said the Pennsylvania station was no place to discuss business.

A. C. Blumenthal, who has acted as intermediary in the 20th Century-Fox-Loew's-G.B. negotiations, was at the station to meet the homecoming party. He was fully aware of the Schenck-Ostrer meeting, having been in touch with the parties by long distance telephone.

The Ostrers are scheduled to sail on the *Aquitania* tomorrow. There is a possibility that the departure may be postponed until the *Berengaria* sails next week, although Isidore Ostrer said last night it was the *Aquitania* on which they would leave. He was very apologetic about not being able to give the press anything concrete in the way of a formal statement.

Wall Street

Losses Dominate on Board

	High	Low	Close	Net Change
Columbia	37⅞	37¼	37⅞	+ ⅝
Columbia, pfd.	45¾	44¾	45¾	+1¾
Consolidated	5½	5⅛	5¼	.....
Consolidated, pfd.	18¾	18¼	18½	— ¼
Eastman Kodak	173¼	173	173	—1
Eastman, pfd.	163	163	163	— ½
Gen. T. Equip.	31½	31	31½	+ ⅜
Loew's, Inc.	67¼	66⅜	67	+ ⅛
Paramount	25⅝	25	25⅛	— ½
Paramount 1 pfd.	178⅛	175	175	—3½
Paramount 2 pfd.	23¼	22½	22½	— ⅝
Pathe Film	10¼	9¾	9⅞	+ ¼
RKO	8⅜	8	8⅛	— ⅛
20th Century-Fox.	35	34¾	34¾	— ¼
Universal, pfd.	102	102	102	+2
Warner Bros.	17⅜	16⅞	16⅞	— ⅜
Warner, pfd.	67⅜	67⅜	67⅜	— ⅛

Little Curb Change

	High	Low	Close	Net Change
Grand National	3½	3⅜	3⅜	.....
Sonotone	2	2	2	+ ⅛
Technicolor	21⅞	21½	21½	.....
Trans-Lux	4⅜	4⅜	4⅜	— ⅛

Bonds Drop Lightly

	High	Low	Close	Net Change
Loew's 3½s '46	101⅛	100⅞	100⅞	— ¼
Paramount Pict. 6s '55	100⅝	100¼	100⅜	— ⅛
RKO 6s '41 F P.	120	120	120	.....
Warner Bros. 6s '39 wd	99½	99⅜	99½	.....

(Quotations at close of Jan. 11)

Games Stop as Chicago Kills Iris Injunction

(Continued from page 1)

petitions are also affected by the court's ruling.

Judge Niemeyer held that Bank Night is a violation of a city ordinance which prohibits chance drawings. He upheld the ordinance which the plaintiffs maintained was unconstitutional.

Circuits and independents here have stopped the games since the operation of Bank Night would now result in the loss of the offending theatre's license. E. D. Adcock, attorney for the Iris and Bank Night distributors, is reported planning to take the case to the Supreme Court.

The city did not fight Bank Night as a lottery but introduced the chance games law, making it more difficult for the theatres to fight the case. In order to win, the theatres will now have to have passed a new ordinance superceding the old one which bans chance games in theatres.

Three hundred houses with an enormous total of prizes are affected by the ruling. Organizations of exhibitors are planning a meeting to determine whether or not there is some method of getting around the existing rule. In the meantime, Bank Night is definitely out in Chicago.

Games Illegal in California

Sacramento, Jan. 11.—Premiums such as Bank Night, Cash Night, and the like are lotteries and are therefore illegal in California, according to a statement released here by the state's attorney general, U. S. Webb.

Webb said that he had twice written opinions which would condemn theatre games as illegal, once in 1934 and again in 1936. Neither opinion referred to theatre games, but were concerned with a firemen's ball and a definition of the elements constituting a lottery. Webb's statement places premium games as constituting a lottery, because payment is made, through purchase of a ticket, for the chance to win.

So far judicial reviews in California of Screeno, Bank Night and similar games have been few. All on record have been decided in favor of the theatre operators by the lower courts, so that no state Supreme Court decision has been rendered. Webb's opinion was released here in response to a query from the Modesto district attorney's office, although it is not known whether or not protests against games used by Modesto theatres have been received by the district attorney.

Crosby Wins $10

Kansas City, Jan. 11.—Bing Crosby is $10 richer than he was last week. Crosby submitted a slogan to City Manager H. F. McElroy in Kansas City's safety slogan contest and the committee in charge decided it was good enough to put up on the city streets.

It was: "Drive slowly. Crippled children make crippled citizens."

Seek to Outlaw Beano

Boston, Jan. 11.—A bill to do away with Beano has been filed with the legislature by Bishop H. K. Sherrill, Episcopal Church head in this state. Bishop Sherrill termed Beano a "racket" and claimed it has been run in direct opposition to worthy charitable enterprises. Beano was legalized in Massachusetts a few years ago with the restriction that a part of the receipts should go to charity. It has recently been stopped in many places in the state.

N. O. Refuses Rehearing

New Orleans, Jan. 11.—The Court of Appeals, which a month ago outlawed Bank Night, today refused to rehear the case. Attorneys for the theatres will ask a Supreme Court writ for a review. Should the high court refuse the request, the decision of the lower court will stand.

Thirty days are allowed for the filing of an appeal.

"It may only be another adventure to him-but come what may, I want his love, for I know that-

MEN ARE *not* GODS"

Expect the unusual from
Alexander Korda
producer of "Henry VIII"
and "Rembrandt"...
He presents...

MIRIAM HOPKINS
in "MEN ARE *not* GODS" with
Gertrude Lawrence • Sebastian Shaw
A. E. Mathews • Rex Harrison • Written and Directed by WALTER REISCH
A LONDON FILM • Released thru UNITED ARTISTS

NEVER BEFORE A PICTURE THAT WILL CAUSE SO MUCH DISCUSSION!

"Beloved" Is Philadelphia Wow, $21,000

PHILADELPHIA, Jan. 11.—In the second week of generally big business here "Beloved Enemy" was a sensation. It pulled $21,000 at the Aldine, topping par by $12,840.

"After the Thin Man" continued its fast pace in its second week at the Boyd, getting $26,000. This was over the line by $12,000.

With its second stage show, and "Sing Me a Love Song," plus a tilt to $1.14 after 6 o'clock on New Year's Eve, the Earle grossed $23,000. The Fox had similar good luck with $24,000 for the first week of "College Holiday." "Go West, Young Man" ended its engagement at the Stanton with $11,000 for its last nine days.

Total first run business was $127,200. Average is $85,560.

Estimated takings for the week ending Jan. 7:

"BELOVED ENEMY" (U. A.)
ALDINE—1,200), 40c-55c-65c, 7 days. **Gross:** $21,000. (Average, $8,160)

"ADVENTURE IN MANHATTAN" (Col.)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 7 days. **Gross:** $2,100. (Average, $2,400)

"AFTER THE THIN MAN" (M-G-M)
BOYD—(2,400), 40c-55c, 7 days. Second week. **Gross:** $26,000. (Average, $14,000)

"SING ME A LOVE SONG" (F. N.)
EARLE — (2,000), 25c-40c-55c, 7 days. Stage: "Glorified Follies" with Eddie Garr, Charles Carlile, Caryl Bergman, Dan Carthy. **Gross:** $23,000. (Average, 7 days, $14,000)

"COLLEGE HOLIDAY" (Para.)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $24,000. (Average, $14,000)

"STOWAWAY" (20th-Fox)
(2nd run)
KARLTON—(1,000), 25c-35c-40c, 7 days. **Gross:** $3,800. (Average, $4,000)

"GOLD DIGGERS OF 1937" (F. N.)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 7 days. **Gross:** $3,300. (Average, $4,000)

"ONE IN A MILLION" (20th-Fox)
STANLEY — (3,700), 40c-55c, 7 days. **Gross:** $13,000. (Average, $14,000)

"GO WEST, YOUNG MAN" (Para.)
STANTON—(1,700), 30c-40c-50c, 9 days, 2nd week. **Gross:** $11,000. (Average, 7 days, $7,000)

Showboat for Seattle

SEATTLE, Jan. 11.—Seattle will have a real "showboat," moored on the shores of Lake Washington, and capable of being towed by tugboats to all points of the Puget Sound country, if present plans of Professor Glenn Hughes of the University of Washington department of drama carry through. Hughes, director of WPA theatre projects for this district, has proposed that the Federal Government appropriate $11,000 for the venture, to be spent entirely for labor. The drama department of the university will contribute $6,000 for materials.

Mardi Gras Comes Earlier

NEW ORLEANS, Jan. 11. — Mardi Gras will be celebrated this year Feb. 9, considerably earlier than previous years. All the major carnival organizations will participate with the exception of the Krewe of the Druids. Efforts are being made to have parades extending from Thursday night till Mardi Gras day and night. The day is a legal holiday in New Orleans, and all neighborhood theatres close on Tuesday, the last day and night of the celebration.

"College" Is St. Louis Top With $20,000

ST. LOUIS, Jan. 11.—"College Holiday," supported by a good stage show at the Ambassador, made the best Christmas week showing with $20,000, which was $11,000 better than house average. It was moved into the Missouri.

"Camille" at Loew's was also a big winner, grossing $19,500 and beating house average by $9,500. "The Plot Thickens" and "Rainbow on the River" had a very good week at the Missouri, grossing $10,700, or $1,700 above average. Across the street at the Fox, "Stowaway" and "Laughing At Trouble" had a good average week with a take of $14,000.

None of the other houses was able to do 100 per cent business. The Orpheum closed Jan. 2.

Total first run business was $58,500. Average is $58,500.

Estimated takings for the week ending Dec. 31:

"COLLEGE HOLIDAY" (Para.)
AMBASSADOR—(3,018), 25c-40c-55c, 7 days. Stageshow. **Gross:** $20,000. (Average, $9,000)

"STOWAWAY" (20th-Fox)
"LAUGHING AT TROUBLE" (20th-Fox)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $14,000. (Average, $14,000)

"CAMILLE" (M-G-M)
LOEW'S—(3,162), 25c-35c-55c, 7 days. **Gross:** $19,500. (Average, $10,000)

"THE PLOT THICKENS" (Radio)
"RAINBOW ON THE RIVER" (Radio)
MISSOURI—(3,514), 25c-40c, 7 days. **Gross:** $10,700. (Average, $9,000)

"BANJO ON MY KNEE" (20th-Fox)
"CAREER WOMAN" (20th-Fox)
ORPHEUM—(1,950), 25c-35c-55c, 7 days. **Gross:** $5,500. (Average, $6,000)

"CAPTAIN CALAMITY" (Republic)
"MANDARIN MYSTERY" (Republic)
SHUBERT-RIALTO—(1,725), 20-25c, 7 days. **Gross:** $2,300 (Average, $3,500)

"WHITE HUNTER" (20th-Fox)
ST. LOUIS—(4,000), 25c-40c, 7 days. Stage: vaudeville. **Gross:** $6,500. (Average, $7,000)

"Love in Exile" Is Only Buffalo Draw

BUFFALO, Jan. 11.—"Love in Exile," on a dual with "The Gentleman from Louisiana," was the only profit-maker in the general pre-Christmas slump here. It took $7,500, over normal by $1,500, at the Lafayette.

"Mummy's Boys" and "Isle of Fury," on a dual at the Century, garnered $6,300, breaking average by $500. The Buffalo did a "right about face" and went $3,200 below the line, "Winterset" pulling only $8,800.

Total first run business was $35,500. Average is $38,400.

Estimated takings for the week ending Dec. 26:

"WINTERSET" (Radio)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $8,800. (Average, $12,000)

"STOWAWAY" (20th-Fox)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $6,100. (Average, $7,300)

"HIDEAWAY GIRL" (Para.)
"I'D GIVE MY LIFE" (Para.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $6,800. (Average, $7,300)

"MUMMY'S BOYS" (Radio)
"ISLE OF FURY" (W. B.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $6,300. (Average, $5,800)

"LOVE IN EXILE" (G. B.)
"THE GENTLEMAN FROM LOUISIANA" (Republic)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $7,500. (Average, $6,000)

U. S. Supreme Court Will Hear Fox Case

(Continued from page 1)

ceedings in the lower court and a review of a decision of the Third Circuit Court of Appeals in a suit filed by All-Continent Corp. as a creditor of Fox. Justice Cardozo refused to take immediate action on the request for a stay and will refer the matter to the entire Supreme Court for a decision.

In the application of Steelman for a review it was explained that the only assets turned over to him as trustee consisted of $100 in cash and certain notes and securities "of little or no value." Listed liabilities were in excess of $9,000,000.

In accordance with the Bankruptcy Act, orders were entered directing examination of All-Continent Corp. and certain of its officers and employes. Fox's wife, president of the company, refused to submit to examination and was cited for contempt by the referee. Examination of the company's books was found necessary by the referee on the basis of facts which showed that All-Continent Corp. "was the creation of the bankrupt himself; every dollar of its capital came from the bankrupt; by the formation of the corporation he divested himself of a very substantial portion of his property," the court was told.

Suit Instituted in Pa.

All-Continent brought suit in Pennsylvania to remove a cloud on the title to certain securities in possession of Philadelphia brokers caused by a third party order in proceedings by the Capital Co., a judgment creditor of Fox. Steelman objected on the ground that he was not liable to Pennsylvania jurisdiction and secured from the bankruptcy court a stay of proceedings. All-Continent appealed and incorporated into the record a bill of complaint in a chancery court suit brought by the trustee to recover all property and capital stock of All-Continent as property of Fox. The value of assets transferred to All-Continent by Fox at one time totaled $7,000,000.

The Circuit Court reversed the bankruptcy court and vacated the restraining order and Steelman came to Washington in an effort to secure Supreme Court assistance in securing an accounting of the holdings of Fox and his wife.

Rites for Mrs. McKenzie

Funeral services for Mrs. Ina Beattie McKenzie, wife of Maurice McKenzie, executive assistant to Will H. Hays, will be held at Crown Point, Ind., this afternoon. Burial will be at Salem Churchyard, near Crown Point, where McKenzie's father, now retired and residing in Pasadena, Cal., was pastor.

McKenzie, accompanied by Walter Trumbull of the M.P.P.D.A., left on the Century yesterday afternoon to attend the service in Indiana. They will be met at Crown Point by H. C. Hays, brother of the M.P.P.D.A. president.

William Archibald Dies

SAN FRANCISCO, Jan. 11.—Theatre men here are mourning the sudden death of William P. Archibald, 63, for the past 12 years controller of the Golden State circuit, which operates some 65 houses in this territory. He is survived by his widow and three children.

"Thin Man" at New Top Mark In Cleveland

CLEVELAND, Jan. 11. — Including the New Year's Eve midnight shows which were complete sellouts at advanced prices, this week's take exceeds anything here within the past four years, and established a record at one house.

"After the Thin Man" broke all records at Loew's State at present admission scales, doing $31,000 in seven days, of which $19,000 was grossed over the opening week end. The pictures will continue for an indefinite run at the Stillman.

"Charlie Chan at the Opera" more than doubled the Allen $4,000 average with a take of $9,300. This also included a special midnight show on New Year's Eve. "Sing Me A Love Song" on the RKO Palace screen with Olsen and Johnson as the stage headliners, jumped from the $15,000 average to a $28,500 take.

The weather was perfect. "High Tor" was the stage competition at the Hanna. Department stores had marionette shows and other free entertainment for children.

Total first run business was $85,300. Average is $51,000.

Estimated takings for the week ending Jan. 8:

"CHARLIE CHAN AT THE OPERA" (20th-Fox)
ALLEN—(3,300), 30c-35c-42c, 7 days, including New Year's Eve midnight show. **Gross:** $9,300. (Average, $4,000)

"AFTER THE THIN MAN" (M-G-M)
LOEW'S STATE — (3,400), 30c-35c-42c. New Year's Eve show, 60c, 7 days. **Gross:** $31,000. (Average, $15,000)

"COLLEGE HOLIDAY" (Para.)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days and New Year's Eve. **Gross:** $8,000. (Average, $6,000)

"SING ME A LOVE SONG" (F. N.)
RKO PALACE—(3,100), 30c-42c-60c, New Year's Eve, $1.00-$1.50, 7 days. Stage: Olsen and Johnson. **Gross:** $28,500. (Average, $15,000)

"THAT GIRL FROM PARIS" (Radio)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c. New Year's Eve, 60c, 7 days. **Gross:** $8,500. (Average, $10,000)

Favor Earlier Opening

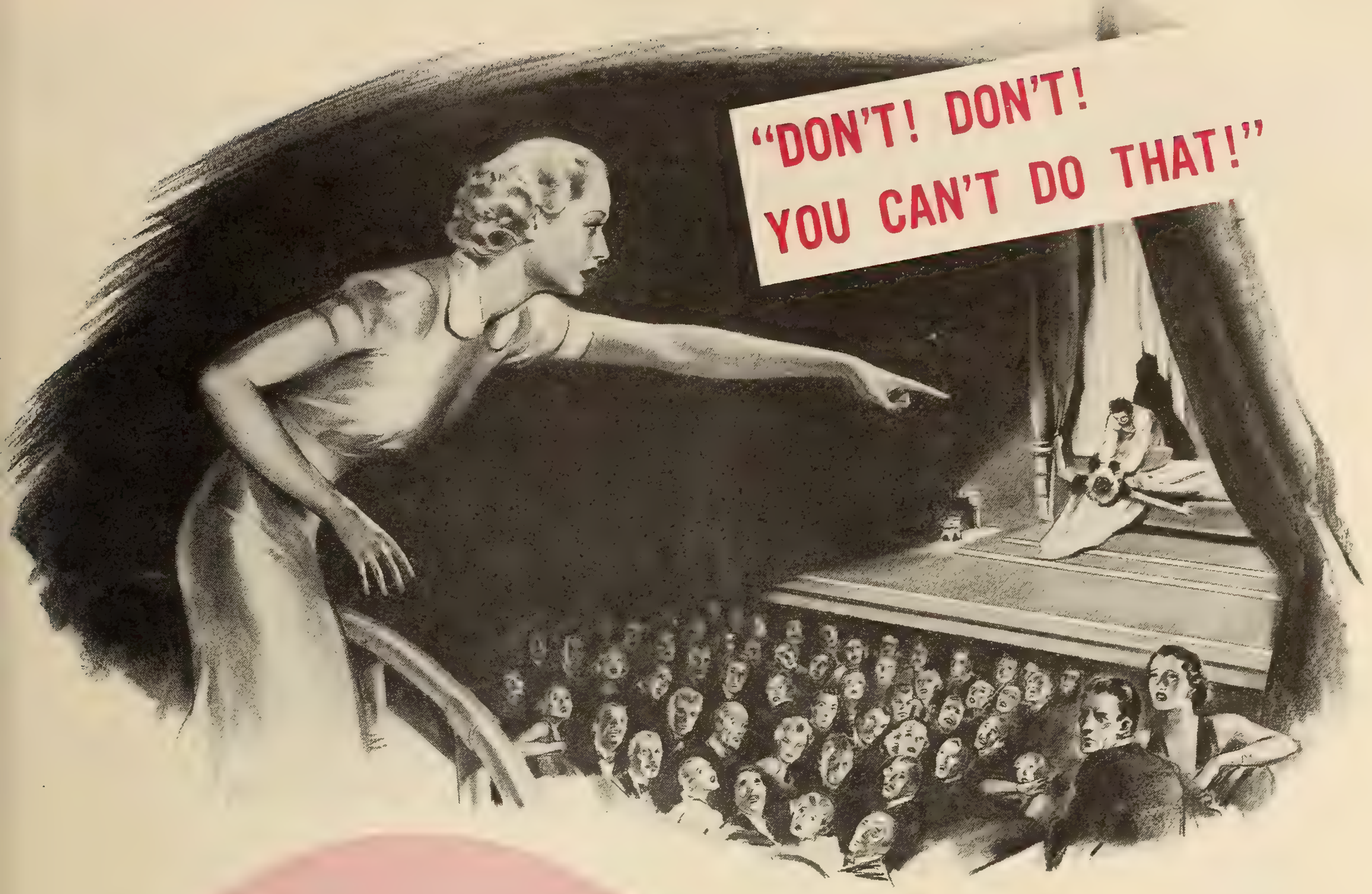
HARTFORD, Jan. 11.—Hartford theatres in a recent lobby poll obtained signatures of 34,000 fans who registered in favor of 2 o'clock opening Sunday afternoons instead of 5 o'clock as at present. Of these, 27,000 are local people. Theatres plan to present another appeal for earlier opening to Board of Aldermen right after the holidays.

Picket Coast Houses

LOS ANGELES, Jan. 11.—Local 150 of the I.A.T.S.E. has started a picketing campaign against the Wilshire, Santa Monica. The Studio, Hollywood, and Raymond, Pasadena, are already being picketed in the union's drive for a closed shop. The union is seeking to adhere to the contract drawn with Charles S. Krause, former manager.

Consolidated Celebrates

Consolidated Amusements this month is celebrating its 32nd anniversary. In a number of Bronx theatres, special attractions, including radio performers, are being booked.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Who was she? . . . this beautiful woman whose hysterical scream stopped the performance . . . what wild impulse made her shout that warning? . . . how did she know of the gathering storm clouds of strange furies, jealousies, passions? *. . . An unforgettable scene from an unforgettable picture.*

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Hollywood Studios Will Be Remodeled

HOLLYWOOD, Jan. 11.—Plans for remodeling and rebuilding Hollywood Studios, Inc. (formerly Talisman Studios) are being rushed by Maurice Gebber, president.

Gebber and his staff are taking bids for remodeling the front of the studio, the new entrance, installing a restaurant, 12 additional offices for executives, directors and writers and remodeling and rebuilding dressing room facilities.

A building site adjacent to the studio has been acquired and plans to move the carpenter, paint and other departments to this location are being made. In addition, bids are out for two new sound stages to go into construction in the near future, which will make eight sound stages in the studio. All changes and remodeling will be completed within 30 days and will not interfere with the companies now working on the lot.

Sleet and Epidemic Bump K. C. Theatres

KANSAS CITY, Jan. 11.—A blanket of sleet, covered the Kansas City area Friday. Theatre furnaces throughout the area were heating empty seats for the most part. Film delivery was hard put to keep from going through to exhibitors on schedule, but was doing so. Trains were three to five hours late at many points.

Helping not at all was the fact that half the town has colds or influenza, the latter having reached epidemic proportions. Numerous film and theatremen were fighting one or the other—William Reinke, manager of the Tower; Ralph Lawler, Newman maestro; Joe Manfre, Paramount exchange manager, and others were ill.

Synchronization of Cameras Is Adopted

HOLLYWOOD, Jan. 11.—The Academy Research Council has adopted a new standard synchronizing system for cameras, which has been developed for use by the producing companies participating in the Research Council cooperative technical program.

The new standard, it is said, will result in an economy of production by the studios and is seen as of great value to the camera rental companies, since it will provide for an interchangeable use of cameras equipped with the standard system in all studios without the alteration of auxiliary equipment. A technical bulletin was issued by the Research Council today, containing complete specifications for the new system.

Greenwald to Marry

PITTSBURGH, Jan. 11.—Mannie Greenwald, manager of the Barry here, and Gertrude Goldstein, have announced their engagement. No date has been set yet for the wedding, which is expected to take place early next summer.

Named to Selznick Post

HOLLYWOOD, Jan. 11.—E. W. Butcher, former Detroit exhibitor and 20th Century-Fox producer, has been appointed by Henry Ginsberg as production manager for Selznick International.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Without Warning"

(Twentieth Century-Fox)

HOLLYWOOD, Jan. 11.—A murder mystery in weird Death Valley is the substance of this oddly contrived story of criminal and detective conflict. Adding to the melodramatic value and causing the film to be better than average, is an interesting romance and considerable non-formula comedy contrast. Competently prepared, directed and acted, the picture should prove a satisfactory addition to routine programs.

With a well-controlled suspense adding zip to the plot, one death brings the fear of suspicion to all members of a party of eastern tourists vacationing in the valley. There is a quickly building romance between Betty Furness, a guest at a hotel, and John Howard Payne, a swimming instructor. J. Edward Bromberg is a new kind of grocery store owner-detective, who comes into the picture endeavoring to solve the case, aided and abetted by the antics of his juvenile aide, Billy Burrud. There are logical complications, precipitating further killings and the rumor that a lost gold mine has been discovered which creates legitimate involvement that defies solution. The finding of the mine explains the reasons for the killings and identifies the culprit. The finale, packing an eerie punch, adds credence to the mechanics of the yarn.

Although none of the cast names possesses magnetic marquee value, the performances contributed by Bromberg, Burrud, Payne, Miss Burgess, Victor Kilian, John Eldredge, Gavin Muir, Gloria Roy, Andrew Tombes, Ivan Lebedeff and Julius Tannen are convincingly realistic. The theme, blending suspense and surprise, is intelligently directed by Norman Foster, who did the screen play from a magazine story by Philip Wylie. Sound effects introduced by G. P. Costello and Harry M. Leonard and the quality of Sidney Wagner's photography of Death Valley's forbidding scenery, are effective.

Production Code Seal No. 2,959. Running time, 70 minutes. "G."

Looking 'Em Over

"The Eternal Mask"

(Mayer-Burstyn)

In essence a simple story, this importation becomes notable in its unusual and often brilliant use of all the technical scope within the range of film-making as there is reproduced in a fantastic fashion which we may take as at least probable, the cruel wanderings of a tortured and distorted mind.

The film, couched in German dialogue, was produced by Progress Films, of Berne, Switzerland, and is being released in this country by Arthur Mayer and Joseph Burstyn. Edward Kern supplied sufficient English subtitles to make for ready understanding of the story without a knowledge of the language. The film opens at the Filmarte tonight.

Adapted from the novel of the same title by Leo Lapaire, who also wrote the screen play, the story is that of a young doctor in a large hospital, who tries his new serum for meningitis, against the orders of his chief, on a dying man. The patient dies, after seeming relief, and the distraught widow brands the doctor a murderer. Taking his formula, he leaves the hospital, his mind unbalanced by shock.

From that point until his eventual recovery under the ministrations of a young colleague, and the discovery of the value of his serum, the film records, with brilliant use of technical facilities, the wanderings of the man's distorted mind, his attempted suicide and moments of delirium.

Much credit must go to Oscar Schnirch, cameraman; to Anton Profes for the music, an important part of the creation of the impressions; to Hans Jacoby for the art direction; to Werner Hochbaum for his direction, and to Mathias Wieman for his splendid performance as the doctor,

It would appear a specialized type of attraction, not adapted to general audience reception, but extremely interesting for those whose appreciation runs to the more unusual efforts on the screen.

No production code seal. Running time, 71 minutes. "A."

Grainger Back Sunday

James R. Grainger, general sales manager of Universal, is due from the coast and exchange points in between on Sunday.

Rosenberg Ill

LOS ANGELES, Jan. 11.—Ben Rosenberg, who resigned as a special representative of National Screen Service the first of the year, is seriously ill.

Short Subjects

"Porky of the Northwoods"

(Vitaphone)

Maintaining a whirlwind pace throughout, this episode in the adventures of the cartoon character concerns his humanitarian efforts to protect wild animals at his game preserve from a bloodthirsty trapper. The trapper catches up with Porky and trounces him. But, to the tune of the last resounding bars from the overture to "William Tell," the woodland denizens counter-attack for a clever finish. Well done, exciting and definitely entertaining. Production Code Seal No. 2,830. Running time, 7 minutes. "G."

"Forest Gangsters"

(Van Beuren-Radio)

The struggle for existence among the wild life of our western states is excitingly revealed here. Concerned mostly with the tracking and taking alive of a mountain lion, it also has excellent scenes of hounds and the chase finally winding up with the roping of the treed animal. Good material well handled. Production Code Seal No. 2,949. Running time, 10 mins. "G."

"Runaway Marriage"

(Columbia)

The second number of the Court of Human Relations series. It concerns itself with the problem of college marriage. The boy and girl in the case have their difficulties which arise when marriage and scholastic activities fail to mix. Misled by wrong advice, they drift until advised to live apart. As a result, their problem is solved and the future looks bright. Should be played to the great circulation of *True Story Magazine*. Production Code Seal No. 01,347. Running time, 10 mins. "G."

"Million" to Stay 3rd Week at Roxy

With $28,000 taken in on the three-day weekend of the second stanza, the Roxy yesterday decided to hold "One in a Million" for a third week. Indications are the film will gross about $43,000 for the current seven days. Leon Errol, who has been heading the stage program, will leave for a Toronto engagement after the last show Thursday.

"Lloyds of London" is definitely set to open at the Music Hall on Thursday. The picture closed a six and a half week run engagement at two-a-day at the Astor Saturday night. "That Girl from Paris" tallied $100,000 at the Music Hall the first week and will most likely wind up with $75,000 on the second seven days.

"Pastures" Rated "A"

LONDON, Jan. 2.—The Cinema Christian Council, official representative of the views of the national Church of England, the Free Churches and the Evangelical Free Churches (leading non-episcopal churches) has passed a resolution that "The Green Pastures," while "moving and reverent," is unsuitable for children and should have an "A" certificate instead of the "U" certificate granted by the British censor.

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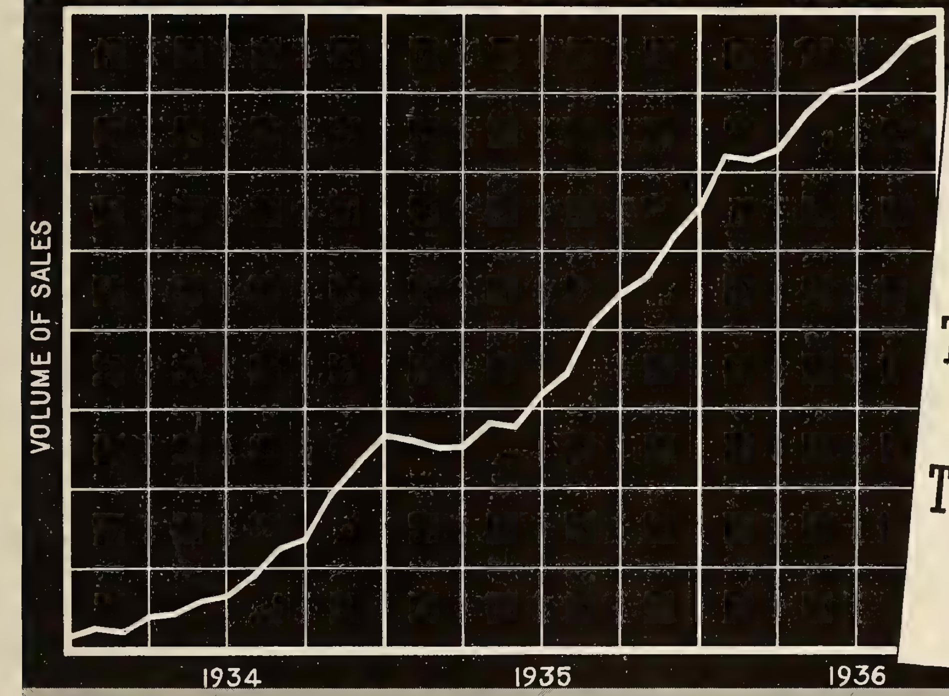

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◂ Purely Personal ▸

MIKE MARCO of F. & M. arrived yesterday from the coast and will leave either Thursday or Friday for St. Louis where he expects to spend several weeks. Harry C. Arthur will leave for the Mound City in about a week.

•

James Clarke and Oscar Neufeld arrived from Philadelphia yesterday. Clarke went back last night, while Neufeld will stay over a few days. Louis Molitch of Horlacher's will get in today to attend a newspaper publishers' convention here.

•

D. A. Doran, now associated with Columbia's editorial department, arrived from the coast yesterday to spend seven weeks here with a possible London trip ahead of him.

•

Henri Elman got in from Chicago yesterday and will remain for about 10 days. In March he will celebrate Henri Elman month.

•

Louis Weinberg of Columbia will leave for the coast Jan. 15, and then to Palm Springs to celebrate his 20th wedding anniversary.

•

Ned E. Depinet and Jules Levy left for Hollywood yesterday to attend the product conferences at the studios.

•

James Field of the RKO theatre legal department is recuperating from an operation undergone late last week.

•

James Coston will sail today for a 30-day West Indies cruise. He arrived from the Windy City yesterday.

•

Stephen Pallos was due in Kansas City yesterday from the coast. He is scheduled to arrive here Thursday.

•

William Rodgers, general sales head of Loew's, will remain in Hollywood, Fla., for a couple more weeks.

•

Steve Trilling of Warners, and Ben Pollack, the orchestra leader, flew to Boston yesterday.

•

Joe Rivkin, Hal Roach talent scout, left yesterday on his return to the coast.

•

Irving Berlin left for the coast yesterday after three weeks in New York.

•

The Earl of Warwick flew to the coast last night via American Airlines.

•

Al Christie will return today from his holiday visit to the coast.

•

George Singer of Warners planed to Chicago yesterday.

•

Edward Schnitzer is back from a weekend in Boston.

•

S. Charles Einfeld left for the coast yesterday.

•

Sidney R. Kent's new auto license number is N-1.

•

I. Slavens is in from Chicago.

'High Tor' Very Worthwhile; 'House in Country' Washout

"A House in the Country"

(*Continued from page 1*)

by Melvin Levy and produced by Murray Jay Queen for reasons unknown, is an extremely minor effort dealing with a backwoods farm in Bucks County, city gangsters who invade the precincts and how the garrulous, crochety old grandpappy captures them entirely by accident and the patience of the audience.

Its central family is the Lotzgazels and its stalwart game warden-hero is Herman Sigafoos who may be Pennsylvania Dutch to the author, but a singularly uninteresting group of dull wits to your reviewer. The big town smooth tongue fails to win the granddaughter as the play goes on and, if you gather the local pure of heart does, it proves you are very good indeed at charades, crossword puzzles and assorted mish mosh.

Tom Power plays Frankie Lotzgazel and makes of the foolish, doddering idiot as believable a character as the part probably allows. Teddy Bergman, as a puny-brained yegg, is a bright spot on a beclouded horizon. There were others as well.

You wouldn't be interested.

"High Tor"

(*Continued from page 1*)

Guthrie McClintic to assay, to appraise and finally to present Saturday evening on the stage of the Martin Beck.

"High Tor" is a curious work. It is a combination of fantasy, melodrama and comedy and, in the latter content, very rich indeed. An excellently turned out play in the main, it is, of course, streaked with the bitter and defeatist philosophic leanings which are characteristic of all of Anderson's endeavors, yet it ranks high among the season's offerings, despite its occasional faults.

The faults chiefly, this reviewer thinks, are the confusions in those selfsame philosophic leanings. Not always is it quite comprehensible what Anderson is seeking to establish. Thus, at the conclusion, Burgess Meredith, finally persuaded to sell his mountain which gives the play name because his Indian friend so urges, tells the audience he is off for the West where the mountain peaks are higher and, presumably, closer to a heavenly peace on earth. On the one hand, he abandons High Tor, which is identical with walking out on his lifetime idea, to set up the same circumstance and, he hopes, the same aloof existence on a western peak still higher.

Comedy Compensates

However, and in view of the evening's delights, this becomes a relatively minor point. The fun in "High Tor" is the vast comedy equation whipped up by Anderson's cleverness and the cast's superior performances out of material that would be commonplace and ineffectual in less appreciative and experienced hands.

Essentially, the story is one of conflict between the material and the other kind of world. It gives you Meredith, son of the original Dutch settlers who acquired High Tor, rearing itself high, wooded and mysterious-like in the highlands of the Hudson. There is his determination to not to sell to the men of the town who would scar his haven's face for rock and gravel. Money means nothing to him and aloft on his mountain peak with the towns and their modern rush below him, Meredith is happy. Bank robbers, however, come to the mountain. And rapacious business men prepared to steal his property if they can. Also the Dutch sailors, hovering for 200 hundred years somewhere between flesh and spirit and awaiting for re-appearance on the Tappan Zee the boat which will return them to the Netherlands.

Civilization Put in Its Place

The Dutch, naturally, do not understand these modern day demons with their steam shovels, their aeroplanes, their paper money. They do not understand their toy revolvers and through one of them, Charles D. Brown, soon assert their mastery, as they inflict their scorn, on the highly mechanized and presumably civilized man of today.

There is in this, too, Lise, the Dutch maiden who points the the way for a reconciliation between Meredith and his derision of the material and Phyllis Welch and her recognition of their necessity.

Anderson takes a vigorous leap at many of the shortcomings of this brittle age. He does it in beautiful, measured prose and in all seriousness. But most effectively he accomplishes his end in comedy drawn from the agile imagination of his brain.

Meredith is excellent and Brown enormously telling as the roustabout Dutch sailing man. Miss Ashcroft, British actress, whose first appearance here this is, illusively and dream-like conveys the part assigned her with a slight consciousness of the high-mindedness of Anderson's prose in her delivery. She is a bit declamatory in spots.

"High Tor" could make a film. Whether anyone in Hollywood would engender enough courage to make it as it stands now becomes a serious question. To remove the fantasy and to rest on its story situations alone would not be "High Tor," but Hollywood's idea of embellishing a distinctively fresh and different stage offering.

FCC Lacks Funds for Making Erpi Report

(*Continued from page 1*)

T. investigation is rapidly being depleted, it was said, and there is no money available for the publication of preliminary reports. The Erpi report laid the foundation for the hearings which were held in New York last month.

Eventually, of course, the commission will make a report to Congress on the results of its studies, in which Erpi and other factors in the telephone situation will be discussed. In the meantime, however, it was said, there is no money to spare for the preparation of "side issue" reports.

West Film Decision Excites Birmingham

Birmingham, Ala., Jan. 11.—The demotion of Mrs. Harriet B. Adams, city amusement inspector, and the naming of Peterson Marzoni to succeed her, is probable the result of the battle initiated over Mae West's "Go West, Young Man." An ordinance providing for the change has been set for an early vote.

Mrs. Adams had refused a permit for the film. Preparation of the ordinance brought an avalanche of protest on the part of women's clubs and church groups, all contending the film is not fit to be shown here.

Lafell Heads Musicians

Louisville, Jan. 11—George P. Lafell, local orchestra booker and night club proprietor, is the new president of the Louisville Musicians' Union, Local No. 11. At the election, Edwin Lorenz was named vice-president, and Adam Steubling, secretary-treasurer. Steubling has served in the same post for 30 years. Members placed on the board were Bobby Myers, Jacob Schilling, Milburn Stone, and Gene Petrilli.

Local Board Setup Awaits Kuykendall

(*Continued from page 1*)

distribution executives at which the functions, jurisdiction, personnel and maintenance of the boards will be clarified. Five of seven major companies which have committed themselves to participation in the trade practice program sponsored by the M. P. T. O. A. now have issued formal statements of policy which have included indorsements of the conciliation boards. The companies are Universal, M-G-M, 20th Century-Fox, United Artists and RKO. Statements from Paramount and Columbia are probable during the next two weeks.

The cost of maintaining the boards will be borne by the distributors. While a sufficient number of companies to assure their formation has already approved them, the actual setting up of the boards may not be attempted in advance of the receipts of the final two companies' statements.

Three Groups Established

Exhibitors in Philadelphia, Charlotte and Seattle have already designated exhibitor grievance committees and indications are that these may be converted into conciliation boards for those cities with the addition of distribution representatives. A similar move by exhibitors in several other exchange centers is under way also. These cities, for this reason, probably will be the first to have conciliation boards.

Through voluntary submission of complaints to the boards by exhibitors, the M. P. T. O. A. believes that many trade practice problems arising from overbuying, unreasonable clearance, non-theatrical competition, forcing of shorts with features and cut-throat competition between theatres may be eliminated or alleviated.

Kuykendall will arrive here about Jan. 21 after attending the inauguration ceremonies in Washington.

FWC Takes Frease House

Redwood City, Cal., Jan. 11.—The persistent rumor that Mrs. Phil A. Frease, widow of the northern California theatre operator, would dispose of at least one of the four Frease houses, was confirmed here with the disclosure of the purchase of the Redwood. The Palo Alto Theatre Corp., F.W.C. subsidiary, paid $30,000 for the house.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 10 NEW YORK, WEDNESDAY, JANUARY 13, 1937 TEN CENTS

Educational Votes on New Plan Feb. 2

Simplified Corporation Plan Aim—Hammons

Educational Pictures' stockholders will vote on a recapitalization plan for the company and a program of corporate simplification at a meeting scheduled for Feb. 2 at Wilmington, Del.

Under the company's plan of recapitalization, Educational Pictures would be authorized to issue 150,000 shares of new no par common stock and 150,000 shares of new $100 par, eight per cent preferred stock, or a capitalization of $1,500,000 and 150,000 shares of common.

Preferred stockholders are offered five shares of new common stock for each share of old preferred, consisting of 3 2/10 shares of new common for a share of preferred and 1 8/10 shares of new common for accrued dividends on each share of preferred. Common stockholders are offered for each share of old common, plus $10, a warrant to buy one share of new common.

E. W. Hammons, Educational president, advised stockholders that in his opinion the company, within a reasonable time, should be in a position to pay $1.50 per share on the new common.

Downtown financial circles reported

(*Continued on page* 4)

Lee to Confer with Kent on Exchanges

Arthur Lee, American head for G. B., will confer today with Sidney R. Kent, president of 20th Century-Fox, on the status of G. B. distribution through 20th Century-Fox exchanges.

G. B. is anxious to continue releasing its products through 20th Century-Fox branches, it was stated yesterday by an official of the company, provided that the current schedule of

(*Continued on page* 4)

Columbia After Top Stories, Says Doran

Columbia is out after top plays and stories, D. A. Doran, who has just returned from the coast after conferring with Harry Cohn, stated yesterday. The first purchase under this policy is "You Can't Take It With You," by George Kaufman and Moss Hart.

In the event the company cannot obtain top line material, either published

(*Continued on page* 10)

Local Plugs Anger Ford; Raises Network Problem

By JACK BANNER

The Ford Motor Co., yesterday exploded a totally unlooked for and unexpected grenade on the doorsteps of the National and Columbia Broadcasting by registering an official protest with the two major air chains against the practice of injecting chain break announcements immediately preceding or following the Ford programs.

Basing its complaint on the fact that a sponsor is entitled to every second of the unit of air time he purchases from the networks, from chain break to chain break, the official protest states in part:

"The practice of slipping in extraneous spots, we feel, is unfair to the sponsor and to the public. We have received numerous complaints substantiating this, and believe that the time has come for broadcasting companies to take cognizance of this situation."

As a matter of consistency the Ford Motor Co.'s protest announced the discontinuance of all Ford spot chain break announcements. This applies to all Ford dealer as well as company advertising.

The protest offered "no objection to spots or commercial announcements used in connection with sustaining programs, providing they do not immediately follow a sponsored program."

Ford sponsors three major network programs—the Sunday Evening

(*Continued on page* 9)

More Radio Developments—Page 9

Chicago Hails 1936 As Best Year in Many

CHICAGO, Jan. 12.—Chicago's film industry found 1936 to be the best year since pre-depression days. It looks forward to 1937 far exceeding the year just past.

During 1936 more theatres were open and doing a profitable business than in any time since 1929. Both the major circuits and the small independent exhibitors found business very profitable during the past year.

In 1936 more than 25 new theatres were built in Chicago and the surrounding territory. Circuits, groups,

(*Continued on page* 11)

Heavier Taxes Facing Kansas And Missouri

KANSAS CITY, Jan. 12.—The legislative sessions which open for Missouri Jan. 6 and for Kansas Jan. 12 are regarded as important to the theatre and film industries. Both states face unprecedented needs for increased revenue.

In both states, the industry faces the dilemma of either supporting a sales tax or running the risk of facing special amusement levies. In Missouri the most likely source of needed revenue is from doubling the present one per cent sales levy, which produces

(*Continued on page* 11)

Social Injustice Play Well Acted, but Drama Is Spotty

By PLAYBOY

The American social system was pummeled somewhat savagely last night in a play which established nothing beyond the well-known inadequacies of that system. "But for the Grace of God" was the title of this third Theatre Guild effort of the season which had its say in the Guild's own playhouse.

Leopold Atlas, on whose chest the fires of injustice must burn with lusty flame, describes what happens in a "medium-sized industrial city." From the lingo of the unusual array of kids who actually carry the play as much as anything else in it does, the locale is New York and about it there can be not the slightest doubt.

James Bell, three years out of work

(*Continued on page* 12)

Wide Shift in Federal Setup Is Called for

Radio and Film Bureaus Would Be Transferred

By BERTRAM F. LINZ

WASHINGTON, Jan. 12.—Elimination of all independent agencies, now numbering over 100, and concentration of all Government activities in 12 major departments over which the President would have undisputed control, was recommended to Congress today by President Roosevelt in a message on reorganization of the Federal establishment.

Two new departments would be created, a Dept. of Social Welfare and and a Dept. of Public Works, and the Dept. of the Interior would become the Dept. of Conservation.

The President's message was accompanied by a voluminous report, in which the various steps of the proposed reorganization are explained. The duties of all independent agencies would be split into two parts and the administrative functions, involving the formulation of rules and regulations, investigation of complaints and preparation of cases, would be assigned to the departments, while such judicial functions as might have been exercised would be continued, the agency sitting as an impartial independent body to make decisions on cases presented to it.

Under this setup, observers in

(*Continued on page* 11)

Para. $4,500,000 Quarter Net Seen

Wall St. sources reported yesterday that Paramount's net for the fourth quarter was expected to approximate $2.80 per share on the 1,610,452 shares of common stock outstanding, or approximately $4,500,000.

Although it is known that the company's fourth quarter net will be

(*Continued on page* 11)

Loew's 13-Week Net Reaches $3,457,973

Loews, Inc., reports a net of $3,457,973 for the 13 weeks ending Nov. 19. This is nearly twice the net for the same period in 1934. It is equivalent to $25.29 on the preferred stock and $2.14 on the common.

The company's share of operating profit after subsidiaries' preferred dividends was $5,039,020. Depreciation and taxes cut this to $3,457,973.

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Barnstyn Is Elected Grand National V. P.

Jack Barnstyn yesterday was elected vice-president in charge of foreign sales for Grand National by the company's board of directors. He sails tomorrow on the *Aquitania* for a five-month tour abroad.

Edward L. Alperson president, will leave for Hollywood on Monday. James Cagney, who has set his second picture for the company, said he will leave today for Hollywood. The title of his next film will be announced on his arrival.

Sears Planning Trips

Gradwell L. Sears, Warner general sales manager, will leave in about two weeks on the first of a series of trips to contact important circuit accounts in various parts of the country.

20th-Fox 'Change Bigger

LOS ANGELES, Jan. 12.—The local 20th Century-Fox exchange has been enlarged to accommodate four additional film inspectors, and to provide greater shipping space.

Insiders' Outlook

By RED KANN

THIS is field day for press agentry. Paramount fanfares a "starting" budget of $30,000,000 for 1937-38. Sam Goldwyn plans eight to cost $10,000,000, or $6,000,000 more than his program for the current season. Alex Korda, limiting himself to the calendar year and thereby adding confusion by failing specifically to refer to the entertainment year, says his will run to $9,000,000 while $12,000,000 additionally will be expended by producers using Denham. There may be others and these few alone come readily to mind. But, more or less, it makes little difference for purposes of this observation and the argument running synchronously with it. . . .

▼

You, the reader. What about you and your reaction? You read these figures and, we venture to declare on your behalf, you don't believe them. We don't and the only significance about our self-inclusion merely is that we think our reactions fairly normal and close to convention's line. It has been rather thoroughly established that this sort of free and easy handling of large sums of money is designed to impress along the bigger and better lines and generally does an ineffectual job of it. Even flushes of enthusiasm, on the other hand, might be condoned if it were not for something else. That something else is the impression made on legislators who do not like this business and who constantly wait on the sidelines geared and ready to pounce down on this and all other likely sources of additional tax revenue. . . .

▼

We've been around this industry for a long time now. The longer the stay, the less understandable become many phases of its mental processes. When dollar publicity cracks through the ingenuity of newspaper men paid to do a job which they must deliver, you might shake your head as you also might deplore it. When responsible factors who might be expected to know better stick out their jaws for reasons inexplicable, you have to conclude their foresight is hindsight and you must ponder the outcome. The manifestations, from another angle, are disturbing as well. They indicate that, with returning good times, the lessons of the depression are fading into the limbo of the forgotten at a clip too rapid for comfort and, it follows therefore, for safety. . . .

▼ ▼

Provided the deed follows the word, Paramount's announced intention of cutting B product twenty-five per cent is freighted with significance. Its theatre partners presumably raised the issue and pointed out the unnecessary hurdles thrown up in marketing pictures so unfortunately labeled. The studio then announced its slash and now the industry is waiting, or should be, for what trails. The entire issue raised by B pictures, or, for that matter, any pictures branded by the alphabet is not so involved as it is silly. A becomes B and B becomes A and the pre-determined factor, of course, is the cost as it goes today. Yet, regardless of what any studio may spend and regardless of what classification the budget declares for the attraction, the answer has nothing to do with New York or Hollywood. The calibre of the draw is a peculiar privilege retained by the public where it belongs anyway. It simmers to the conclusion that Hollywood for some time now has been talking loosely again about its private business and what it intends doing when that which it does should be permitted to make its own impression. . . .

▼ ▼

Comes along the case of "You Can't Take It with You," successful stage play by George Kaufman and Moss Hart, to prove again what hard bargains the doyens of the theatre can drive and how susceptible your recognized film producers can be. In these days of loosely flung millions, a mere $200,000 for the film rights of this one vehicle seems like small stuff. But it is high, very high, and it will run the investment much higher before Frank Capra gets through with his film. What hovers between amusement and amazement where this sour-face is concerned, however, is the prohibition placed on the buy. It will not be earlier than May, not of this year but of next, before Columbia can launch the release. You may be interested also in learning how the purchase came about. The play, of course, has great merit as potential material, although as it stands it is very shy of plot, but rich in characterizations and laughs. Metro, Paramount and several others were after it, unceremoniously getting in each other's rush to the post as Kaufman and Hart, no doubt, sat back and chuckled and filed from the proceedings future anecdotes on the gullibilities of the celluloid mighty. . . .

▼

Time brings its changes. There was Korda, as close as July, deploring the flow of B pictures from British studios. Here this morning is Korda committed to sixteen a year for British Lion, ranging in cost from $150,000 to $300,000. At these figures, the product may be A to you, but, as he works, it's definitely B to Korda. As usual, there are reasons. Only you have to look for them on occasion. This time the reasons are really one: Stages at Denham and the necessity for keeping them occupied.

Mountain States Get $19,267,000 in '35

WASHINGTON, Jan. 12.—Box-office receipts of $19,267,000 were reported for 1935 by 1,722 places of amusement in the eight mountain states, it was announced today by the U. S. Census Bureau.

These figures compared with $59,086,000 reported Jan. 7 for 2,763 establishments in the six New England states.

The mountain states report, covering all types of amusements to which admissions were collected, including film and other theatres, circuses and other shows, amusement parks, bowling alleys, dance halls, etc., showed that there were 1,566 proprietors and firm members active in the conduct of the 1,722 establishments, which employed an average of 5,563 persons throughout the year and had a total payroll of $3,872,000, of which $588,000 was for part-time employment.

The bureau announced data for the several states covered, as follows: Colorado, 451 establishments with receipts of $4,822,000; Montana, 227 establishments with receipts of $3,018,000; Arizona, 158 establishments with receipts of $2,379,000; Idaho, 243 establishments with receipts of $2,331,000; Utah, 254 establishments with receipts of $2,266,000; Wyoming, 175 establishments with receipts of $1,679,000; New Mexico, 148 establishments with receipts of $1,554,000, and Nevada, 66 establishments with receipts of $1,218,000.

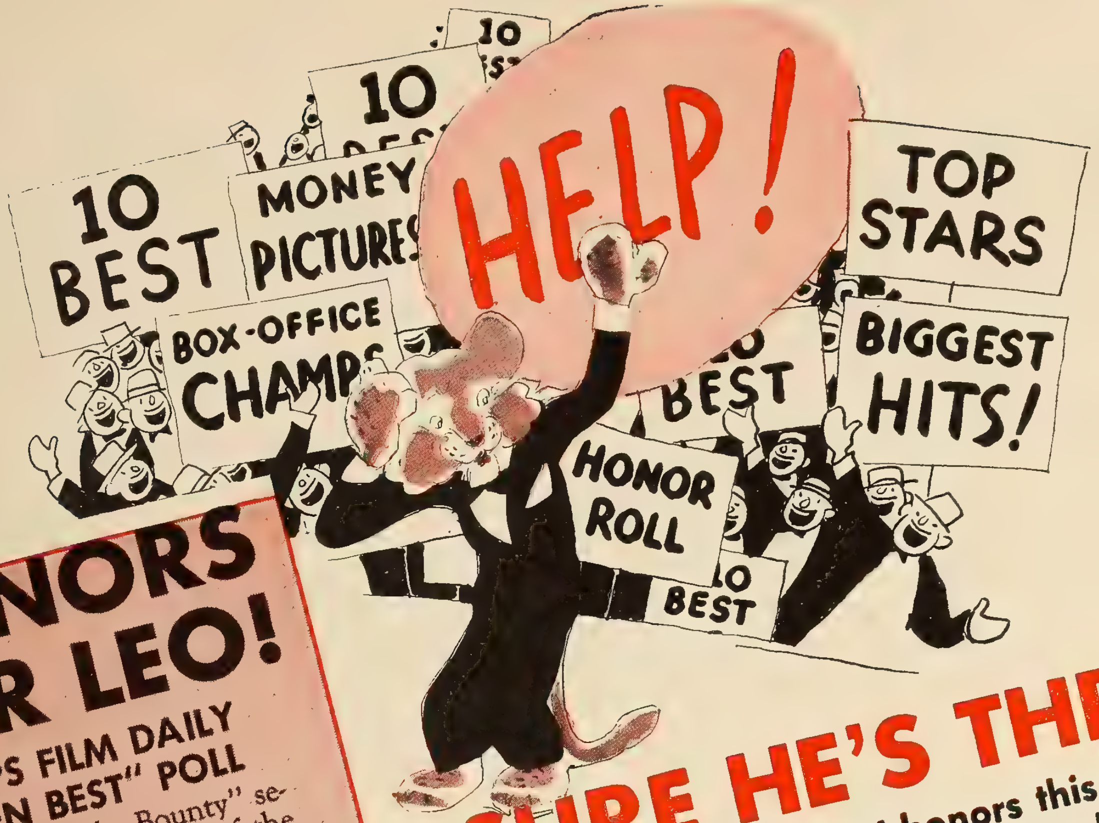
"U" Plans Roadshows Of "Top of the Town"

HOLLYWOOD, Jan. 12.—James R. Grainger, general sales manager of Universal, who is now en route to New York, will endeavor to close leases of legitimate theatres in key cities for the simultaneous roadshowing of "Top of the Town" on a two-a-day basis prior to its general release. National release of the film is set for March 28, with world premiere scheduled for an earlier date.

Universal executives consider the new film the most important production since the inception of the new regime.

GTE Net Is $513,586

General Theatres Equipment Corp. and subsidiaries showed a net income for the five months to Oct. 31, last, of $513,586 after depreciation, Federal taxes, minority interest and other charges, equal to $1.15 per share on 447,643 capital shares, according to a company report to the N. Y. Stock Exchange. Excluded were three subsidiaries, Ashcraft Automatic Arc Co., Cinema Building Corp. and J. M. Wall Machine Co., Inc.



HONORS FOR LEO!

TOPS FILM DAILY "TEN BEST" POLL

"Mutiny on the Bounty" selected as Best Picture of the year by 523 American film critics. M-G-M gets 4 out of Film Daily's Annual "Ten Best" for 3rd successive year.

M. P. HERALD BOX-OFFICE CHAMPIONS!

M-G-M retains lead with nearly one-third of all hits voted by exhibitors since survey began in 1930.

(*31 out of 111*)

11 YEAR SURVEY BY FILM DAILY

M-G-M has one third of all hits voted in Film Daily "Ten Best" vote for eleven years.

(*35 out of 110*)

"NATION'S" HONOR ROLL FOR 1936

M-G-M is the only film company mentioned in "The Nation's" honor roll of American achievements in '36, an annual feature of this magazine.

MONEY-MAKING STARS IN M. P. HERALD SURVEY

M-G-M leads exhibitor poll with 4 out of 10.

LEO TOPS VARIETY'S ANNUAL CHECK-UP

M-G-M leads in top money films, in top money directors. In Worldwide Star Survey M-G-M leads with 4 out of 10.

SURE HE'S THRILLED!

More M-G-M honors this year than ever before!

BUT LEO'S BUSY!

There's no time for taking bows! There's work to do!

"AFTER the THIN MAN!"

Beating phenomenal "San Francisco"! Isn't it de-lovely!

PICTURES TALK!

Sure, Leo loves the honors but HITS are his life work!

"CAMILLE"

Biggest Garbo business in 5 years! Happy New Year!

1937

The Lion on the screen means lines at the b. o.

COMING!

The Biggest Barrage of Hits since Leo's first

ROAR!

Educational Votes on New Plan Feb. 2

(*Continued from page* 1)

yesterday that Educational contemplated launching extensive production of non-theatrical films for school, civic and industrial use. Hammons, however, said that while the idea had been given consideration on many occasions no definite plans had been developed by the company yet and there was little likelihood of anything being done in this connection within the next year or 18 months.

Hammons said that he was not satisfied that there was sufficient market demand for non-theatricals at this time to warrant large-scale production. He also denied that the company contemplated feature production.

The bulk of Educational's short subject production is now concentrated in the east, convenient to Broadway talent sources. The company's west coast studio was recently leased to Grand National for five years with options to renew for an additional five years. Educational, however, arranged to lease from Grand National studio facilities as needed on the same terms which Grand National offers to its own producers, to provide for whatever west coast production Educational may require.

Dissolutions to Be Asked

The meeting will be asked to approve the dissolution of the wholly owned Educational subsidiaries, Alliance Film Securities, Far East Film Corp., Coronet Film Corp. and Educational Film Exchanges, Inc. If the dissolutions are approved, there will remain Educational Films Corp. of America, Educational Prod., Inc., and Educational Studios, Inc., all of which are wholly owned operating subsidiaries of Educational Pictures, Inc., the parent holding company.

The company's program of corporate simplification is being undertaken, largely for purposes of tax economies.

Rites for Mrs. O'Brien

Funeral services for Mrs. Mary Rita O'Brien, wife of Dennis F. O'Brien of the law firm of O'Brien, Driscoll & Raftery, will be held at 10:30 tomorrow morning at St. Dennis's Church, Yonkers. Burial will be at Gate of Heaven Cemetery.

Mrs. O'Brien died Monday of pneumonia at her Yonkers home. Besides her husband, she is survived by three sons, Paul D., also of the law firm, which is well known in the film industry; Kenneth A., a member of the United Artists publicity staff, and Robert D. O'Brien, and a daughter, Denise O'Brien.

Her husband, who was also seriously ill with pneumonia, was reported yesterday to be recovering.

Cincy Bingo Declines

Cincinnati, Jan. 12.—Bingo games have decreased here since city officials now will only issue 30-day permits to religious, fraternal and patriotic organizations which conduct the games on their own premises. No permits will be issued for games to be held in public places.

10 Best Citizens

Beaumont, Tex., Jan. 12.—This city has varied the custom of selecting the 10 best pictures of the year by picking the 10 outstanding citizens.

The Citizen-Press is sponsoring the idea. Sol E. Gordon of the Jefferson Amusement Co. is among the first ten selected.

Mexican Exhibitors Must Use Home Film

By JAMES LOCKHART

Mexico City, Jan. 7.—Further state aid for the Mexican industry has taken the form of Congressional approval for a measure requiring all exhibitors to show at least one domestically produced picture each month. If no feature is available several shorts must be shown. Theatres will enjoy a reduction in taxes of from eight to 15 per cent, depending on the size of the house, during the time they show domestic product.

Exhibitors who ignore the regulation will be subject to fines of from 50 to 1,000 pesos for the first offense, and revocation of license for additional failures to comply. One newspaper, *El Universal,* editorially classed the measure with an earlier attempt to help the industry, which "died of its own weight," and saw in the new measure the likelihood of it doing more harm than good in the promotion of the local industry.

Business is improving for Mexican studios. Local plants are completing two features and 17 folklore shorts, and are set for the production of four more features.

* * *

The jurisdiction over the national film censorship board has been taken from the Ministry of the Interior and placed under that of the new independent Federal Dep't of Publicity and Publications, which began to function Jan. 1.

General Increases Production Budget

Fenn Kimball, president of General Pictures, has increased the company's production budget after conferences with Robert E. Welsh, vice-president in charge of production. Present plans call for one picture each during February, March and April, with two monthly thereafter for the balance of the season.

Mack D. Weinberger, general sales manager, has set Feb. 25 for the release of the first, "Three Legionnaires."

Kimball to Europe

Hollywood, Jan. 12.—Fenn Kimball, president of General Pictures, will leave early next month for a lengthy trip through England and the continent to set up a European sales organization. He plans supervision of all product to foreign exhibitors in an effort to insure proper subtitle treatment.

Extend "Thin Man" Runs

A total of 30 extended engagements in various parts of the country have been set to date on "After the Thin Man," according to M-G-M.

Lee to Confer with Kent on Exchanges

(*Continued from page* 1)

24 pictures can be handled without looking to outside sources to distribute.

While G. B. has taken on five B. I. P. and five Herbert Wilcox films in addition to its own program, the originally announced schedule of 24 has not been increased, it is pointed out.

However, if Kent insists that G. B. cannot handle the B. I. P. and Wilcox commitments through 20th Century-Fox outlets then the only alternative left Lee is for him to open exchanges in each territory. A decision on this will be reached today, following the session with Kent.

Isidore Ostrer, who is due to sail tomorrow on the *Aquitania* with his brother, Maurice, assistant managing director of G. B., most likely will see Kent before he embarks on his return home. It is doubtful whether Ostrer will bring up the exchange situation when he meets Kent. This conclave will not be held at the same time Lee meets Kent and probably will revolve around financial matters.

Korda Lines Up Six For 1937-38 Season

London, Jan. 12. — Alexander Korda has lined up six features for his 1937-38 schedule.

These are: "Revolt in the Desert," from Lowell Thomas' book on Col. T. E. Lawrence; "Nijinsky," "Victoria," Merle Oberon in an unnamed story, Robert Donat in an unnamed story and "Action for Slander."

Korda says his budget will be $9,000,000, which would run to $1,150,000 per feature, if no more are added to the schedule. He says $21,000,000 will be spent on production at the London Films studio. This includes independent and semi-independent firms using the plant.

Korda Firm Sets Plans

London, Jan. 12.—Denham Film Prod., a new company, has been formed by Alexander Korda of London Films, and Sam Smith, head of British Lion, for the production of 16 features annually for release by British Lion. They will be made at Denham and will cost from £30,000 to £60,000 each, with a total production budget set for the 16 of about £700,000.

Joint control will be in the hands of Korda and Smith. Korda will not supervise production of the 16 personally. The first picture will start in five weeks, with William Cameron Menzies directing. British Lion is expected eventually to close its studio at Beaconsfield.

Study Series Begins

Seattle, Jan. 12.—The University of Washington department of drama will inaugurate its 11th annual "foreign film series" this month, under the sponsorship of Prof. Glenn Hughes. Each month, five performances of a group of famous older films will be screened at the Egyptian Theatre, in the university district. Admission of 40 cents includes state tax and membership in the University Film Guild.

Odeon Issue Feb. 15

London, Jan. 12.—The Odeon Circuit's flotation of a £5,000,000 security issue to the public is expected Feb. 15.

CEA Moyne Reply to Seek Appeals Court

By BRUCE ALLAN

London, Jan. 12.—The council of the Cinematograph Exhibitors' Ass'n tomorrow is expected to approve the organization's official statement to the Board of Trade making suggestions on the Moyne report. The exhibitor group is expected to ask the appointment of an official arbitration court whose decisions on trade disputes would have statutory force. Such a board would operate as a final court of appeal from a CEA-KRS joint conciliation committee.

The KRS statement is expected to oppose a variable quota and the proposed quality test as unworkable, but the distributor body will meet with the CEA group again to try to reach an agreement on a ruling body before drafting its final statement. The Film Group statement in general will accept the Moyne report, including the recommendation for a film commission, but may make reservations on the quality clause.

Trans-Lux-Thompson Agreement Reported

Washington, Jan. 12.—Consummation of an agreement on July 14 under which Major L. E. Thompson, president of Trans-Lux Movies Corp., in addition to an annual salary of $10,000, is to receive five per cent of the consolidated net profits of the company and 1,000 shares annually for five years of the common stock of Trans-Lux Daylight Picture Screen Corp., was reported by the latter to the Securities and Exchange Commission today.

The company also reported that on June 25 it had granted options to George H. Robinson and Harold P. Farrington for 10,000 shares each of common stock at $4 a share, the stock to be taken up during the service of the two men, but in any rate within two years.

Wall Street

Loew's Hits New High on Board

	High	Low	Close	Net Change
Columbia	37¾	36¾	36¾	—1⅛
Columbia, pfd.	45⅞	45	45⅞	+ ⅛
Consolidated	5¼	5⅛	5⅛	— ⅛
Consolidated, pfd.	18¾	18⅛	18⅜	— ⅛
Eastman Kodak	173¼	172⅛	172⅛	— ⅞
Eastman, pfd.	162½	162½	162½	— ½
Gen. T. Equip.	32	31⅜	31⅜	— ⅛
Loew's, Inc.	69⅞	67¼	69½	+2½
Paramount	25¼	24½	24¾	— ⅛
Paramount 1 pfd.	174	174	174	—1
Paramount 2 pfd.	22¾	22⅛	22⅜	— ⅛
Pathe Film	10⅛	9⅞	9⅞	.....
RKO	9	8	8¾	+ ⅝
20th Century-Fox	35½	34¾	35	+ ¼
20th Century, pfd.	44	43½	43½	— ⅝
Universal, pfd.	102	102	102	.....
Warner Bros.	17½	16¾	17	+ ⅛
Warner, pfd.	67¼	67¼	67¼	— ⅛

Fractional Curb Movement

	High	Low	Close	Net Change
Grand National	3½	3¼	3¼	— ⅛
Sonotone	2	2	2	+ ⅛
Technicolor	21½	20¾	21⅜	— ⅛
Trans-Lux	4⅜	4⅛	4¼	— ⅛

Little Bond Activity

	High	Low	Close	Net Change
Keith B. F. 6s '46	97	97	97	.....
Loew's 3½s '46	100⅞	100¼	100¼	— ¾
Paramount Pictures 6s '55	100¼	100¼	100¼	.....
RKO 6s '41	123	119	123	+3⅞
Warner Bros. 6s '39 wd	99½	99	99⅛	— ¼

(Quotations at close of Jan. 12)

CHAPTER
ONE
1937

THE PRODUCERS OF FOUR OF THE TEN BEST PICTURES OF 1936 NOW WRITE THE FIRST CHAPTER OF THE HISTORY OF 1937... IT IS WRITTEN IN COLOR ON THE NEXT PAGE

GLORIOUSLY FLOODED WITH THE NEW, TRUE

TECHNICOLOR

...The Far-Flung Favorite of All James Oliver Curwood's Great American Novels

GOD'S COUN

GOD'S COUN

GOD'S COU

SEARS
DRIVE
Dec. 20 to
Apr. 4

TRY AND THE WOMAN

TRY AND THE WOMAN

NTRY AND THE WOMAN

with

GEORGE BRENT • BEVERLY ROBERTS

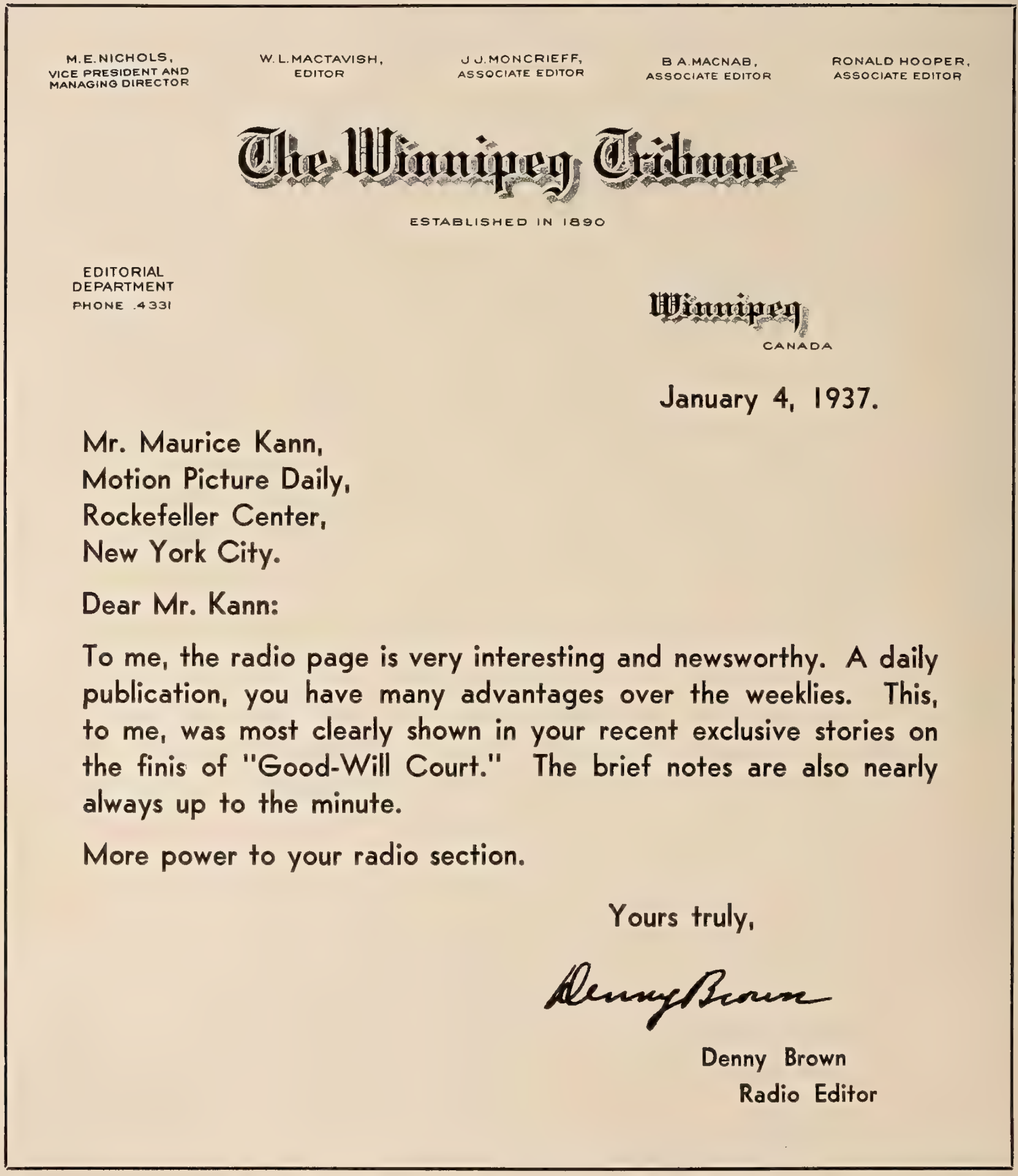
Barton MacLane • Robert Barrat • Alan Hale • Joseph King • El Brendel • Joseph Crehan • Addison Richards • Music by Max Steiner

Directed by WILLIAM KEIGHLEY

WARNER BROS. MADE IT

as thrilling, as real, as sweeping in scope as the famous best-seller itself—with the added lure of Technicolor as you've never seen it before!

Radio Acceptance



M. E. NICHOLS, VICE PRESIDENT AND MANAGING DIRECTOR
W. L. MACTAVISH, EDITOR
J. J. MONCRIEFF, ASSOCIATE EDITOR
B. A. MACNAB, ASSOCIATE EDITOR
RONALD HOOPER, ASSOCIATE EDITOR

The Winnipeg Tribune
ESTABLISHED IN 1890

EDITORIAL
DEPARTMENT
PHONE .4331

Winnipeg
CANADA

January 4, 1937.

Mr. Maurice Kann,
Motion Picture Daily,
Rockefeller Center,
New York City.

Dear Mr. Kann:

To me, the radio page is very interesting and newsworthy. A daily publication, you have many advantages over the weeklies. This, to me, was most clearly shown in your recent exclusive stories on the finis of "Good-Will Court." The brief notes are also nearly always up to the minute.

More power to your radio section.

Yours truly,

Denny Brown

Denny Brown
Radio Editor

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

Equity Denies Move To Organize Radio

Actors' Equity Ass'n yesterday denied reports that it is considering any attempt to organize radio performers or extending its jurisdiction into that entertainment field.

Commenting on recently published reports that a resolution calling for the organization of radio performers had been passed unanimously by a recent membership meeting of Equity and would be placed before the association's council meeting yesterday, a spokesman for Equity said that the subject had been broached by one member during an open discussion meeting, but had not even been placed in the form of a resolution or acted upon in any way.

Replying to the member's inquiry as to why radio performers were not embraced in Equity, Stephen Kent of the actors' association, was quoted as having said that any attempt to organize performers would bring about the exclusive use of amateurs by the radio industry. Equity's own view was said to be that too few stage performers were active in radio work to warrant an organizing move.

More Program Renewals

Blackett-Sample-Hummert yesterday renewed six of its NBC accounts for full year periods. They are:

Easy Aces," heard Tuesdays, Wednesdays and Thursdays at 7 P. M. on the Blue and sponsored by American Products for Anacin. The renewal date is effective as of Feb. 2.

"Sweetest Love Songs Ever Sung," heard Mondays at 8:30 P. M., on the Blue and sponsored by Phillips Dental Cream. The renewal begins Feb. 8.

"Manhattan Merry-Go-Round," heard Sundays at 9 P. M. on the Blue and sponsored by Sterling Products for Dr. Lyons Tooth Powder. The renewal starts Feb. 7.

"Waltz Time," heard Fridays at 9 P. M. over the Red and sponsored by Sterling Products for Philips Milk of Magnesia. The renewal begins Feb. 5.

"Broadway Merry-Go-Round," heard Wednesdays at 8 P. M. over the Blue and sponsored by Sterling Products for Dr. Lyons Tooth Powder. The renewal begins Feb. 3.

"Famous Actors Guild," heard Wednesdays at 8:30 P. M. over the Blue and sponsored by Bayer Aspirin. The renewal is effective as of Feb. 3.

Additionally, Milton Biow Agency renewed the Philip Morris program for a year's period. The program is broadcast Tuesdays at 8 P. M. over the Red. The renewal starts Feb. 2.

All programs are E.S.T.

Barrett Joins WOR, Chicago

R. J. Barrett, Jr., yesterday was named manager of the new WOR office in Chicago by Alfred J. McCosker, president of the station. The office will open officially on or about Feb. 1 to handle time sales in Chicago and middle west areas.

Barrett comes to WOR from Blackett-Sample-Hummert, Inc., where he handled a record volume of radio billing for the agency. He first entered radio with NBC in Chicago in 1933, occupying various positions in the traffic and sales departments. He also produced programs broadcast from Chicago's Century of Progress Exposition.

Local Plugs Anger Ford; Raises Network Problem

(*Continued from page 1*)

Hour, CBS at 9 P. M., E.S.T. over 83 stations; "Watch the Fun Go By," Tuesdays at 9 P. M., E.S.T. over 82 CBS stations; and "Universal Rhythm," Fridays at 9 P. M., E.S.T. over 51 NBC-Blue network stations.

Ford is one of radio's top spenders. The company last year was Columbia's second best customer, spending a total of $1,528,026 with the network for air time. For its single broadcast period on NBC, the company paid a total of $553,000 in 1936.

No comment was forthcoming at either NBC or CBS. However, it was learned that meetings of the executive heads of both networks would take place some time this morning.

Several theories have been advanced as to the reason for the Ford blast against the practice of injecting spot announcements between program breaks. The one that is given most credence is this: That competitive automobile firms have been buying up the 20 second dead spots immediately before and after the Ford programs with recorded spot announcements plugging the automobile products of the Ford competition, thus leaving many listeners with the impression that they have been tuned in on programs sponsored by direct Ford competitors.

Ayer Reported Involved

Another report has it that the issue involved was raised not by Ford, but by pressure exerted by N. W. Ayer & Son, the agency handling the Ford radio accounts. The agency acted, it is alleged, because Ford is reported to have cancelled all spot announcements as of last Sunday, thus losing for the agency about $30,000 a year in commissions, whereupon the agency is alleged to have pointed out to Ford competitors were cashing in on the Ford programs by placing spot announcements before and after the Ford shows on many of the stations carrying the programs.

Just what action the networks can take to correct this practice is a moot problem. Of the 97 stations in the CBS network, only 11 are managed, owned or operated by CBS. Of the 113 stations comprising the NBC chains, only 14 are owned by NBC. The other stations merely carry the network programs on a pro-rata basis, and it is believed they will resist any attempt by the chains to dictate to them.

Additionally, it has never been made clear as to which is entitled to the 20 second dead spots in the chain to chain breaks—the local station or the network. The station identification calls consume no more than a few seconds of time. Can the station sell the remaining seconds of the break time to sponsors making a product in direct competition to the sponsor whose network program either is about to begin or has just come to a close, and pocket the money?

This is the problem that the network executives will wrestle with this morning.

Really!

It happened on NBC the other morning. The announcer, either absent-minded or still a bit foggy as a result of the early hour, approached the microphone and said uncertainly:

"This is either the Red or Blue network of the National Broadcasting Co."

Virginia Editors Shift

RICHMOND, Jan. 12.—Earl Sowers, managing director of WPHR and promotion director of the *Richmond News Leader*, has been succeeded by William T. Christian as managing editor of the afternoon daily newspaper. Charles Hamilton, former sports writer, has succeeded Christian as city editor. John Oliver has succeeded Hamilton as sports editor.

Roecker, Webster, Et Al

Short Shots: Ed Roecker, baritone, joins the Pick and Pat series March 1, replacing the Landt Trio and White . . . Beveridge Webster, concert pianist, has been named as guest soloist on Sunday's New York Philharmonic broadcast . . . Jimmy Scribner's "Johnson Family" program, currently absent from WOR's schedule, returns to the airlanes Jan. 20 . . . John H. Hyman has been signed for 26 weeks to supply the scripts for Ken Murray's forthcoming Campbell Soup program . . . Ruth Waterbury, editor of *Photoplay*, has been added as a feature of Mutual's "Morning Matinee" program . . . Beverly Roberts will support Edward G. Robinson in the Lux Radio Theatre's presentation, "The Criminal Code," which will be broadcast Monday night . . . Arthur Pryor, dean of America's band conductors, will guest lead the Carborundum band Jan. 16 . . . The "Captain Diamond" program, heard currently at 3:15 P. M., E.S.T. Sundays over the NBC split Blue network, will advance the time of its broadcasts to 3 P. M., E.S.T. beginning Jan. 17 . . . Harry Sosnick and Mitzi Mayfair will guest appear on "Morning Matinee" Jan. 21 . . . The same evening, Kate Smith will have Jimmy Durante as her "Bandwagon" guest . . . Allen Miller, head of the University Broadcasting Council of Chicago, has been granted a fellowship for observation and training in network procedure at NBC by the General Education Board, a Rockefeller Foundation. Miller is the third to win the fellowship, the first two recipients being William Friel Heimlich of Ohio State University and a member of the staff of WOSU, Columbus; and Leora Shaw, of the University of Wisconsin and a member of the staff of WHA, Madison . . . Jack Oakie's guests for Jan. 19 and Feb. 2 will be "Doc" Rockwell and Eddie Cantor, respectively . . . Lawrence Tibbett will be heard on the air for the first time in quite a time Saturday, Jan. 23, when he will sing in the Metropolitan Opera's "Tales of Hoffman," which will be broadcast over NBC by RCA . . . Elza Shallert will have Louise Dresser as her screen guest Jan. 15 . . . WMCA and the Intercity network stations will also pay tribute to the memory of Roxy tonight at 8:30 P. M., E.S.T. on Martin Starr's "Movie Star Dust" program.

FCC Licenses Three New Radio Stations

WASHINGTON, Jan. 12.—The Federal Communications Commission today licensed three new broadcasters to operate and ordered the holding of hearings on five applications for new stations.

The three stations licensed, all to operate on 100 watts, are located at Lima, O.; Carlsbad, N. M., and Big Springs, Tex. The hearings called involved applications for construction permits for stations at Salinas, Cal.; Montgomery, Ala.; Oak Park, Ill.; Columbus, Ga., and Centralia, Wash.

At its weekly meeting today the broadcast division granted increases in power to KRNR, Roseburg, Ore., to 250 watts day and 100 watts night; WKY, Oklahoma City, to 5,000 watts day, 1,000 watts night; WSAR, Fall River, Mass., to 1,000 watts, and KDB, Santa Barbara, Cal., to 250 watts day, 100 watts night.

The division today received from its chief engineer a preliminary report on the October broadcasting hearings, but has not yet had time to examine it. Details will be made public later.

Mexico to Supervise All Radio Operation

MEXICO CITY, Jan. 7. — Stricter state supervision of all radio stations in Mexico, commercial, cultural, experimental and amateur, is provided in a Federal law which became effective Jan. 1. The measure defines each type of station, and gives the Ministry of Communications and Public Works complete authority over all radio activity in the country.

Concessions to operate stations will be granted only to Mexican citizens or societies constituted in accord with Mexican laws. The franchises will be for 20-year periods only. Station operators, like exhibitors, will have to pay the radio inspectors. No foreign programs may be received except by special permission. All advertising rates charged by radio stations must be approved by the ministry. No advertising talk may be longer than two minutes, and commercial stations will be required to strike a better balance between entertainment and selling in programs. Heavy fines will be levied for violations.

Because of numerous complaints of interference with American broadcasts, the Mexican Government has started an investigation of all Mexican radio stations on the border.

Salary $200 Monthly, Lee DeForest Claims

LOS ANGELES, Jan. 12.—Lee DeForest, radio inventor, during the bankruptcy hearing in Federal Court here today, testified that his salary is only $200 a month, the sum representing wages from the DeForest Radio Laboratory which he formerly owned.

After brief questioning by Ernest Rutley, bankruptcy referee, the hearing was postponed until Jan. 29 in order to obtain the testimony of Mrs. DeForest who is now ill.

Hedges in Crosley Post

CINCINNATI, Jan. 12.—William S. Hedges, for six years manager of NBC-operated stations, this week took over the duties of vice-president of the Crosley Radio Corp.

Purely Personal

EDWARD SCHNITZER, Leo Abrams, Irving Wormser and Harry Shiffmann will sail for a 17-day West Indies cruise on the *Lafayette* on Jan. 29. So advises Shiffman at the Tavern yesterday after Jack Pearl got through kidding him about the good old days when he worked for the late Sol Brill. Pearl says Paramount would like him to do three pictures a year and another company wants him for one, but he'll stick out his 43-week contract on the air. Seated at the round table is Sam Rinzler, who tells a funny story about his last trip to the West Indies; Henry Brown, Mitchell Klupt, Bob Wolff and Max Cohen.

Joe Seider, who is accompanied by Abe Montague, comes over to the big table. Says he's glad to have recovered from the flu and continues his date with Columbia's sales manager. J. J. Milstein has for company Ed Zabel and Milt Hossfeld of National Theatres. Irving Lesser, Morris Kinzler, Joe Weil and Milton Silver talk about "Three Smart Girls," the next Roxy attraction. Bob Perkins is seated at a side table with Sam Spring, for whom he worked in the First National days. Perkins returned over the week-end from his "shack" 25 miles from Richmond, Va., where he spent a two-week vacation.

Eddie Golden, Ray Johnston and Henri Elman talk about Monogram. Jack Barnstyn, who sails tomorrow on the *Aquitania*, is dining two guests before he leaves on the extended European trip. Paul Lazarus, Jr. and Sr., are having a quiet family get together. Arthur Jeffrey escorts Irene Thirer to a center table and lunches the *Post* critic. Eddie Duchin has a number of his orchestra present for some kind of a celebration.

Among the others: Joe Connolly of the Hearst organization, Lowell Calvert of Selznick International, Dick Brady, A-Mike Vogel, Irwin Kleeblatt, Marvin Schenck, Charles Moses, James Cron and Red Kann.

•

Harry Gold left last night on a swing of U. A. eastern exchanges, including Buffalo, Cleveland, Pittsburgh, Cincinnati, Indianapolis, Dallas, New Orleans, Atlanta, Charlotte, Washington, Philadelphia, Boston and New Haven.

•

James Cagney was host at a cocktail party to the press yesterday afternoon at the Gotham. Grand National tendered the party with the trade, domestic and foreign press attending.

•

Arthur A. Lee, vice-president of G. B., received word yesterday that a print of "Head Over Heels in Love," latest by Jessie Matthews, had been completed for shipment.

•

Walter Brown, midwest division manager for Ross Federal Service, is in town for meetings with Harry A. Ross and home office executives.

•

Sonja Henie has returned to town following a figure skating exhibition in Pittsburgh.

•

George Hirliman left for the coast last night following conferences with M. H. Hoffman and A. J. Van Beuren on the new Condor setup.

•

Arline Judge left yesterday for a 10-day sojourn in Miami. She will return to New York before leaving for Hollywood.

•

Pat O'Brien will arrive this morning. He was guest of honor Monday at the football banquet at University of Notre Dame.

•

Jane Withers departs today for Cleveland, where she will make a personal appearance. This will be followed by an engagement in Chicago.

•

Lillie Messinger, eastern story editor for RKO Radio, left for the coast on the Century yesterday for story conferences at the studio.

•

Kay Francis, arriving today on the *Bremen*, has returned to consult a specialist as a result of a severe attack of neuralgia.

•

Douglas Fairbanks will arrive today on the *Bremen* from a European vacation.

•

Edward Kern handled the preview of "Broken Blossoms" at the Belmont yesterday afternoon.

•

Joe Rivkin will leave Chicago today with Norman McLeod for the coast.

•

Frank Gillmore of Actors' Equity left yesterday on a vacation cruise to Rio De Janeiro.

•

Charles Stern, who returned from Boston yesterday, flew back in the afternoon.

•

Eleanor Hunt left by train yesterday for the coast.

Out Hollywood Way

Hollywood, Jan. 12. — Elizabeth Allen borrowed from M-G-M by 20th Century-Fox to replace Mary Rogers who was forced by influenza to quit "The Last Slaver" cast.

Sally Eilers engages John Harkrider, designer, to create interiors for her new home. . . . Gail Patrick recovers from a cold. . . . Alice Duer Miller leaves for New York. . . . Cliff Reid, associate producer at Radio, recovering from pneumonia. . . . Herman Wobber, western division manager for 20th Century-Fox, returns to San Francisco after extended stay here.

Charles R. Rogers signs Alan K. Foster's horse act for Universal's "Hippodrome" . . . B. F. Zeidman signs Made Fealy, Shakespearian actress, as elocution and dialogue coach for schoolroom sequences of "Two Shall Meet." . . . James Cagney to start second for Grand National within five weeks. . . . George A. Hirliman to get "Gold" under way in few days with Louis Gasnier directing. . . . Ralph Berger signed as art director for General Pictures by Fenn Kimball, president.

✚

Casting—Joan Fontaine gets feminine lead and Jane Walsh and Billy Gilbert added to "Wings of Mercy," Radio. . . . Roland Drew in "Weather Or No," Columbia. . . . J. Carrol Naish in "Night Key," Universal. . . . Bill Robinson and Helen Westley in "Cafe Metropole," 20th Century-Fox. . . . M-G-M castings include Diane Cook in "The Last of Mrs. Cheyney," Harry Wilson and Pat Flaherty in "A Day at the Races." . . . Barnett Parker, Douglas Gordon, Leland Hodgson and Jimmy Aubry in "Man in Possession."

✚

Writers—P. G. Wodehouse signed to a term contract by M-G-M. . . . John Monk Saunders placed under contract by 20th Century-Fox to adapt "Woman With Wings," novel by Genevieve Haugen. . . . Ron Ferguson, short story writer, signed by 20th Century-Fox. . . . Eric Hatch, author of "My Man Godfrey," given term pact by Hal Roach.

✚

Title Changes—Universal's "Class Prophecy" to "When Love Is New." . . . Radio's "Robber Barons" to "The Toast of New York."

✚

Story Buy—By 20th Century-Fox, "Jean," originally titled "Wool Sack," by Ladislaus Bus Fekete.

✚

Director—Sam Lee to direct "Some Day Soon," a Jack Chertok short, for M-G-M.

Two "Class" Films Yearly, Oceanic Plan

Oceanic Pictures, recently organized, plans to produce two "class" pictures per year, the first of which will be "Caruso," an adaptation of an original play, Howard A. Newman, local attorney, who is identified with the new company, said yesterday.

Exteriors and additional atmospheric data for the first production, which Newman said would cost about $1,000,000, will be obtained in Italy by Burne Hershey and Lyon Mearson, authors of the play, who sail for Italy on the *Rex*, Saturday. They are due back here toward the end of February with plans to begin shooting in Hollywood about March 15. A director and cast have not been selected yet, nor have distribution arrangements been made.

Identified with the firm in addition to Newman are James and John Simonelli, retired Italian bankers, and Carl Reed, theatrical and literary agent.

Levy Asks Theatres Ban in New Sections

Borough President Samuel Levy has asked the Board of Estimate to rezone certain sections of Manhattan so that film theatres, bus stations and other businesses will be barred.

One of the areas he suggests for this rezoning is 100 feet east of 6th Ave. from 59th St. south to 100 feet south of 34th St., easterly to 100 feet west of 5th Ave. and southerly to the center line of 23rd St., together with Madison Ave. from 59th St. to 96th St. and 57th St. from 100 feet east of 6th Ave. to Broadway.

This territory would be called a super-retail zone.

Columbia After Top Stories, Says Doran

(*Continued from page* 1)

or produced, prominent authors will be hired to turn out special work, he said.

With the English literary market regarded of prime importance to the company, Doran is now working on plans to effect a closer cooperation with Columbia's London office. He might make a trip abroad to look over the situation.

Reports Doran might replace William Lengel as eastern scenario head were denied by Doran, who said Lengel will stay in his present post. Doran will return to Hollywood in seven weeks. After realigning the editorial setup, he may turn his efforts to producing for Columbia.

Asks to Query Columbia

Jack Redmond, a professional trick golf artist, today will ask N. Y. Supreme Court Justice John E. McGeehan for an order to examine the president and auditor of Columbia Pictures Corp. The request is in connection with Redmond's suit against the company for $50,000 damages which he charges the company, unauthorized, made use of pictures from a newsreel of himself at Etontown, N. J., in 1935.

Redmond sets forth that he posed for Fox Movietone News, and, thereafter, without his written consent, the pictures were used by Columbia in a short, "Golfing Rhythm," and presumably in the *Columbia Beacon* and the *Columbia Mirror*, house organs.

In defense Columbia attorneys assert that Redmond authorized Fox Movietone News to make unlimited use of his picture, even to the extent of advertising it.

Will H. Hays Meets Studios' Publicists

Hollywood, Jan. 12.—Will H. Hays met with the publicity directors of the major studios at the M.P.P.D.A. offices here today. He commended the executives on the strides that have been made in advertising during the past year.

During the course of today's session, the candid camera situation was discussed and steps were outlined to prevent the publishing of stills which are detrimental to the industry. However, no definite plan of action has been mapped out as yet.

M. P. Associates Up Membership to 190

M. P. Associates has increased its membership from 70 to 190 in one year, more than 100 members were told yesterday by Jerry Wilson, vice-president, at the inauguration of officers at Sardi's.

Joe J. Lee of 20th Century-Fox is president; Moe Sanders of the same exchange, treasurer; Moe Fraum, secretary; Charles Penser, financial secretary; Louis Kutinsky, sergeant-at-arms.

Haworth Back at Work

Hollywood, Jan. 12.—Vinton Haworth, who was injured in an automobile accident New Year's day, has reported back to work at Radio. Production on "China Passage" has been held up since his injury.

Chicago Hails 1936 As Best Year in Many

(*Continued from page 1*)

and independents plan other new theatres during the coming year. The remodeling of theatres in the Chicago territory reached an all time high. More than 50 per cent of the local theatres underwent some major form of remodeling and refurnishing. Plans for additional remodeling are being disclosed daily and in the meantime the box-office grosses are mounting. It is notable that this trend towards more theatres and the remodeling of old ones is the result of careful consideration. It isn't a boom type of activity.

In many of the circuit theatres the first new sound equipment in years is being installed. Other improvements such as new chairs, carpets, lighting fixtures and the like are being ordered constantly.

Helping matters considerably was the settlement last fall of the clearance fight between the independents and Balaban & Katz, when the circuit renounced its demands for extended playing time and instituted double features. The independents won the clearance battle, but lost in their attempt to halt duals, which they strongly opposed. As the situation now stands the dual bills are in and practically everyone is playing them. This has proved a boon to the exchanges; trailer and accessory firms.

Business Generally Good

The Chicago territory outside the film industry has experienced unusual business the past few months. All time records for Christmas buying were broken during the holiday season just past. Train and other forms of travel were swamped in the holiday rush and the heavy traffic has continued.

Chicago hotels are at present sold out for two weeks in advance, due largely to the many conventions scheduled. This influx of outsiders brings an untold amount of revenue to Chicago and especially to the Loop theatres.

The steel industry, a part of which is located in Gary, nearby, is flourishing as in 1928 and in war times. The Chicago grain markets are higher than in the past 15 years. Cattle and hogs are being sold at top prices which shows that the midwest farm trade, upon which Chicago depends so much, is benefiting by present conditions and it is expected they will improve.

Loses Speaker's Post

LINCOLN, Jan. 12.—W. F. Haycock, former operator of the Star at Callaway, Neb., who, previous to the opening of Nebraska's one-house legislature had announced himself a candidate for the important post of speaker, failed of selection. He was named chairman of the Revenue Committee.

Pratt Is 52 Years Old

NEW ORLEANS, Jan. 12.—A. Miles Pratt, owner of the St. Charles, celebrated his 52nd birthday recently. Employes remembered him with testimonials. Pratt is collector of customs in New Orleans.

Heavier Taxes Facing Kansas And Missouri

(*Continued from page 1*)

over $12,000,000 a year. In Kansas, the sales tax at present appears to be the most likely solution of that state's needs.

This is what Kansas needs: $1,500,000 for social security (with a like amount to come from the counties); $1,500,000 for new buildings; $500,000 for an increase in the state highway patrol; $1,000,000 in pay increases to state employes; soil conservation program (to cut down wind erosion) an indefinite sum; $400,000 for free textbooks for schools (many legislators oppose this, but it is backed by Gov. Walter A. Huxman); water conservation program, too big for the present legislature to do more than make a start; $1,500 homestead exemption, which would reduce property taxes approximately $8,000,000 (this will have to be made up somewhere); planning board, supported by the Kansas Chamber of Commerce, no estimate; $78,000 for expenses in connection with unemployment insurance; a top of $7,000,000 for school equalization—a total of almost $19,000,000 on items carrying estimates.

Possible Sources Named

Specifically suggested as sources for additional revenues are: a general sales tax (estimated to produce $4,500,000 to $5,000,000 at one per cent; a limited sales tax, a tax on gross receipts of amusements, increased property taxes (this will be strongly opposed), increased income taxes, beer tax (estimated to produce from $500,000 to $750,000 a year and favored by Huxman); a tax on oil, natural gas and other minerals and on lubricating oil; cigars; manufactured tobacco, soft drinks, checks, cosmetics, telephone company receipts, etc.

Missouri

With Gov. Lloyd C. Stark and T. J. Pendergast, Kansas City and Missouri political boss, both backing an increase in the sales tax from one to two per cent, this appears the most likely source for this state's needed additional revenue. The present tax expires in June. With the proposed sales tax increase, Stark holds out hope that the property tax (rate of five cents on $100 valuation) can be reduced or possibly eliminated, which would benefit theatres some. Many merchants, particularly in outstate Missouri, have been refusing to collect the tax.

Missouri needs: $3,000,000 for furnishing new buildings; for additional care of eleemosynary patients, and for increases at penal institutions; $6,000,-increases at penal institutions.

This is above the biennium budget of $29,356,316 for 1937-38, which was three times the total annual general revenue of the state prior to 1933. Of the $46,000,000 expected to be collected on the present tax basis, $15,000,000 will go to schools.

Exhibitors here do not approve the sales tax, but regard it as the lesser of two evils.

Writes Film History

A series of articles on "The First Movies" has been started in the *New York Evening Journal* by Frank Lee Donoghue.

The first discussed the photographic experiments made by Edward Muybridge to demonstrate to Governor Leland Stanford of California that all four of a horse's feet leave the ground when he is galloping.

Para. $4,500,000 Quarter Net Seen

(*Continued from page 1*)

swelled considerably by the year-end dividends voted by its theatre operating subsidiaries and affiliates, no confirmation of the report could be obtained from financial sources identified with the company. Net for the third quarter, however, was $2,013,764 and it has been generally anticipated within Paramount that this figure would be topped considerably by the net for the final quarter.

If the downtown reports are borne out, the company's 1936 earnings would approximate $6,500,000, despite a second quarter loss of $476,000.

Wall St. still expects dividend action on the common in the near future. The company's second preferred is still in arrears for 1936.

Para. Officials on Way Back

John Hicks, Jr., George Weltner and M. A. Schlesinger will arrive today from the Paramount production conference on the coast. J. J. Unger and Milton Kusell are en route by plane, but will stop over at Dallas. John C. Graham will stop over in Kansas City for two days. Matilda Kass left yesterday and will arrive here Friday. Albert Deane and Charles Gartner leave the coast today and are due in Saturday. Vincent Trotta will stop in Cleveland on his way here.

Barney Balaban and Stanton Griffis will leave Hollywood by train Friday, arriving in New York Monday. Among the theatre partners en route to their headquarters are Frank Walker, Harry David, Martin Mullin, Sam Pinanski, R. B. Wilby and Harry

RKO Men Leave for Sales Conference

E. L. McEvoy, eastern district manager for RKO Radio; Harry Michalson, short subject sales manager, and Nat Levy, Detroit branch manager, left here yesterday for a series of sales conferences which will include all exchange centers in the eastern district.

During the next two weeks the trio will hold conferences in Albany, Buffalo, Cincinnati, Cleveland, Detroit, Indianapolis, Pittsburgh, Philadelphia and Washington.

Bernhard Holds 2 Meets

Joseph Behnhard, general manager of the Warner theatres, met with the Cleveland zone managers yesterday and is holding a similar meeting today in Albany. He is accompanied by Harry Goldberg.

Wide Shift in Federal Setup Is Called for

(*Continued from page 1*)

Washington saw the Federal Communications Commission and the Federal Trade Commission assigned to the Dept. of Commerce, and the Office of Education transferred from the Interior Dept. to the new Dept. of Social Welfare.

Concentration of all informational and propaganda services in the Dept. of Social Welfare also is seen probable and would be in line with the President's desire to strip the departments and independent agencies of their present publicity services which not infrequently conflict with one another. In all probability, this would involve the concentration of all the Government's film activities, possible in the transferred office of education.

Boston Union Drops Fight on Long Reels

BOSTON, Jan. 12.—Operators' Local No. 182 has decided to give up the fight against the 2,000-foot reels which have been adopted by the industry.

President Thad C. Barrows said: "Although we are the last city in the United States to agree to this change, we still feel that after four months of splitting the so-called 2,000-foot reels, we have done our share to discourage this unnecessary change."

It's Now "Fair Warning"

HOLLYWOOD, Jan. 12.—Title of the picture formerly designated by 20th Century-Fox as "Death in Paradise Canyon" has been changed to "Fair Warning."

THEATRE ACCOUNTING

by WILLIAM F. MORRIS

Tells all the facts about your business each week.

- **Payroll data for Social Security Taxes.**
- **Profit at a glance—Daily or Weekly.**
- **All expenses deducted—Including Rent, Taxes and Depreciation.**
- **Complete record of advance bookings.**
- **Itemized Schedule of All Assets and Equipment with Table of Depreciation Rates.**
- **Does not require a bookkeeper to handle it.**

$3 ENOUGH FOR A FULL YEAR'S BOOKKEEPING

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER
NEW YORK

Academy Asks Sound Award Nominations

Hollywood, Jan. 12.—All studio sound directors have been requested to submit a nomination for the Academy award for achievement in sound recording.

This year's rules, which are the same as have been in effect for the past two years, provide that each studio sound department may nominate one production for consideration for the award. These nominations will then be voted upon by the entire Academy membership during the regular voting to select the one production to receive the award.

Sam Marx to Produce One or 2 for Goldwyn

Sam Marx, literary assistant to Samuel Goldwyn, will produce one or two pictures for Goldwyn, he stated yesterday following his arrival from the coast to spend 10 days interviewing writers and a number of other people. He will also look at some of the current plays.

No definite time has been set when Marx will take over the role as producer. While here he is getting acquainted with William W. Hawkins, Jr., of the Goldwyn editorial force.

New Enterprises

The following film and theatre companies have been incorporated:

At Albany:

Syracuse Avon, Inc., Syracuse, exhibition, by George E. Smith, Albert G. Larkin, Robert W. Case.

Holman Dist. Co., Inc., New York, by Cornelius B. Chapman, Gertrude Israel and Sadye Lader. Capital, 100 shares, no par value.

Ardmore Pictures Corp., New York, by Alfred S. Krellberg, Norman Lazarus, Helen Winkler.

Magnet Pictures, Inc., New York, by Melvin Hirsh, George Elkin, Harold A. Lerman.

Austro-American Pictures Corp., New York, by A. Townsend Kaplan, Samuel Kaplan, Max Zipperman.

Cinelux Corp., New York, film business, by David L. DeZorrtt, Herman Bros., Sidney Spiegel.

Universal Reels, Inc., Queens, N. Y., film reels and accessories, by Esther Kushnir, Arnold L. Smernoff, Leonard Shapiro.

Royal Film Exchanges, Inc., New York, by Samuel L. Cohen, Irving Klein, Irving B-J Levine.

Bar-Rit Amusement Corp., Brooklyn, theatres, by Jerome Adler, Harold Raymond, Leonard Raymond

Rome Theatrical Enterprises, Brooklyn, exhibition, by Philip Lazeroff, Rose Greenberg and Gertrude Kantrowitz.

American Atlantic, Inc., New York, exhibition, by Casserell Greenberg, Eleanor Brook and Martha Harris.

Ace Pictures Corp., New York, distribution, by Samuel L. Cohen, Irving Klein and Irving B-J Levine.

Inwood Theatres Corp., New York, exhibition, by Jacob Leff, Louis W. Rosenberg and Philip Smith.

Set "Waltz" Showing

Washington, Jan. 12.—The White House Correspondents' Ass'n will sponsor a showing here Jan. 22 of "Champagne Waltz," Paramount Silver Jubilee production. Adolph Zukor will come on from Hollywood for the opening.

Social Injustice Play Well Acted, but Drama Is Spotty

(*Continued from page 1*)

and by this time well nigh an unemployable, is bitter and morose, also completely licked by his circumstances. Kathryn Grill, his wife, cleans and washes and draws her strength from the presence around her of her family. There are two boys. Melbourne Ford works in Joseph Greenwald's sweatshop. James McCallion goes to school, shines shoes and makes as much as 35 cents a day. Once a boyish admirer of his father, now he takes cover with his disappointment in open resentment.

Morbid Plot

Young Ford's heart falters. McCallion assumes his post in the shop, Ford is returned from the county clinic still perilously ill and Bell, by this time, has toured the relief agencies demanding and begging aid for his dying son. The epitome of his denunciation of a system strapped by red tape, lack of heart, but also by overcrowded wards and worn-weary doctors, comes when Bell frantically and bitterly urges upon McCallion the need and the power of the dollar, no matter through what contrivings it is obtained. Shocked earlier by his father's prayer that the sick boy die, this other brother determines to save him, embarks on a juvenile crime wave with two cronies. They steal a policeman's service revolver, raid Greenwald's shop. There, enraged because the haul is a paltry $8 and finding no more, the inflamed passions of the three boys rise in an uncontrollable excitement. McCallion, the gun in hand, lets it go and in a stream of fire mows down the victim. The police arrive at the close to take McCallion away, a confessed murderer as his mother weeps, his father rants the further while the boy himself screams the police, here the symbol of all law, order and society, to hell.

The cast, led well in the advance by the assorted boys and girls, is excellent, McCallion and Robert Mayors, as Fotzo, standing out in impressive performances. The stagecraft is dramatic on its own and the play has power. It has power here and there, but in no sustained tempo. It ebbs and it flows from scene to scene and from act to act with results that become mixed.

A long play, in 10 scenes and three acts, it takes a tiresome turn before finishing its say and that, if you probe it only a bit, indicates something failed completely to hold together.

Laundering Needed

Reminiscent of it, this is by no means another "Dead End." It is by no means suitable for Hollywood with its dirty street corner talk and its ending in juvenile madness. Yet, readjustments can be made if some producer is of the mind. Too much of the social preachment, however, is bred in the bone to clear this as popular film entertainment.

Martin Johnsons Injured

Los Angeles, Jan. 12.—Martin Johnson and Mrs. Johnson were injured today in the crash of a Western Air Express plane near Newhall, Cal. The seriousness of the couple's injuries had not been learned at a late hour tonight.

Overseas Previews

"Gypsy"

(*Warner-British*)

London, Dec. 31.—Roland Young is the American value in this production of the Warner studio at Teddington. He characterizes admirably a rich middle-aged bachelor upon whom, in his London flat, descends a human tornado in the shape of Hassing, a gypsy dancer who is pursuing a lion tamer whom she loves and who has left Hungary with a circus bound for England. Chili Bouchier is the gypsy.

The story idea is good, and there is humor in the situation of the gypsy girl, in an ultra-correct English country home, behaving as if she was in her ancestral caravan. A good comedy study of a butler from Frederick Burtwell is a feature. The conclusion is popular; the gypsy finds her lion tamer is married and remains with her Englishman.

The weakness is in very obvious crudities of presentation and acting. Miss Bouchier shouts most of her lines and the foreign accents of other players are certainly accented. Roy William Neil directed from the Lady Eleanor novel, "Tzigane," which presented considerably greater entertainment values than have got over. It is not for big-city audiences.

Running time, 75 minutes. "G." Allan

"The Plainsman," last night's preview at the Paramount, was reviewed from the coast by wire on Nov. 23.

"Black Legion," scheduled to open at the Strand on Saturday, was reviewed on Dec. 30.

"Hideaway Girl," previewed by wire from Hollywood on Nov. 10, is now being shown at the Rialto.

"Camille," Friday morning's opener at the Capitol, was reviewed on Dec. 14 by wire from Hollywood.

"One in a Million" at the Roxy, "Great Guy" at the Criterion and "Beloved Enemy" at the Rivoli are holdovers.

Short Subjects

"I Hate War"

(*Kinotrade*)

A sharply worded and graphically pictured indictment of war in general and the conflicts which have arisen through the engendering of a false patriotism by modern dictators, this three-reeler concentrates most of its attention, for purposes of timely interest, on the current revolution in Spain, and its effect on the civilian population.

Actually it is a compilation of old and new material from newsreels, travel subjects and the like. The film in reality is a series of pictures contrasting peace and war, from the World War to the Spanish conflict, and not forgetting Ethiopia and Mussolini, which form a background to the vigorous denunciation of armed conflict as rendered with considerable vigor by Tom Terris. It concludes with a flag-waving touch as President Roosevelt, from one of whose utterances the title was taken, is pictured as the world's leader in a move for peace.

Reviewed without production code seal. Running time, 24 minutes. "A."

"Ay Tank Ay Go"

(*Columbia*)

El Brendel in a hillbilly setting. The usual feuding, some exciting chase scenes, Brendel's love affairs and eccentricities, provide passable amusement. Production Code Seal No. 2,651. Running time, 16½ mins. "G."

Savannah Cuts Tax Which Caused Fight

Savannah, Ga., Jan. 12.—The City Council last night in special session approved for immediate effect an ordinance reducing the local tax on admissions to two per cent of each "ticket, card, token, pass or any other form of admission," and fixing a minimum levy of one cent on each admission. The new law replaces a 10 per cent gross receipts tax recently enacted, which was placed in effect Jan. 1, and which met with vigorous opposition.

Harry M. Dodd, local manager for the Lucas circuit, immediately set new price scales for five downtown houses. The new tax is based on an ascending scale, with the payment of 10 cents on a $5 ticket as the maximum. The tax will increase one cent with each 50 cents of admission, starting from two cents on tickets from 51 cents to $1.

Denver Houses Not Shut

Denver, Jan. 12.—Because the peak of most epidemics is passed before their severity is noted, the Board of Health has decided against closing theatres. Schools were kept closed an extra week at the end of the usual Christmas vacation because of the flu.

Fighting Lottery Bill

Boston, Jan. 12.—The Independent Exhibitors, Inc., is opposing a bill introduced in the New Hampshire legislature to establish a state lottery. A similar bill is awaiting action in Massachusetts and is being fought both by the M.P.T.O. and Allied.

The Leading Daily Newspaper of the Motion Picture Industry

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Alert, Intelligent and Faithful Service to the Industry in All Branches

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Loew Refusal To Drop Score Charge Is Hit

MPTOA Lichtman Note Is Sharply Worded

Loew's refusal to abandon the separate score charge in formulating its trade practice policy in connection with the M.P.T.O.A. program was scored by Ed Kuykendall, president of the exhibitor organization, in a letter to Al Lichtman, vice-president of Loew's, which was released here yesterday.

"You make no effort to justify the score charge," Kuykendall writes in the course of his comment on the Loew's trade practice statement, "except to infer that you consider it just a part of the film rental. If that is true, why should there be deception and trickery practiced on the exhibitor in quoting him prices for Metro pictures? Why not be open and aboveboard in your dealings with exhibitors? Give them a forthright quotation of prices and quit trying to fool anybody as to how much the picture will actually cost? . . . Why should a great company like Metro continue a petty racket of this sort if it is just a part of the film rental, anyhow? Isn't it about time the motion

(*Continued on page* 4)

Johnson Succumbs To Crash Injuries

Los Angeles, Jan. 13.—Martin Johnson, producer of animal and travel films, big game hunter and explorer, died today at the Good Samaritan Hospital of injuries he suffered in an airplane crash near here yesterday, Mrs. Johnson was severely injured.

Martin Johnson was born in Rockford, Ill., in 1884. He was raised in Independence, Kan. He began his colorful career as a film producer in 1906 while on a South Seas cruise with Jack London in the Famous

(*Continued from page* 11)

U. A. Sets Deal for New Cartoon Series

A deal has been closed by United Artists for distribution of a new cartoon series in Technicolor to be based on the Percy L. Crosby comic strip character "Skippy." There are to be nine releases annually, beginning with United Artists' 1937-'38 release schedule, George J. Schaefer, vice-president, said yesterday.

Heading the new cartoon production

(*Continued from page* 11)

Oppose Plea To Intervene In RKO Plan

Bondy to Hear Petition Of Kresel Group

Federal Judge Alfred C. Coxe yesterday referred a petition for leave to intervene in the RKO reorganization proceedings, which was brought by Isidor J. Kresel on behalf of an Orpheum Circuit preferred stockholders' protective committee, to Federal Judge William Bondy for argument.

The petition was opposed by White & Case, attorneys for an RKO general creditors' committee, and indications are that other factions in the RKO reorganization proceedings will join in the opposition when the motion is argued before Judge Bondy, probably this morning.

The Orpheum Circuit preferred stockholders' committee is comprised of Martin Beck, Harry Borns, Asher Levy, Julian Livingston and Alex Young, Jr., and claims to represent 16,210 shares of the 62,551 shares of Orpheum preferred outstanding. They charge RKO with "waste and dissipation" of Orpheum assets which, they

(*Continued on page* 13)

Chicago McVickers To Comet, B&K Unit

Chicago, Jan. 13.—Authorization for the leasing of the McVickers, de luxe Loop house which has been closed for many months, to Comet Amusement Co., a B. & K. subsidiary headed by John Balaban, was issued

(*Continued on page* 11)

Veterans Too Old

Hollywood, Jan. 13.—Douglas MacLean has arranged through the Los Angeles American Legion, for the use of a group of members of the Sons of the American Legion, a junior organization, to be used in "23½ Hours Leave." It was stated that the senior legionnaires are too old for the scenes, as the locale of the story is a World War training camp.

Chance Games Legal Problem In 24 States

Chance games of various sorts, after six years of employment in theatres, are today involved in legal complications in half of the states in the country, it is revealed in a study published in *Motion Picture Herald*, out today. Games have been involved in some fashion in 24 states.

Bank Night is the leader in the field, estimated to be in use in 6,000 theatres

(*Continued on page* 13)

Taxes Took 46-65% Of Highest Salaries

The salaries for 1935 of the higher paid personalities of the screen, which were heavily publicized, were subject to state and Federal taxation ranging from 46 to as high as 65 per cent of income, according to a study of the

(*Continued on page* 11)

B'way Theatre Strikes New Low in Offensive Endeavor

By PLAYBOY

Even the most tolerant of the theatre's apologists must have cringed in their seats, their faces flushed with hot chagrin and shame at the Mansfield last night. There, the New York season touched its lowest level with a play by Samuel Shipman and Beth Brown called "Behind Red Lights."

It was old stuff, mauled and battered in the writing, playing off cheap, sensational and tawdry situations having to do with prostitution and presuming to furnish an excuse for its production through the leavening influence of the public prosecutor who eventually smashes the "ring" and the vice queen who turns girl scout. It pursued its way by going practically all the way, having only the timidity not to enter the bedroom.

One of these minutes, we suspect, news that this inexcusable effort is striding the boards may reach the office of the license commissioner where matters of this kind usually are noted and action taken.

There were players, of course, and several of them are quite well known. Lest any doubt might now or hereafter be expressed over this department's claim to a considerate heart, it shall keep their names nameless and hope for them that last evening's noisome endeavor will soon be forgotten.

Court Ruling Clears Way on 20th-Fox Buy

Schenck, Zanuck, Goetz May Get Chase Stock

With the refusal of the Circuit Court of Appeals in San Francisco yesterday to reopen the Tally and Corbar Corp. bankruptcy action against Fox West Coast, the way may be cleared for the acquisition of the Chase National Bank's holdings in 20th Century-Fox by common stockholders, of whom Joseph M. Schenck, Darryl F. Zanuck and William Goetz are among the largest.

The negotiations have been under way in various stages for well over a year, but have been kept in the background largely in veiw of the inability to proceed further while the F. W. C. bankruptcy situation continued tangled in the courts.

In the meantime, it was considered yesterday of interest, if outwardly lacking in significance, that Chase Bank stockholders were advised that no change in the bank's holdings in both 20th Century-Fox and National Theatres had been made last year except for the exercise of options on stock granted creditors of General Theatres Equipment, Corp. Winthrop W. Aldrich, chairman of the board, made the report.

The bank's film holdings are now on a paying basis, Aldrich stated. Chase continues to hold 58 per cent

(*Continued on page* 4)

G. B. to Stay with 20th-Fox for Time

G. B. will continue to distribute through 20th Century-Fox exchanges for the time being, it was learned yesterday following a meeting between Sidney R. Kent, president of 20th Century-Fox, and Arthur Lee, American head for G. B. At the meeting an agreement was reached whereby

(*Continued on page* 11)

Stand on "B" Films Is Up to Exhibitors

Holllywood, Jan. 13.—Exhibitor reactions will determine the stand of major studios on "B" product, an inquiry shows. At present studio policies vary, although the subject is being closely studied as a result of Paramount's announced stand in favor of cutting this type of picture by 25 per

(*Continued on page* 13)

Radio News — Page 14

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Seven of Television List Complete—Conn

Seven of Television's 28 pictures for the current season have been completed and another six will be finished by the end of next month, Maurice Conn stated yesterday. Conn will produce 20, the balance to be made by Edward and Victor Halperin.

Conn will leave by plane Saturday for Hollywood to start production on "Sing While You're Able" with Pinky Tomlin and Toby Wing. He will return about March 15 to work on the 1937-38 lineup. "With Love and Kisses," with Tomlin and Miss Wing, opened yesterday at the Orpheum, Los Angeles, and will open tomorrow at the Downtown, Detroit, and Fox, Brooklyn. Conn has taken over the old Monogram studios.

"Ecstacy" Ruling Soon

ALBANY, Jan. 13.—Whether the State Dept. of Education's film censors were justified in banning "Ecstacy" from New York state will be decided within 20 days by the Appellate Division of the Supreme Court, 3rd Dept.

Mr. Cullman Discusses Live and Dead Issues

By MARTIN QUIGLEY

MR. HOWARD S. CULLMAN, trustee of the Roxy Theatre, New York City, invites attention to an address he delivered last week in a motion picture course at New York University. Although at times we have despaired of satisfying Mr. Cullman's robust appetite for public attention, this is one occasion when, despite his only incidental connection with the motion picture business, it will be a pleasure to accommodate.

It may be, relative to the address with which we are here concerned, that we should point our remarks to Mr. Cullman's ghost-writer because, admittedly, it is difficult to conceive of a person of Mr. Cullman's present connection and previous association taking of his own initiative the attitude assumed in the lecture which bears the significant title, "Propaganda or Profits." But it seems undeniable that on the one occasion of delivering it at least the manuscript must have been read by the accredited author. So it seems reasonable to conclude that Mr. Cullman accepts responsibility for it.

That which challenges attention in Mr. Cullman's address is by no means novel or original. It is the familiar patter enunciated vociferously at the slightest provocation by the prophets of the New Social Order. The striking thing is to find Mr. Cullman, who might be mistaken as a representative executive of the motion picture industry, carrying this banner.

▼

MR. CULLMAN'S address pecks away assiduously, behind a smokescreen of sociological terms and the chatter of Union Square, at several fundamental policies of the American motion picture industry. He speaks of "social awareness" as being a distinguishing mark of our times, admitting of general discussion of various sociological, economic and political questions. He then rises to lament that the motion picture is not fulfilling the mission of a propagandist in the espousal of causes arising out of these questions. Here he displays an ignorance on a point which is probably well understood by any usher in the theatre temporarily under his direction; namely, that the function of the theatrical motion picture is entertainment—not propaganda.

Superciliously Mr. Cullman states that perhaps some explanation of the errant policy of the industry may be found in an examination of the Production Code of the Motion Picture Producers and Distributors of America, Inc. He says that there should be reasonable expectation that this code would reveal the producers' attitude toward "the important questions of the day." And what does he find?

"Upon careful scrutiny of this interesting manifesto," he says, "we find that it has little or no relation to the special problems of our age, being concerned entirely with our moral rather than our social attitudes.

"Thus it embraces such topics as Crimes Against the Law, Sex, Vulgarity, Obscenity, Dances, Profanity, Costume, Religion, National Feelings, Titles, and Repellant Subjects. . . . This document therefore leads us to believe that the movies are concerned with protecting our sensibilities rather than stirring our social conscience."

▼

MR. CULLMAN should perhaps be congratulated on his perception in so quickly discovering that the Production Code is not a platform of political, social and economic policies. Having discovered this, it is unfortunate that his quest did not lead him to learn also that the code as an industry policy is not concerned mainly in protecting the public's "sensibilities" unless by that word persons in The New Social Order mean what old-fashioned people still refer to as Lawful Conduct, Morality and Decency.

With evident contempt of what the Production Code stands for, Mr. Cullman continues:

"Thus we are safeguarded from detailed views of brutal killings and from complete nudity or lecherous notice thereof by characters on the screen. Our eyes will be spared scenes showing a disrespectful treatment of the Flag, the illegal use of drugs and seduction as an attractive pastime. Illicit amours will never be treated as comic themes nor will custard pies be thrown at ministers of the clergy. We get no detailed pointers on the technique of safecracking, the branding of animals, surgical operations, arson or white slavery.

"As we peruse the detailed prohibitions of the Hays manifesto, it is distressing to realize that in spite of all these precautions such phenomena

(*Continued on page 4*)

Chicago Film Board Elects Allan Usher

CHICAGO, Jan. 13.—Allan Usher, manager of the Paramount exchange here, today was elected president of the Chicago Film Board. He succeeds Henry Herbel of Universal, who had served as president during the past four years.

Other officers elected are: Tom Gilliam of Warners, vice-president; Emma Abplanalp, secretary-treasurer, and Clyde Eckhardt, chairman of the board of directors. The directorate also includes Herbel and Irving Mandel of Republic.

A party for Herbel is being planned for Jan. 22 with all district, branch office and sales managers, salesmen and exchange bookers attending.

Konnis Heads Salesmen's Club

BOSTON, Jan. 13.—Herman Konnis, Universal salesman has been elected the first president of the M. P. Salesmen's Club: Sam Seletzky of Republic and Harry Rosenblatt of M-G-M were elected secretary and treasurer. A meeting has been called to elect a board of directors.

"Beloved Enemy" at $24,000 2nd Week

"Beloved Enemy" ended its second week at the Rivoli with $24,000 and indications are that the third and final week will finish tomorrow night with about $15,000.

"Lloyds of London," for the last four days of its run at the Astor, garnered $5,200. The picture opens this morning at the Music Hall. The Paramount grossed approximately $20,000 on the third week of "College Holiday." Yesterday "The Plainsman" started an indefinite run there.

"Great Guy" is expected to do $20,000 in the second week at the Criterion. The picture has been booked for a third week and may be held a fourth provided Grand National and Harry Charnas get together on terms.

Warner Opening 15th Capital House Today

WASHINGTON, Jan. 13.—The fifteenth Warner theatre in Washington, the Sheridan, on Georgia Ave., will be opened tomorrow.

The Sheridan is the third new house to be built in the expansion announced a year ago by general zone manager John J. Payette. The Penn and Uptown are already in operation, and another, the Calvert, is nearing completion.

Plan Gluckman Drive

Republic's New York, New Jersey and Philadelphia exchanges will celebrate Herman Gluckman's 20th anniversary in the industry during February and March. A special sales drive will be conducted by the three branches. There will be eight features and a Dick Tracy serial released during the drive months. Gluckman now is on the coast visiting the Republic studios and will return in three weeks. He entered the film business with the formation of Capital Film Exchange on Feb. 17, 1917.

Hyman at Universal

HOLLYWOOD, Jan. 13.—Herbert H. Hyman has joined Universal and is handling exploitation and tieups at the studio.

"Sorry....

the manager can't be disturbed –he's in an important MEETING!

...They're making plans now to blast the town wide open on Jan. 30th with WARNER BROS.'

SEARS
DRIVE
Dec. 20 to
April 4

BLACK LEGION"

Court Ruling Clears Way on 20th-Fox Buy

(*Continued from page 1*)

of National Theatres and 42 per cent of 20th Century-Fox and is now receiving income from the theatre holding company.

The bank, explained Aldrich further, holds 660,000 shares of preferred and 140,000 shares of 20th Century-Fox common and 1,044,000 shares of National Theatres as well as 181,000 shares of General Theatres, the market value of which was described as above the principal amount of loans made to these companies and their predecessors.

Fox Case Adjourned; Resumes February 17

Atlantic City, Jan. 13.—Examinations of witnesses in the William Fox $9,535,000 bankruptcy, under way here at intervals since July 15 before Federal Referee Robert E. Steedle, were adjourned today until 10 A. M., Feb. 17. Referee Steedle expressed the hope that in the meantime some of the related Fox matters in various other courts will be settled.

Herbert Leitsteen, Fox family bookkeeper, was on the stand today. Like Fox, yesterday, he professed inability to remember details of the Fox financing of sound film patent rights and experiments in the years from 1926 to 1930. Such patent rights comprised a large share of the wealth which Fox said he retained after assertedly giving All-Continent Corp. to his wife and daughters as a more than $7,000,000 trust, Jan. 28, 1931. Creditors lawyers have claimed that these rights did not belong to Fox, but to his former corporations and that the trust gift to members of his family left him insolvent.

Cantor in Mantin Suit

Los Angeles, Jan. 13.—Eddie Cantor today was drawn into the million-dollar song theft suit of Leo Mantin and his wife against Paramount when Judge Yankwich ordered the comedian to appear and testify for the plaintiff.

Cantor's part in the case centers around his alleged statement that there was definite similarity between Mantin's "Si, Si, Senorita of Spain" and Paramount's "One Hour with You." Cantor assertedly used the latter song on one of his radio programs and subsequently sent a letter to Mantin expressing his appreciation.

Reopen Attempt Denied

San Francisco, Jan. 13.—The Tally & Corbar Corp's. attempt to re-open the Fox West Coast bankruptcy case failed today when the Circuit Court of Appeals upheld a decision of the lower court that the suing corporation had not shown sufficient grounds to justify reopening. The decision was rendered after a five weeks' review by U. S. Circuit Judges Curtis D. Wilbur, Francis A. H. Garrett and Bert E. Haney.

Fuller Case Postponed

New Orleans, Jan. 13.—The absence of George Fuller has resulted in the adjournment to Jan. 20 of his suit against major distributors in which he charges conspiracy to deprive him of product.

Mr. Cullman Discusses Live and Dead Issues

(*Continued from Page 2*)

as crime and disrespect for the American Home still persist in our national life.

"Certainly, we cannot blame the movies for this," continues Mr. Cullman and, making plain where he stands, "unless we harbor the disloyal thought that the perpetual glorification of the properties produces a sinister reaction.

"Although there may be some doubt about the result we must at least admit that the movies are trying to make us respectable. This basic tenet, however, casts no light on the attitude of the films toward the vital issues of the day."

▼

PERHAPS it should be explained to Mr. Cullman that to a great many people the matter of respectability has not as yet become a dead issue.

Then, proceeding in his address, as if to say that his previous remarks were all in fun, Mr. Cullman declares:

"However, as a matter of well established policy the screen avoids controversial topics."

He deprecates this policy and attributes it to the "usual code of business expediency," perhaps being reminded at this point of the criticism occasioned by the character of some of the advertising used by the theatre under his direction. At another point he applies to the screen the language which the Kremlin philosophers use in their reference to Religion. He says, ". . . the movies stand convicted of being an analgesic to the social conscience and potential unrest of the masses."

Apparently deploring that "such a procedure is not practicable in a society such as ours although it is the logical result of a planned economy without a profit motive," Mr. Cullman explains:

"In Russia, where the screen is utilized as a means of proletarian education, the profit motive has been eliminated and the public is being schooled to regard the films as a source of education rather than simple entertainment. Thus workers' clubs and citizens' advisory committees in Russia participate in serious discussions with the makers of films, with a view to gaining a general understanding of the objectives of the producers and the regime they represent."

▼

ALTHOUGH we have noted published statements of Soviet film leaders which declare that Soviet films are now being made for entertainment and not for propaganda, we shall not undertake to question Mr. Cullman's competency to interpret the current Russian film policy.

We are not concerned here with what political, social and economic beliefs Mr. Cullman as an individual may or may not entertain. We are not interested in his private opinion of the industry's policy of decency in entertainment. We do not challenge his right to mount the soapbox and campaign for the motion picture to become a propagandist for whatever he believes will prove a betterment in the social and economic order. But we think that he may properly be reminded that his position as trustee of the Roxy theatre may be construed as involving a responsibility also to the industry of which that theatre is a part.

We insist that this latter responsibility is violated when in an open address and in subsequent publicity he sneers at the industry policy of decency in entertainment and charges, in effect, that the avoidance of propaganda and insistence upon the entertainment motive is a fraud.

It is not out of such boring from within that the prestige and goodwill of the motion picture and the industry can be maintained before the American public.

Denies Biophone Motion

U. S. District Judge Forman in New Jersey has handed down a decision denying a motion of Biophone Corp. for the setting aside of default decrees obtained by Western Electric in a patent suit dating back to 1934.

Dismisses Tuttle Suit

Cincinnati, Jan. 13.—U. S. District Judge Robert R. Nevin today dismissed the suit brought by Margaret Tuttle, author of "Kingdoms on Earth," against M-G-M. She charged "The Unguarded Hour" infringed on her copyright. Dismissal was without prejudice and by agreement of counsel.

Set Henri Elman Month

Chicago, Jan. 13.—Exhibitors here will honor Henri Elman of the Capitol Film Exchange during March, which will be designated Henri Elman Month. A banquet is planned as a further honor to Elman at the conclusion of the drive.

Loew Refusal To Drop Score Charge Is Hit

(*Continued from page 1*)

picture industry got away from such deception and petty rackets?"

Kuykendall also hits at the failure of distribution companies to reply to the M.P.T.O.A. proposals earlier. Pointing out that the trade practice program was initiated nine months ago, he writes, "None of the distributors saw fit to give the exhibitors a prompt and unqualified acceptance of the reasonable proposals made, nor has any distributor offered to go beyond any of our recommendations, or offered any alternate proposals to solve the problems, complaints and grievances of exhibitors to which we called your attention."

Kuykendall asks for clarification of Loew's policy on cancellation, which was stated by the distributor as an unrestricted 10 per cent right "wherever the exhibitor leases all of the product that is offered to him." Kuykendall inquires whether the word "product" is intended to include short subjects, newsreels and trailer, and whether an exhibitor would be obliged to buy all of those "offered" in order to enjoy the cancellation privilege.

Lichtman Clarifies

Lichtman advised Motion Picture Daily that features only were referred to in the cancellation statement and that the word "product" obviously included them only.

Kuykendall sets forth the opinion that problems arising from the designation of preferred playing time can not be disposed of always by an inelastic distributor policy and that the merits of complaints should be left to the determination of local conciliation boards, which would also provide the remedies.

He expresses himself as satisfied with Loew's stand on the remainder of the exhibitor program and calls them "a definite step forward towards a practical solution of our mutual problems in trade practices." Kuykendall also states that further benefits and improvements may be hoped for as a result of "future negotiations with Metro sales executives" in connection with the company's stand.

Kuykendall declared earlier that he hoped to confer again with distribution companies to obtain more liberal concessions than those announced. He is due to arrive here about Jan. 21.

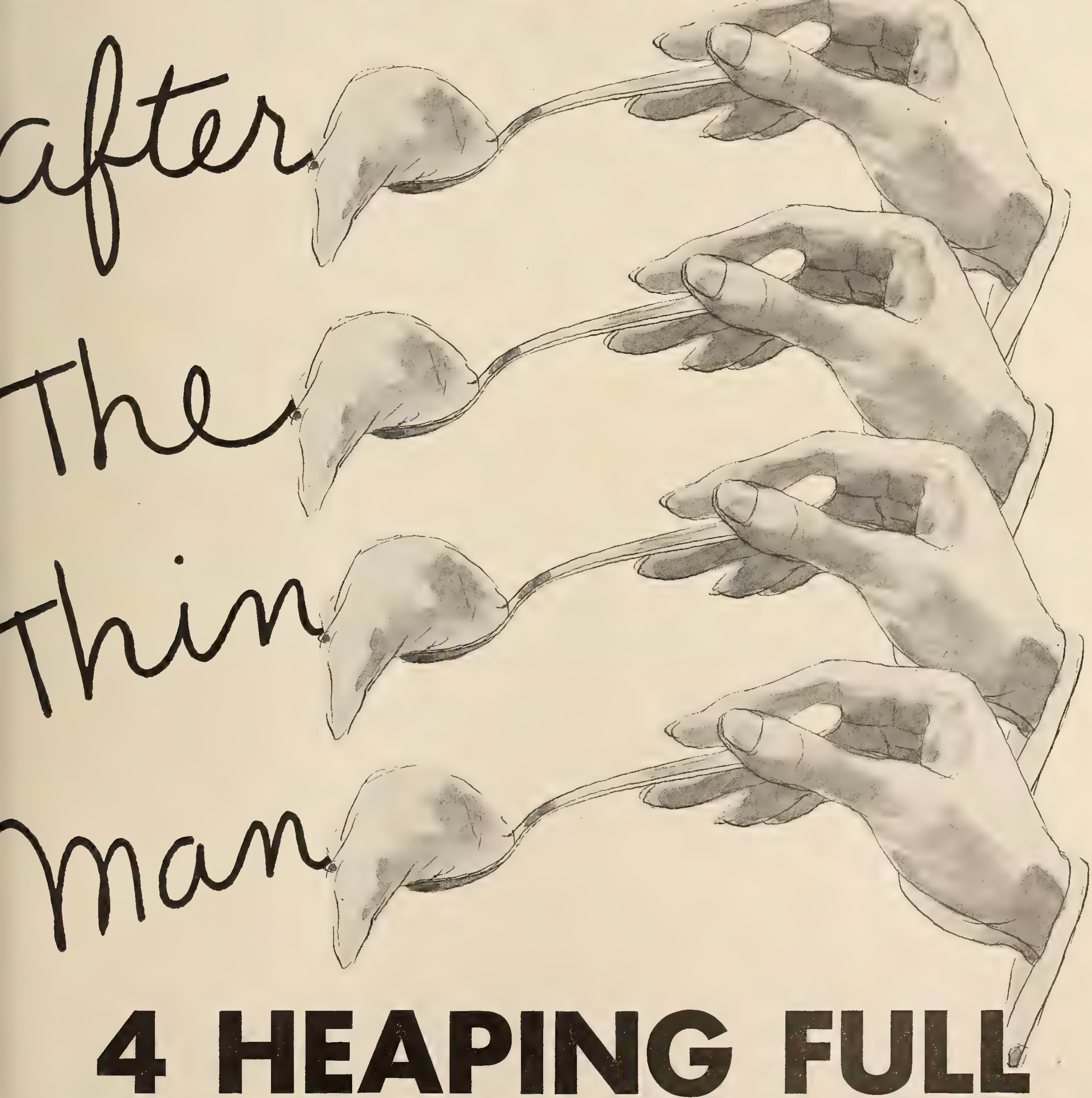
Schine Decentralizes

Gloversville, N. Y., Jan. 13.—The Schine Theatrical Co., Inc., is decentralizing its advertising. The home office advertising department and the house organ will be discontinued. The control of advertising budgets and general advertising and exploitation will be directed from the various districts.

Youngclaus Gets House

Lincoln, Neb., Jan. 13.—William Youngclaus has taken control of the Island at Grand Island, Neb., by acquiring 75 per cent of the outstanding $30,000 bond issue. Edward K. Allen, present operator, has a lease which expires Jan. 17.

TASTES LIKE MORE!


after
The
Thin
man

4 HEAPING FULL WEEKS, CAPITOL, N.Y.

And all around the nation it's a box-office sensation! Leo, you lovely Lion!)

Condor Applies for Stock Registration

WASHINGTON, Jan. 13.—Receipt of an application from Condor Pictures, Inc., New York, for registration of 999,999.81 shares of $1 par common stock was announced today by the Securities and Exchange Commission.

The statement showed that 472,818 shares are to be offered publicly at $3.25 per share, 408,930 shares to be issued upon exercise of warrants now outstanding or to be issued, and 118,251.81 shares are now outstanding. The proceeds to the company from the sale of the stock are to be used for the production of films.

B. E. Buckman & Co., of Madison, Wis., was named as the underwriter, George A. Hirliman, Culver City, is president.

Statements also have been received, the commission announced, from Gold Star Radio & Television Corp., Boston, covering 99,795 shares of $5 par six per cent class A common to be offered at $6.25 per share, proceeds to be used for the erection and equipment of five radio stations, and from DeTrola Radio & Television Corp., Detroit, for 125,000 shares of $1 par value common stock, proceeds to be used for working capital.

Van Beuren Chairman

A. J. Van Beuren will be chairman of the Condor board, it was learned yesterday following meetings here. George Hirliman, president, has returned to the coast. Frank Snell will be an executive in charge of the New York office. M. H. Hoffman will produce a number of films to be decided upon later.

Within the next day or so, Van Beuren will announce the date when the company will start functioning. The date is expected to be within the next 30 or 45 days.

Borah Introduces Corporation Bill

WASHINGTON, Jan. 13.—Senator Borah today introduced in the Senate a bill for licensing corporations engaged in interstate commerce. The aim is to strengthen the anti-trust laws and control monopoly.

Under the terms of the bill all corporations doing interstate business would be licensed except banks, common carriers, broadcasting companies and newspapers. Licenses would be granted by the F.C.C.

FWC Plans 1,000-Seater

LOS ANGELES, Jan. 13.—Tentative plans for a new 1,000-seat house on Long Beach Blvd. at South Gate have been approved by F.W.C. The theatre will be similar in construction to the Tower in Compton and will be built at an approximate cost of $125,000.

Irish Film to Open

"The Luck of the Irish," produced in Ireland, and starring Richard Hayward, will have its American premiere tomorrow at the 47th St. Theatre. Guaranteed Pictures is handling the American distribution of the film.

Seeks Committee Post

KANSAS CITY, Jan. 13.—E. A. Briles, publisher and exhibitor of Stafford, Kan., and state representative, is being boosted for the important chairmanship of the Kansas House Ways and Means Committee.

Purely Personal

HARRY GOLDBERG, director of Warner theatre advertising and publicity, is in Buffalo today holding "Black Legion" conferences. Tomorrow he will be in Pittsburgh.

●

ED ROBERTS of 20th Century-Fox's advertising department has returned to the home office after a three-week trip by air to Dallas, Minneapolis and St. Paul.

●

HARRY M. and MRS. WEINBERG, he's the Republic franchise holder in Omaha and Des Moines, sail for a European vacation today on the *Aquitania*.

●

HARRY MICHALSON, E. L. MCEVOY and NAT LEVY, of the RKO eastern sales office, have left on a two-week trip to key spots in the eastern territory.

●

CLARENCE BUDINGTON KELLAND, the author, has gone on a three-month vacation trip. Meanwhile, several radio accounts are after his series of "Mark Tidd" stories.

●

HAL HORNE plans to leave for the coast the end of the week and return early next week after conferring with WALTER WANGER.

●

STEPHEN PALLOS arrived yesterday from Kansas City. He will remain here for a few weeks before sailing for London.

●

JOHN D. CLARK will leave for Hollywood by plane Sunday. There is no time limit on his stay on the coast.

●

BORRAH MINNEVITCH starts a personal appearance with his rascals at the Roxy on Jan. 22.

●

HARRIET HOCTOR, ballerina, leaves for the coast today to begin work on "Stepping Toes."

●

LILLIE MESSINGER, RKO eastern story editor, has left for studio conferences on the coast.

●

SONJA HENIE returned to town today after giving an exhibition in Pittsburgh Saturday.

●

ROBERT BRODER, attorney, leaves for a three weeks stay in Hollywood tomorrow.

●

MAXSON F. JUDELL is en route back to Hollywood after a series of conferences here on production matters.

●

LEON J. RUBINSTEIN has formed Telescreen Trailer Service to market a specialized type of trailer.

●

MONROE GREENTHAL has plans of taking a trip to the coast in three weeks.

●

LYNN FARNOL will head for the coast today via the airlines.

●

JACK BELLMAN was down with the flu yesterday.

●

JOHN HAY WHITNEY will remain on the coast for about three months.

●

EARL J. HUDSON is in New York from Detroit.

C. C. PETTIJOHN is in Chicago for a few days after attending funeral services for MRS. MAURICE MCKENZIE at Crown Point, Ind., on Tuesday.

●

SUMNER GAMBY, vice-president of National Theatres, will accompany SPYROS SKOURAS, ED ZABEL, WILLIAM T. POWERS and IRVING BARRY to the circuit's key operating centers where meetings will be held with divisional operating heads. The party leaves by plane Sunday on the first lap of the two-week trip.

●

HOWARD STRICKLING hopes to return to the coast in about two weeks. LOUIS B. MAYER may leave soon for Miami to confer with NICHOLAS M. SCHENCK. He may go to London, but this is indefinite at the moment.

●

WILLIAM R. FERGUSON is back from Detroit after visiting W. G. BISHOP, local exploiteer, who is slowly recovering from pneumonia. WARREN SLEE has been sent to Detroit to pinch hit for BISHOP.

●

EDDIE CARRIER of the M-G-M exploitation department has gone to Kansas City from Detroit to assist CLAUDE MORRIS on campaigns for "Romeo and Juliet."

●

W. RAY JOHNSTON has acquired two Jack London stories, "Queen of the Yukon" and "Wolf Call," for production by Monogram in the 1937-38 season.

●

BILL POLL has been named press representative of the New Criterion by B. S. MOSS and HARRY L. CHARNAS. He will continue to handle ALEX YOKEL's theatrical productions.

●

RALPH ROLAN, vice-president of March of Time, will address the Chicago Scholastic Press Guild on Feb. 20. "Pictorial Journalism" is his topic.

●

BEN KASSOY, former advertising man, has joined Dennis Games in Philadelphia as publicity and exploitation head.

●

LOU WEINBERG leaves for the coast tomorrow on a vacation trip and also to celebrate his 20th wedding anniversary.

●

JOHN HOSHOR, who says he has financed stage productions, has opened an office here to engage in film financing.

●

OLGA MOORE's original story, "You Can't Beat Love," has been purchased by RKO.

●

FRED MEYERS will leave tomorrow for Rochester to spend the weekend looking over the RKO theatres.

●

HARRY GOLD has left for Buffalo on a short U. A. business trip.

●

HATTIE HELBORN will leave tomorrow for an Atlantic City vacation.

●

EDWARD SCHNITZER has gone to Washington for a short trip.

●

H. J. YATES leaves for the coast today on a visit to the Republic studio.

CEA Council Adopts Moyne Report Study

By BRUCE ALLAN

LONDON, Jan. 13.—The Cinematograph Exhibitors' Ass'n Council has adopted the general purposes committee's statement on the Moyne report, including the proposal for an arbitration board. It also comments on all details of the report for submission to the Board of Trade.

It is possible that further conferences with the Kinematograph Renters' Society will be held before the report goes to the Board of Trade.

G. N. Takes Title to New Studio on Apr. 1

HOLLYWOOD, Jan. 13.—Educational Studios will become Grand National Studios on April 1 when the leasing company's contract becomes effective. New executive offices will be erected immediately to house production, scenario, legal, advertising and publicity staffs as well as the western sales representatives.

Further expansion plans are awaiting the arrival of Edward L. Alperson.

Nat Wolf Is Honored

CLEVELAND, Jan. 13.—Nat Wolf, Warner theatres division manager in this zone, was honored last night at a testimonial dinner by 40 managers of Warner houses in Ohio and Kentucky. The dinner, held in the Carter Hotel, commemorated Wolf's fifth anniversary in Cleveland. Attending from the home office were Joseph Bernhard, Warner theatre head; Harry Goldberg and Stewart McDonald.

DeCavaignac Married

Jean G. DeCavaignac, French film producer, and Mrs. Virginia G. Donnelly, a widow, were married yesterday in the chapel of St. Patrick's Cathedral by Rev. Thomas L. Graham.

Wall Street

Marked Losses on Board

	High	Low	Close	Net Change
Columbia	37⅜	36½	37⅜	+ ⅝
Columbia, pfd.	45	45	45	— ⅞
Consolidated	5¼	5	5	— ⅛
Consolidated, pfd.	18⅛	17¼	17¼	—1⅛
Eastman Kodak	172	170	170	—2⅛
Eastman, pfd.	162	162	162	— ½
Gen. T. Equip.	31⅞	31⅜	31½	+ ⅛
Loew's, Inc.	69⅞	68⅜	69½	.....
Paramount	24¾	24⅛	24¼	— ½
Paramount 1 pfd.	171¼	171¼	171¼	—2¾
Paramount 2 pfd.	22⅜	21⅞	22⅛	— ¼
Pathe Film	9⅞	9⅝	9⅝	— ¼
RKO	9⅛	8⅝	8⅝	— ⅛
20th Century-Fox.	34⅞	34¼	34⅝	— ⅜
20th Century, pfd.	43	42¾	42¾	— ¾
Universal, pfd.	102	102	102	.....
Warner Bros.	17⅛	16⅞	16⅞	— ⅛

Technicolor Up on Curb

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3¼	.....
Sentry Safety	¾	¾	¾	— ⅛
Sonotone	2	2	2	+ ⅛
Technicolor	21¾	21¾	21¾	+ ⅝
Trans-Lux	4⅜	4¼	4¼	.....

RKO Bonds Reach New High

	High	Low	Close	Net Change
Loew's 3½s '46	100¾	100½	100¾	+ ⅜
Paramount Pict. 6s '55	100¾	100⅜	100⅜	— ¼
RKO 6s '41	126	124	125⅛	+2⅜
Warner Bros. 6s '39 wd	99¼	99	99¼	+ ¼

(Quotations at close of Jan. 13)

THE SERIAL SCOOP OF THE CENTURY! FOUR OF THE GREATEST AND COSTLIEST PROPERTIES IN ALL SERIAL HISTORY! READY MADE AUDIENCES OF MILLIONS! FOR FIRST RUNS, FOR ALL RUNS! ONLY UNIVERSAL COULD BRING YOU SUCH SHOWMANSHIP IN SERIALS!

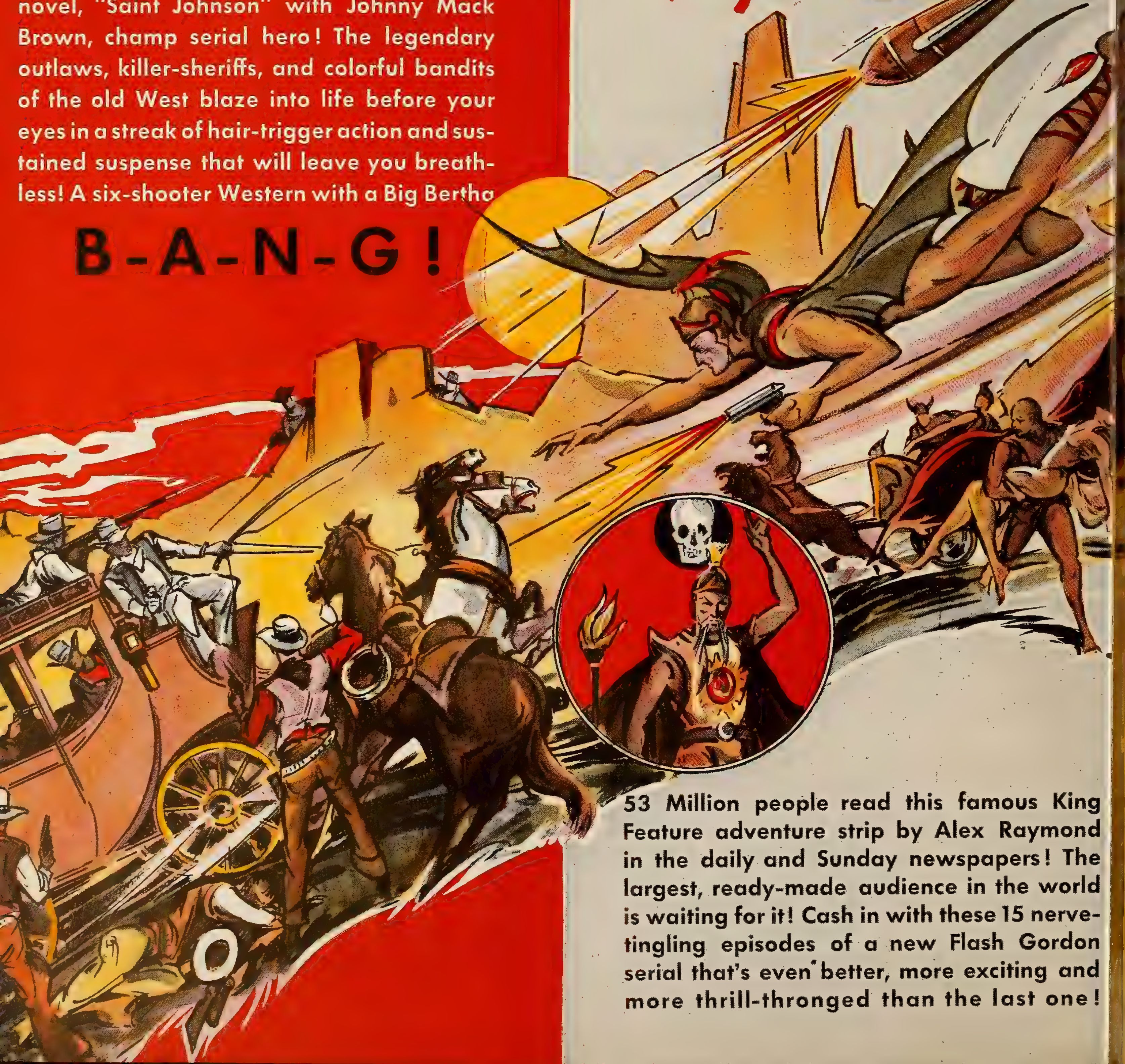
'WILD WEST DAYS'

13 smashing, shock-shivering, authentic episodes based on W. R. Burnett's famous novel, "Saint Johnson" with Johnny Mack Brown, champ serial hero! The legendary outlaws, killer-sheriffs, and colorful bandits of the old West blaze into life before your eyes in a streak of hair-trigger action and sustained suspense that will leave you breathless! A six-shooter Western with a Big Bertha

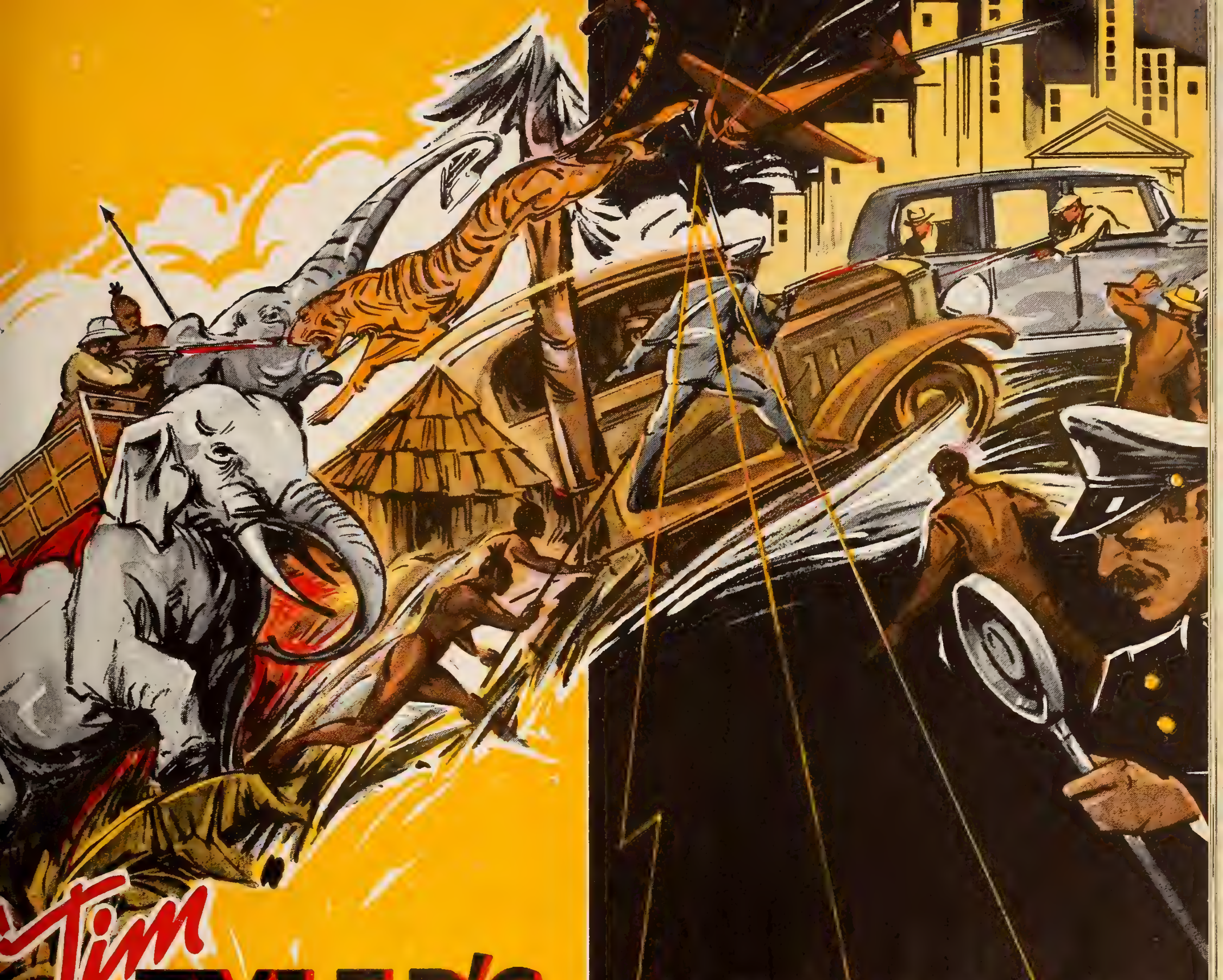
B-A-N-G!

FLASH GORDON made such a pot-full of money for exhibitors that every theatre and circuit who played it is clamoring for more! That's why we now give you . . .

'FLASH GORDON'S *Trip to Mars*'



53 Million people read this famous King Feature adventure strip by Alex Raymond in the daily and Sunday newspapers! The largest, ready-made audience in the world is waiting for it! Cash in with these 15 nerve-tingling episodes of a new Flash Gordon serial that's even better, more exciting and more thrill-thronged than the last one!



Tim TYLER'S LUCK'

The most startling and unusual jungle story that ever thrilled from the screen! Another King Feature adventure strip with a following of millions! Lyman Young's famous newspaper cartoon hero in 12 fear-fraught, breathless episodes among the strangest savages — man and beast — the world has ever known!

12 hair-raising, speed-scorched episodes dealing with G-Men and Police of the Radio Patrol in their exciting battle with crime! From the universally read King Feature cartoon strip by Eddie Sullivan and Charlie Schmidt!

'RADIO PATROL'

The FOUR BIG SERIALS OF 1937 WILL COME, AS ALWAYS, FROM THE NEW UNIVERSAL—THE TIME-HONORED CREATORS OF THE BIGGEST MONEY-MAKING SERIALS IN MOTION PICTURE HISTORY! THEY ARE THE BUY-WORDS OF THE INDUSTRY!

G. B. to Stay with 20th-Fox for Time

(Continued from page 1)

G. B. will be permitted to release "River of Unrest," first of five B. I. P. films signed for by Lee, exclusive of five Herbert Wilcox pictures.

While Lee would not discuss the session, Kent stated: "I have nothing to say on the meeting except that 20th Century-Fox has agreed to handle one John Maxwell picture."

With further details lacking, it is understood that further discussions will be held between Kent and Lee when pictures other than G. B.-made come up for distribution. The release date for "River of Unrest" is Jan. 10 and cancellation of many bookings would have been forced had Kent insisted on complying with the notification recently sent out that 20th Century-Fox could not handle product not made by G. B.

Own Exchanges Still Considered

Plans for establishing its own exchange system have not been dropped entirely by G. B., it is understood, and it is likely the company may set up its own national distribution outlet for next season.

While Kent and Lee decline to discuss details of yesterday's conclave, the implication is that Kent conceded G. B. the privilege of using 20th Century-Fox exchanges for this one Maxwell film to save the company from an embarrassing situation.

Although G. B. has taken on 10 outside pictures, the schedule of 24 announced at the annual sales convention has not been increased, it was pointed out.

Isidore and Maurice Ostrer are scheduled to sail today on the *Aquitania*. They have been here the past few months conferring with Joseph and Nicholas M. Schenck and Kent on the Loew's-20th Century-Fox-G. B. stock deal. According to Isidore Ostrer, there has been no change as far as G. B. is concerned since he left London.

G. B. Starts Sales Drive

G. B. has started a playdate drive which will continue until Apr. 3. In honor of the G. B. general sales manager the drive will be known as the George W. Weeks Playdate Roundup.

U. A. Sets Deal for New Cartoon Series

(Continued from page 1)

unit are Kenneth McLellan, former head animator for Walt Disney, and Norman Stevenson, former Disney production manager. A staff of five animators and 40 artists has been assembled and is at work on the United Artists lot now. The series is designed to replace the Disney cartoons which will be distributed by RKO next season.

Mrs. Cummins Buried

Funeral services were held Tuesday for Mrs. Anna Cummins, wife of Samuel Cummins, of Eureka Prod. Interment was in the Lutheran Cemetery, Brooklyn.

"Men Not Gods" to Rivoli

"Men Are Not Gods" opens at the Rivoli Saturday.

Out Hollywood Way

Hollywood, Jan. 13. — Isabel Dawn and Boyce De Gaw are in Washington for Navy Dept. conferences on the script of "Wings Over Honolulu," Universal.

Horace McCoy signed to term contract by M-G-M; he's author of "They Shoot Horses, Don't They?" . . . "Glove Spats," sixth of current Our Gang series, started . . . B. P. Schulberg holds up shooting on "Love Trap" because of illness of Gail Patrick . . . Al Wilson, production manager on Republic's "The Hit Parade," flies to New York to supervise set construction at Biograph Studio . . . Harry Glucksman, N. Y. exchange manager for Republic, here with Mrs. Glucksman for visit.

Louis Hayward to appear in one a year for Universal for three years through deal with Radio . . . Al Lewis gets new producer's contract at Radio . . . Isabel Jewell and Claude Rains added to sick list . . . Peter A. Goode, survivor of Macon disaster, technical adviser on "The Go Getter," Warners . . . Frances Farmer to sing in Radio's "The Toast of New York."

✚

Casting — Blanche Rayson in "Ever Since Adam," Republic . . . Alan Hale replaces Donald Crisp in "The Prince and the Pauper," Warners . . . Jack Oakie and Victor Moore in "Radio City Revels," Radio . . . Diana Gibson in "Escadrille," same studio . . . Roger Imhof in "Two Shall Meet," Grand National . . . 20th Century-Fox castings include De Witt Jennings in "That I May Live," Spencer Charters in "Fifty Roads to Town" and Ruth Peterson in "Dead Yesterday" . . . Barbara Read and Jean Rouverol in "The Road Back," Universal.

Charles Irwin in "Stepping Toes," radio . . . Olin Howland and Charles Judels in "Marry the Girl," Warners . . . Patricia Ellis, on loan from Warners; Jack LaRue, George Meeker, Julia Thayer, Helene Mitchell and Carleton Young in "Ever Since Adam," Republic.

✚

New Contracts—Hi Moulton, musician; Walter T. Strohm, technical expert; Samuel Pokrass, writer; Marjorie Weaver, Gloria and Barbara Brewster, actresses, signed to new pacts by 20th Century-Fox.

✚

Directors—Phil Rosen gets new pact at Republic . . . Ray Enright to direct "Singing Marine," Warners . . . Ben Holmes given new contract by Radio.

✚

Title Changes—"Once Over Lightly" changed to "Don't Tell the Wife," Radio . . .

✚

Writer—Harry Hershfield adapting "Get It First," Warners.

Taxes Took 46-65% Of Highest Salaries

(Continued from page 1)

salary situation made by *Motion Picture Herald.* Illustrating the heavy taxes to which high salaries are subject, the *Herald* points out that 28 persons, representing as many taxation brackets, in New York and California, received an aggregate in salaries of $3,671,036 in 1935, but were subject to income taxes estimated at $1,712,967, or a tax average of 46 per cent of the total gross income.

In arriving at the figures, the *Herald* takes exemptions of $2,500 in each case from the taxable income in computing the state and Federal taxes. Among the 28 selected as typical, the *Herald* cites the much-publicized salary of $480,833 paid to Mae West in 1935, pointing out that California taxes amounted to $90,199 and Federal levies were estimated at $239,855, leaving a net income of $168,279. Winfield Sheehan, subject to taxation in New York, received a 1935 salary of $344,230, but was subject to estimated taxes, according to the *Herald,* of $27,088 to the state and $174,249 to the Government, leaving a net income of $140,393.

Would Double Cal. Tax

Sacramento, Cal., Jan. 13.—A bill has been introduced into the California legislature which would double the present tax rate, the highest in the country.

Thau on Way East

Hollywood, Jan. 13.—Benny Thau is en route to New York to confer with Louis B. Mayer before proceeding to London.

Chicago McVickers To Comet, B&K Unit

(Continued from page 1)

late this afternoon by the Chicago Board of Education.

The lease is for 30 years. Rental starts at $60,000 for the first five years and is increased to $62,500 for the second five years, $70,000 for the third five years, $70,500 for the fourth five years and $75,000 for the remaining 10 years. This is the minimum guarantee. Over and above these figures the Board of Education gets 15 per cent of the gross if a film policy prevails and 10 per cent if stage shows are used.

The lease is expected to be signed shortly. B. & K. will redecorate the theatre for reopening in the spring. Show policy is undecided. Johnny Jones was the only other bidder for the property.

Film Air Shipments Gained 130% in Year

Film shipments by air express increased 130 per cent in 1936 over 1935, a study by the Railway Express Agency indicates. In November, 1936, the total number of film shipments in and out of New York was 3,167, against a total of 1,342 in November of 1935. Shipments by weight from Los Angeles to New York in November of last year were 3,028 pounds, compared with 1,288 pounds in November, 1935.

The film industry has been among the largest and most consistent users of air express since its inception in 1927, the study points out. One of the greatest services, it is said, is the use of air express by newsreels in shipping prints to theatres over the country.

Johnson Succumbs To Crash Injuries

(Continued from page 1)

Snark. He married Mrs. Johnson on his return in 1910. Later he opened a chain of nickelodeons in southern Kansas, and afterward, with Mrs. Johnson, he toured the western states and parts of Canada showing the South Sea cruise film. The course of their exhibition tour took them into remote places where they had to use acetylene gas for illumination.

In 1912 they went to the islands in southern Pacific where they made their first film, "Cannibals of the South Seas." Following this they cruised about the South Seas making films at every group of islands, the result being "Captured By Cannibals," "Head Hunters of Malekula" and "On the Borderline of Civilization.'

Continuing their travels, they sailed around Australia and then spent two years in Borneo making "Jungle Adventures." Next they went to the Malay States and Egypt where "Bessie the Adventuress" and "The Suez Canal" were filmed. For the next 15 years they traveled the length and breadth of Africa. The couple became authorities on native populations and the habits of wild animals.

Filmed Many Jungled Pictures

The African expeditions produced "Trailing Wild Animals," "Simba," "Across the World," and in recent years "Congorilla," the first all sound film to be made in the African interior.

Johnson lectured extensively in this country and abroad and was the author of "Camera Trails in Africa," "Safari," "Lion" and "Congorilla." He was also associated with the American Museum of Natural History. Two years ago he returned from Africa with "Baboona," which was made with two airplanes to facilitate reaching remote places in Africa. The film was distributed by Twentieth Century-Fox. It was the first picture to be screened in an airplane for the press.

Recently he had again visited the head hunter country of Borneo, this time using an airplane as in the recent African trip.

Birmingham Plan to Tighten Supervision

Birmingham, Ala., Jan. 13. — Amusement supervision in Birmingham will be extended and tightened in some respects rather than relaxed by the new department of amusment supervision which the City Commission proposes to create, according to commission President Jones and Commissioner Robinson, who told a group of protesting members of the Birmingham M. P. Council that the proposed new system will be given a trial.

Pettersen Marzoni is scheduled to be director of amusement supervision and Mrs. Harriett B. Adams, present amusement supervisor, his assistant. The proposed ordinance will give the new department authority over theatres, circuses, fairs, carnivals, night clubs and other entertainments which are not now covered.

Attend Pa. Session

Pittsburgh, Jan. 13.—Fred Herrington, secretary of the M.P.T.O. here, and William L. Brown of Tarentum have left for Harrisburg for the current session of the Pennsylvania legislature.

"Plainsman" Leads Pickup On the Loop

CHICAGO, Jan. 13.—Record-breaking business was the order in the Loop as "The Plainsman" at the Chicago and "After The Thin Man" at the United Artists rolled up tremendous grosses. The Chicago took $57,500, while the U.A. pulled more than twice the average gross to hit $35,700 for the week.

Good weather most of the week helped and all houses showed figures well on the profit side.

The Oriental, with "Sinner Take All," hit a new high, $25,800. The Palace, with "That Girl From Paris" starting New Year's Eve at $2.20 top for the two evening shows, did well and got $34,600.

Total first run business was $210,400. Average is $115,000.

Estimated takings:

Week Ending Jan. 5:

"AFTER THE THIN MAN" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $35,700. (Average, $15,000)

"DON'T TURN 'EM LOOSE" (Radio)
STATE-LAKE — (2,776), 25c-35c-40c, 7 days. Stage: "Casino De Paree." **Gross:** $19,500. (Average, $13,000)

Week Ending Jan. 6:

"THAT GIRL FROM PARIS" (Radio)
PALACE—(2,509), 35c-55c-75c, 7½ days. Stage: Ethel Waters and Revue. **Gross:** $34,600. (Average, $19,000)

"THE PLAINSMAN" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: "Magazines" Revue. **Gross:** $57,500. (Average, $32,000)

"SINNER TAKE ALL" (M-G-M)
ORIENTAL — (3,490), 35c-55c, 7 days. Stage: Mills Bros. and Revue. **Gross:** $25,800. (Average, $15,000)

"TARZAN ESCAPES" (M-G-M)
ROOSEVELT—(1,591), 35c-55c-75c, 7 days. **Gross:** $16,200. (Average, $11,000)

"BANJO ON MY KNEE" (20th-Fox)
APOLLO — (1,400), 35c-55c-75c, 7 days. **Gross:** $11,500. (Average, $5,500)

"COLLEGE HOLIDAY" (Para.)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $9,600. (Average, $5,500)

"College Holiday" Best Oklahoma Bet

OKLAHOMA CITY, Jan. 13.—"College Holiday" stepped out front in a brisk week during which all the first runs went into the profit column. The take at the Criterion was $6,000, over par by $1,000.

"Rose Bowl" went into the money with $1,600 in four days at the Liberty, helped by a stage show, "Chicago Follies" and seven acts of vaudeville. Normal for seven days is $3,000.

Total first run business $16,200. Average is $14,000.

Estimated takings for the week ending Jan. 9:

"COLLEGE HOLIDAY" (Para.)
CRITERION—(1,700), 10c-35c-55c, 7 days. **Gross:** $6,000. (Average, $5,000)

"CAMILLE" (M-G-M)
MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $4,500. (Average, $4,000)

"POLO JOE" (W.B.)
CAPITOL—(1,200), 10c-25c-40c, 7 days. **Gross:** $2,200. (Average, $2,000)

"ROSE BOWL" (Para.)
LIBERTY—(1,500), 10c-25c-40c, 4 days. Stage: "Chicago Follies," seven acts vaudeville. **Gross:** $1,600. (Average for week, $3,000)

"FOLLOW YOUR HEART" (Republic)
"THE ACCUSING FINGER" (Para.)
LIBERTY—(1,500), 10c-25c-35c, 3 days. **Gross:** $900. (Average for week, $3,000)

Lily Pons Is Frisco's Best Bet, $23,000

SAN FRANCISCO, Jan. 13.—"That Girl from Paris" was the big moneymaker of the week here. It ran the gross at the Golden Gate up to $23,000, over normal by $7,000.

"Rainbow on the River" was $2,500 to the good on a take of $7,000 in its second week at the Embassy. "Gold Diggers of 1937" and "Join the Marines" pulled a strong $7,800 at the St. Francis in a second week, and "Stowaway" held up to $8,300 at the United Artists.

The weather was unexpectedly cold, but this proved a help rather than a detriment.

Total first run business was $105,050. Average is $86,000.

Estimated takings:

Week Ending Jan. 5:

"RAINBOW ON THE RIVER" (Radio)
EMBASSY — (1,400), 10c-30c-35c-40c, 7 days, 2nd downtown week. **Gross:** $7,000. (Average, $4,500)

"THAT GIRL FROM PARIS" (Radio)
GOLDEN GATE—(2,850), 15c-30c-35c-40c-55c, 7 days. Stage, vaudeville. **Gross:** $23,000. (Average, $16,000)

"PENNIES FROM HEAVEN" (Col.)
"YOU CAN'T GET AWAY WITH IT" (Univ.)
ORPHEUM — (2,440), 15c-30c-35c-40c, 7 days, 2nd week. **Gross:** $10,500. (Average, $9,500)

Week Ending Jan. 6:

"THE PLAINSMAN" (Para.)
"COUNTRY GENTLEMAN" (Republic)
FOX — (5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $17,000. (Average, $16,000)

"COLLEGE HOLIDAY" (Para.)
"JOIN THE MARINES" (Republic)
PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 6 days, 2nd week. **Gross:** $14,300. (Average, $13,000)

"GOLD DIGGERS OF 1937" (F. N.)
"FUGITIVE IN THE SKY" (W. B.)
ST. FRANCIS—(1,400), 15c-30c-35c-40c, 7 days, 2nd downtown week. **Gross:** $7,800. (Average, $6,000)

"STOWAWAY" (20th-Fox)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days, 2nd week. **Gross:** $8,300. (Average, $7,000)

Week Ending Jan. 7:

"ONE IN A MILLION" (20th-Fox)
"ALONG CAME LOVE" (Para.)
WARFIELD—(2,680), 15c-30c-35c-40c-55c, 75c, 7 days. **Gross:** $15,400. (Average, $13,000)

Week Ending Jan. 8:

"YELLOW CRUISE" (French)
CLAY—(400), 15c-30c, 7 days. **Gross:** $750. (Average, $1,000)

London Capitol to Open

LONDON, Jan. 4.—The Capitol, Haymarket, General Theatres property controlled by Gaumont British, will reopen Feb. 4 with a gala performance for the Safer Motherhood Fund. Reconstruction of the theatre has occupied twelve months and has cost £50,000.

At a slight sacrifice of seating capacity the floor level has been dropped from first-floor to basement, stalls absorbing the area previously occupied by the Kit-Cat Club. Capacity is now 1,500. Previously a G. B. second pre-release house, the Capitol is now expected to go out for first pre-run business in competition with the producer theatres massed round Piccadilly Circus.

Cecil Rudnick to Wed

BOSTON, Jan. 13.—Cecil Rudnick, National Screen Service official here, and Bernice Levy of New York plan to marry in June.

Kid Convenience

St. Louis, Jan. 13.—F. & M. have installed a number of conveniences for the special children's shows at the Missouri Saturday mornings. These include free telephone service, five matrons to look after the smaller children, free checking service for bicycles and roller skates, two additional drinking fountains and a personal time announcement at 12:30 P. M. at the close of the special morning show for the assistance of the children who cannot read a clock.

The admission price of 10 cents also permits the children to remain for the regular show which opens immediately after the close of the special morning matinee.

"Plainsman" At $15,600, Kansas City

KANSAS CITY, Jan. 13.—In spite of some frontier weather the last two days of its run at the Mainstreet, "The Plainsman" freighted $15,600 into the box-office, $7,600 over the line, and was moved to the Uptown for a second week. The New Year's Eve midnight show of "One In a Million" helped.

Other first runs felt the sleet and freezing weather which set in Jan. 6 to leave the houses mostly empty the last two days of their week. However, "Gold Diggers of 1937" in its second week, and the midnight New Year's Eve show of "Champagne Waltz" at 55 cents, gave the Uptown $6,100, $2,100 better than par.

"Camille" got strong matinee patronage to build its gross $3,300 over an $11,500 average at the Midland, and "College Holiday," in its second week at the Newman, broke $7,000 average by $600.

Total first run business was $53,100. Average is $37,500.

Estimated takings:

Week Ending Jan. 7:

"THE PLAINSMAN" (Para.)
MAINSTREET — (3,100), 25c-40c. (One showing of "ONE IN A MILLION," 20th-Fox, New Year's Eve, at 40c). 7 days. **Gross:** $15,600. (Average, $8,000.)

"CAMILLE" (M-G-M)
MIDLAND — (4,000), 25c-40c, 7 days. **Gross:** $14,800. (Average, $11,500.)

"COLLEGE HOLIDAY" (Para.)
NEWMAN (1,900), 25c-40c, 7 days, 2nd week. **Gross:** $7,600. (Average, $7,000.)

"MIND YOUR OWN BUSINESS" (Para.)
TOWER—(2,200), 25c-35c, 7 days. Stage: Armida; Whitey & Ed Ford; Joe Melvin; Fitz & Cahill, and Ted Cook. **Gross:** $7,000 (Average, $7,000.)

"GOLD DIGGERS OF 1937" (F. N.)
UPTOWN—(2,000), 25c-40c (one showing New Year's Eve of "CHAMPAGNE WALTZ," Paramount, at 55c). 7 days. **Gross:** $6,100. (Average, $4,000.)

Expect Boston Raises

BOSTON, Jan. 13.—A general price increase among local first runs is anticipated as the result of the Metropolitan making the initial move by hiking admissions a dime. The RKO Boston is expected to up admissions next. The Loew houses are expected to fall into line.

"Million" Up On Dual in 2 Coast Houses

LOS ANGELES, Jan. 13.—"One in a Million," on a dual with "Sinner Take All," was the big draw of the week here. It went to $18,942, over normal by $4,942, at Loew's State, and at the Chinese the same bill grossed $14,846, up by $2,346.

"Rembrandt" held up to $4,323 in its third week at the 4 Star.

The weather was rainy.

Total first run business was $95,211. Average is $107,950.

Estimated takings for the week ending Jan. 13:

"LLOYDS OF LONDON" (20th-Fox)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 4 days. **Gross:** $5,200. (Average, $17,000)

"ONE IN A MILLION" (20th-Fox)
"SINNER TAKE ALL" (M-G-M)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $14,846. (Average, $12,500)

"REMBRANDT" (U. A.)
4 STAR—(900), 30c-55c, 7 days, 3rd week. **Gross:** $4,323. (Average, $3,250)

"ON THE SUNNYSIDE" (Scandinavian)
GRAND INTERNAT'L—(750), 35c-40c, 7 days. **Gross:** $2,100. (Average, $1,200)

"THAT GIRL FROM PARIS" (Radio)
"RACING LADY" (Radio)
HILLSTREET—(2,700), 30c-65c, 7 days, 2nd week. **Gross:** $6,000. (Average, $8,000)

"ONE IN A MILLION" (20th-Fox)
"SINNER TAKE ALL" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $18,942. (Average, $14,000)

"THAT GIRL FROM PARIS" (Radio)
"RACING LADY" (Radio)
PANTAGES—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $6,000. (Average, $8,000)

"COLLEGE HOLIDAY" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days, 2nd week. Stage: F. & M. revue. **Gross:** $12,800. (Average, $18,000)

"GOLD DIGGERS OF 1937" (F. N.)
"KING OF HOCKEY" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $13,000. (Average, $14,000)

"GOLD DIGGERS OF 1937" (F. N.)
"KING OF HOCKEY" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days. **Gross:** $12,000. (Average, $12,000)

"Gold Diggers" Big In Spokane, $8,200

SPOKANE, Jan. 13.—An epidemic of flu and a wave of sub-zero weather arrived too late to do much damage to last week's grosses. "Gold Diggers of 1937," on a dual with "Career Woman" at the Fox, pulled $8,200, above average by $1,200.

"Theodora Goes Wild" and "March of Time" fluctuated at the State and finished $5,500 for the week, $700 over par.

Total first run business was $19,400. Average is $17,000.

Estimated takings:

Week Ending Jan. 6:

"GOLD DIGGERS OF 1937" (F. N.)
"CAREER WOMAN" (20th-Fox)
FOX—(2,300), 25c-40c, 7 days. **Gross:** $8,200. (Average, $7,000)

"THEODORA GOES WILD" (Col.)
STATE—(1,000), 30c-40c, 7 days. **Gross:** $5,500. (Average, $4,800)

"MAN WHO LIVED TWICE" (Col.)
"THREE ON A TRAIL" (Para.)
ORPHEUM—(1,200), 20c-30c, 2 days. **Gross:** $900. (Average, $900)

"COUNTRY GENTLEMAN" (Republic)
"GAY LOVE" (British Lion)
GRANADA—(600), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,300)

Week Ending Jan. 4:

"WHITE HUNTER" (20th-Fox)
"ALL-AMERICAN CHUMP" (M-G-M)
ORPHEUM—(1,200), 20c-30c, 4 days. **Gross:** $3,300. (Average, $3,000)

Oppose Plea To Intervene In RKO Plan

(Continued from page 1)

say, were $20,000,000 in excess of liabilities in January, 1928, and amounted to $3,000 when Orpheum went into bankruptcy five years later.

The going assets of Orpheum were transferred to Stadium Theatres Corp., a wholly owned RKO subsidiary, in May, 1933, as a result of alleged defaults by Orpheum on advances of approximately $3,000,000 which had been made by RKO and Keith-Albee-Orpheum. The transfer was contested by Marcus Heiman, trustee of Orpheum, and RKO recently was authorized by Judge Bondy to offer $700,000 to Orpheum for uncontested rights to the assets. Orpheum creditors are scheduled to meet in the near future to consider accepting the offer.

The Orpheum preferred stockholders, however, having a junior position to the creditors, would not participate in any dividend which might result from acceptance of the RKO offer. For this reason, and because their position points out that no provision is made for them in the RKO reorganization plan, they ask leave to intervene in the latter proceedings.

Indications are that the RKO general creditors' committee will ask Judge Bondy to postpone the hearing on the plan scheduled for today until Jan. 28 or thereabouts. Hearings on the Orpheum petition and several other motions pending before the court may be held, however.

Stand on "B" Films Is Up to Exhibitors

(Continued from page 1)

cent. Although confirmation is lacking at the moment, it is definitely understood here that the studio's production of B pictures has been set at 18 rather than the former 24.

Radio's attitude will be decided at a conference to be held this week following the arrival of Ned E. Depinet. Hal Roach plans to make all "A" pictures budgeted at $500,000 or over.

Universal will augment its "B" program and make at least four more than it did last year.

As Louis B. Mayer is in New York M-G-M officials are silent on their plans. Warners, 20th Century-Fox and Columbia will continue their present policy on low budget films.

Theatre Men at Para. Meet

HOLLYWOOD, Jan. 13.—Presaging closer cooperation and understanding between producers and exhibitors in the future, five prominent showmen will sit in at the Paramount product conference tomorrow. These exhibitors, who remained here for the purpose of attending, are: M. A. Lightman, E. V. Richards, A. H. Blank, Karl Hobitzelle and Slim Higginbottom.

Refinance Golden Gate

A new mortgage loan of $425,000 at five per cent for five years has been floated for the Golden Gate theatre, San Francisco, controlled by RKO through a subsidiary.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"We're on the Jury"

(Radio)

HOLLYWOOD, Jan. 13.—A murder mystery solved in a jury room forms the basis for this comedy-drama. With Helen Broderick and Victor Moore carrying the brunt of the acting burden, the picture moves smoothly with laughs alternately following moments of dramatic suspense.

Miss Broderick is a dowager socialite serving her first assignment on a jury. More interested in justice than in court procedure, she votes for the acquittal of Colleen Clare while the other jurors vote to convict the girl who has been accused of murder. Settling down to work, Miss Broderick eventually wins the others to her way of thinking by a reenactment of the crime at its scene.

Franklin Coen has made a clever adaptation of the John Frederick Ballard stage play, retaining all the fire of the original and adding new comedy dialogue. The direction of Ben Holmes is smooth and the members of the supporting cast, which include Robert McWade as the judge, and Jean Howard, Louise Latimer, Billy Gilbert, Charles Middleton and Charles Lane as jurors, all give good performances. Moore and Miss Broderick work well as a team and can go on from this to importance as box-office factors. Joseph Henry Steele, associate producer, has given the film good mounting, building a production which should stand high in the average entertainment classification.

Production Code Seal No. 2,898. Running time, 69 minutes. "G."

"Thin Man" Is $23,000 Draw In St. Louis

ST. LOUIS, Jan. 13.—"After the Thin Man" proved the real attraction of the week with a take at Loew's of $23,000 which was $13,000 above the average. It was held.

"Three Smart Girls" and a stage show at the Ambassador did $18,500, which was $9,500 above average. "One in a Million" and "Night Waitress" did $17,750, or $3,750 above average at the Fox.

At the Missouri there was another plus par bill, "College Holiday" and "Jungle Princess," the take amounting to $12,000.

The Shubert-Rialto which was closed by F. & M. on Jan. 8 because of a dispute with unions, was the only house to go below par.

The weather was very fine. Principal opposition was hockey games at the Arena and the free commercial shows at the Municipal Auditorium.

Total first run business was $81,250. Average is $52,500.

Estimated takings for the week ending Jan. 7:

"THREE SMART GIRLS" (Univ.)
AMBASSADOR—(3,018), 25c-40c-55c, 7 days. Specialty acts in pit. **Gross:** $18,500. (Average, $9,000)

"ONE IN A MILLION" (20th-Fox)
"NIGHT WAITRESS" (Radio)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $17,750. (Average, $14,000)

"AFTER THE THIN MAN" (M-G-M)
LOEW'S—(3,162), 25c-35c-55c, 7 days. **Gross:** $23,000. (Average, $10,000)

"COLLEGE HOLIDAY" (Para.)
"JUNGLE PRINCESS" (Radio)
MISSOURI—(3,514), 25c-40c, 7 days. **Gross:** $12,000. (Average, $9,000)

"FLYING DOWN TO RIO" (Radio)
"RICH RELATIONS" (Superior)
SHUBERT-RIALTO—(1,725), 25c-40c, 7 days. **Gross:** $2,000. (Average, $3,500)

"GO WEST, YOUNG MAN" (Para.)
ST. LOUIS—(4,000), 25c-40c, 7 days. Stage: Vaudeville. **Gross:** $8,000. (Average, $7,000)

"Plainsman," Show $40,000 Boston Smash

BOSTON, Jan. 13.—"The Plainsman," with a fine stage show featuring Jane Withers and Marty May in person, drew $40,000 at the Metropolitan, $18,000 above average.

"Born to Dance" with "Sinners Take All" drew equally well at both Loew's houses, the Orpheum taking $7,000 above average with $19,000 on the week and $18,000 of the State. This was $7,000 to the good.

"That Girl From Paris" at the RKO Memorial drew $17,500. Average is $12,000. "Kelly the Second" and stage attraction with Milton Berle and Oswald drew $24,000 at the RKO Boston. Average is $22,000.

Total first run business was: $132,500. Average is $90,500.

Estimated takings for the week ending Jan. 7:

"SING A LOVE SONG" (F. N.)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $5,500. (Average, $4,500.)

"THAT GIRL FROM PARIS" (Radio)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $17,500. (Average, $12,000.)

"BORN TO DANCE" (M-G-M)
"SINNERS TAKE ALL" (M-G-M)
LOEW'S ORPHEUM—(2,970), 35c-45c-65c, 7 days. **Gross:** $19,000. (Average, $12,000.)

"BORN TO DANCE" (M-G-M)
"SINNERS TAKE ALL" (M-G-M)
LOEW'S STATE—(3,037), 35c-45c-65c, 7 days. **Gross:** $18,000. (Average, $11,000.)

"THE PLAINSMAN" (Para.)
METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Jane Withers in person and Marty May, Three Radio Rogues. **Gross:** $40,000. (Average, $22,000.)

"SING ME A LOVE SONG" (F. N.)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
PARAMOUNT—(1,793), 35c-50c, 7 days. **Gross:** $8,500. (Average, $7,000.)

"KELLY, THE SECOND" (M-G-M)
RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: Milton Berle and Oswald. **Gross:** $24,000. (Average, $22,000.)

Chance Games Legal Problem In 24 States

(Continued from page 1)

and in the past two years the legality of Bank Night has been argued in 11 high state courts. In seven it has been upheld, and in four it has been classed as a lottery. Lower court decisions in five other states have favored the game.

Appeal courts have declared the game illegal in Georgia and Louisiana, and supreme courts in Kansas and Texas. It has been held legal in New York, in two decisions, and in Indiana, Iowa, Maine, Massachusetts, New Hampshire and Tennessee. Lower state court decisions favoring Bank Night have been rendered in Connecticut, Missouri, North Carolina, Pennsylvania and Wisconsin.

Federal authorities have voiced objections to the practice, but it never has been actually called illegal by a Federal court. In four cases reaching Federal tribunals the matter involved copyright infringement, not legality. In three cases Bank Night was denied the right to copyright protection, and in only one, in North Carolina, was it successful. Federal courts in Maine, Massachusetts and Colorado ruled the game was not entitled to copyright protection, the Colorado court declaring Bank Night has no standing in equity because it too closely resembles a lottery.

Postal Dep't. in Opposition

In May, 1935, the U. S. Postoffice Dep't. ruled that cash giveaways are lotteries, and that periodicals carrying advertisements of them would be barred from the mails. Numerous postmasters have said the order will hold despite state court decisions.

The general indication from recent court decisions is that the practice of allowing anyone to register for the drawings, without the necessity of first purchasing a ticket, brings the chance games within the law on lotteries.

Municipal authorities have waged an almost ceaseless campaign against the games, and in many cases have received the support of opinions of local and state officials. Following the dissolving by the Superior Court in Chicago of an injunction restraining the police from interfering with Bank Night, all chance games have been prohibited there by city ordinance.

Chicago Appeal Permitted

CHICAGO, Jan. 13.—Judge Niemeyer of Superior Court today granted a certificate of importance enabling the attorneys for 34 theatres here to appeal directly to the Illinois Supreme Court from his ruling of Monday which held Bank Night drawings to be illegal.

Edmund Adcock, who represents the theaters, said that the appeal will be filed in time for the April term of the high court.

"Blossoms" Opens

"Broken Blossoms" opened yesterday at the Belmont. The film is presented in a continuous performance policy.

Chain Heads Meet On Ford's Protest

NBC and CBS executives met in practically all-day sessions yesterday to prepare an answer to the Ford blast against the practice of permitting network stations to cut in on programs with spot announcements during station breaks.

What transpired at the meetings will have to remain a secret temporarily, for both networks refused comment. NBC stated that no statement would be forthcoming now or in the future. CBS, however, may have something to say soon, it was indicated there.

Chevrolet Resumes

Chevrolet yesterday renewed its Sunday evening CBS program for an additional 13-week period, beginning Jan. 17. The program features the band of Rubinoff and vocals by Virginia Rea and Jan Peerce. Campbell-Ewald is the agency.

Additionally, the CBS "Home Makers Exchange" program, sponsored by the National Ice Industry, adds 17 new stations beginning with the broadcast of Jan. 26. The program after this date will be heard over 62 CBS stations, making it one of the most important day-time shows in radio. Donahue & Coe is the agency.

Mutual Sets Inauguration

Mutual will completely cover the inauguration of President Roosevelt Jan. 20. The broadcasting from Washington will begin at 11:15 A. M. and continue until 2 P. M., E. S. T.

As with NBC and CBS, Mutual will pay the freight for the commercial programs cancelled out for the inauguration. These programs and their sponsors will include "Love Songs" for General Mills, Inc., 11:30 to 11:45 A. M.; "Tom, Dick and Harry" for the Fels Co., 12:15 to 12:30 noon; "Music from Texas" for the Crazy Water Hotel, 1 to 1:15 P. M.; and "Painted Dreams," for Cal-Aspirin Co., 2:30 to 2:45 P. M.

Ford Changes on Way

It was learned on good authority yesterday that considerable changes will be effected on the Ford-sponsored program "Watch the Fun Go By," heard on CBS Tuesday at 9 P. M., E. S. T. While it is not believed that the present cast will be changed, a new director will be brought in to revise the whole pattern of the program. Additionally, the revised program will feature weekly guest stars from stage, screen and radio. The new set-up will be instituted in about two weeks.

New Cigarette Show

While there will be no public announcement for some weeks, it was authoritatively learned yesterday that N. W. Ayer & Son had closed negotiations for a new script-musical program for its client, "Twenty Grand" cigarettes. The programs will be heard three times weekly at an early evening hour, probably on an NBC network.

Dragonette Off Air

Jessica Dragonette was unable to appear on her inaugural program at CBS for Colgate-Palmolive-Peet last night, due to an attack of influenza. Lanny Ross and Ruby Mercer substituted for her.

WNYC May Enter Chain

A consolidation of non-commercial radio stations, headed by New York's municipal station WNYC, is expected to begin operation some time this year, according to Mayor F. H. La Guardia. Permission for the chain will be sought from the Federal Communications Commission.

The new chain, as described by the Mayor, will begin with a nucleus of about eight or nine stations. At present there are about 60 stations that are classified as educational and non-commercial stations.

There will not be any consolidation of the managements of the stations. Rather, the chain is to be a federation of independent non-commercial stations which will cooperate with each other by providing their best programs as network units.

"Congress Today" Over WMCA

"Congress Today," is a new series of programs broadcast under the aupices of the National Council for Prevention of War, on station WMCA. Congressmen and others politically prominent will be presented weekly on the series, which will originate in the studios of WOL, Inter-City key station in Washington, D. C.

The speaker on the initial broadcast was Senator Clark of Missouri.

Goes Coast-to-Coast

The Gordon Baking Co.'s "Lone Ranger" program, heard Mondays, Wednesdays and Fridays on various Mutual stations, goes coast-to-coast Jan. 18, on which date it buys in on the Don Lee stations. The Sehl Agency represents the sponsor.

Additionally, the "Journal of Living" program, sponsored by the magazine of that title and heard locally on WOR, adds two more Mutual stations beginning Jan. 25. The stations are WAAB, Boston, and WEAN, Providence. The Schillin Agency handles the program.

Sponsoring WOR Signals

For the first time since the station began operating, WOR's time signals will be sponsored, beginning March 14. The Longines-Wittnauer Co., Inc., yesterday signed for the time signals for 52 weeks from 7 P. M. to 11 P. M., on the hour. Arthur Rosenberg & Co. is the agency.

Longines-Wittnauer, incidentally, was the first company to put time signals on the air back in the early days of WJZ. The station then gladly allowed them on the air—for nothing.

Welbourn Kelley, Et Al

Short Shots: Welbourn Kelley, of NBC's press division, transfers to the continuity department this week . . . Margo, picture star, will be interviewed by Radie Harris over WHN tomorrow . . . Several of WOR's artists have been granted long term extensions of contract. Among them are John Gambling, Ed Fitzgerald, Allie Lowe Miles, Raymond Gram Swing, Helene Daniels, Bob Emery and Barbara La Marr . . . Helen Taylor, fashion director for Walter Wanger film productions, will be Bide Dudley's WOR guest tomorrow . . . Pat Flanagan, WBBM (Chicago) will serve as judge in the selection of a new name for the Indiana University football team . . . Sophie Tucker will appear as guest on the Nash "Speedshow" Saturday night . . . Ella Logan arrived in Chicago last night where she will join the show of the Chez Paree . . . Mrs. Edward G. Robinson will appear with her husband on Monday's Lux "Radio Theatre" hour . . . Frank Buck will guest star on Eddie Cantor's program Sunday night . . . Pat O'Brien joins the Vallee troupe as a guest star this evening . . . Donald Flamm, president of WMCA, returns from Europe on the *Rex today* . . . Sonja Henie will be among Joe Cook's guests Saturday, while Roland Young will head the guest star roster on the "Saturday Night Party" this same evening.

Safety Film Tests Show Storage Value

WASHINGTON, Jan. 13. — Motion picture film of the safety type shows great promise as material on which to preserve records of permanent value, according to tests made by the National Bureau of Standards, the Dept. of Commerce has reported.

This type of film, which has a base of cellulose acetate, is designed for use where the highly combustible cellulose nitrate film customarily used in theatres presents too great a hazard, it was stated. In addition to its safety features, cellulose acetate film appears to have excellent keeping qualities. The effects of various accelerated aging treatments on samples of new films of both types were determined. Samples of old nitrate were tested also to find their condition after natural aging.

Goldstein Heads League

BOSTON, Jan. 13.—Jack Goldstein has been appointed general manager of the recently formed Intercollegiate Music League. All members of this group are to be known as associates and are to share annually in the net profits accruing from introducing, recording and publicizing of members' music. Contracts, said to be indorsed by the M.P.P.A., Ascap, and S.P.A.,

Jones Is Named Head Of Wilmington Union

WILMINGTON, Jan. 13.—Philip Jones of Wilmington has been elected president of M. P. Machine Projectionists Local 473 at a meeting here. Other new officers include Leon H. McCairns, vice-president; Edward T. Veasey, financial secretary treasurer; Albert B. Williams, recording secretary; John R. Waller, business manager; John Maisel, sergeant-at-arms.

The executive board consists of the officers and Albert Hughes and Frank Page. The projectionists have been organized for 20 years and are affiliated with the Central Labor Union, Delaware State Federation of Labor and American Federation of Labor.

80 Firms Chartered

DOVER, Del., Jan. 13.—Eighty film, theatre, radio, television, and miscellaneous amusement companies were incorporated in Delaware with the secretary of state here during 1936. Forty-one of the 80 companies were formed to operate theatres and other places of amusement, 18 to deal in films, 14 to engage in miscellaneous amusement enterprises, and seven to deal in radio and television. Nine companies dealing in amusements changed their names during the year, while five made increases in capital.

Hyde May Transfer WILM to Chester

WILMINGTON, Jan. 13.—Testimony in support of a proposal to move station WILM from Wilmington, Del., to Chester, Pa., was received in Washington today by examiner R. H. Hyde.

President Clair McCullough, of the Delaware Broadcasting Co., operator of WILM and WDEL in Wilmington, declared that WILM could give greater service in Chester.

Brown Quits WFBM for WLW

INDIANAPOLIS, Jan. 13.—William J. Brown, chief announcer of WFBM for seven years, has joined the announcing staff of WLW at Cincinnati, the third announcer in recent years to make the transfer. The other two are Don Hancock, now with CBS at Chicago, and Dirwood Kirby. Ned Le Fevre, featured player with the Federal Players here, will be added to the WFBM staff. Also departing from WFBM for WLW is Mary Paxton Young, star of "Songs in Style," which was given twice weekly. She will appear on sustaining programs at Cincinnati.

Armand Heads Exploitation

HOLLYWOOD, Jan. 13.—Jean Armand has been appointed to head exploitation on the Haven MacQuarrie "Do You Want To Be An Actor?" amateur program. He will also handle his regular duties as exploitation chief of KFWB, the local Warner station.

Ray Buffum has been placed in charge of publicity on the Gus Edwards program and Fred Dodge will do downtown news planting.

Shift KFWB Program

HOLLYWOOD, Jan. 13.—The local edition over KFWB of the Haven MacQuarrie "Do You Want To Be An Actor?" show has been shifted from Friday to Wednesday.

Chase and Sanborn will hold their own auditions at the NBC headquarters for the network broadcasts in the future. Jean Armand will continue to cast the local shows. MacQuarrie will assist the sponsors in the auditioning.

Oppose Columbus Stations

COLUMBUS, Jan. 13.—Examiners of the Federal Communications Commission have recommended that application of the Continental Radio Co. of Columbus and Toledo to build new stations be denied. The examiners reported the company is "legally, technically and financially responsible to build and operate the stations," but the need for additional radio service in the areas involved had not been shown.

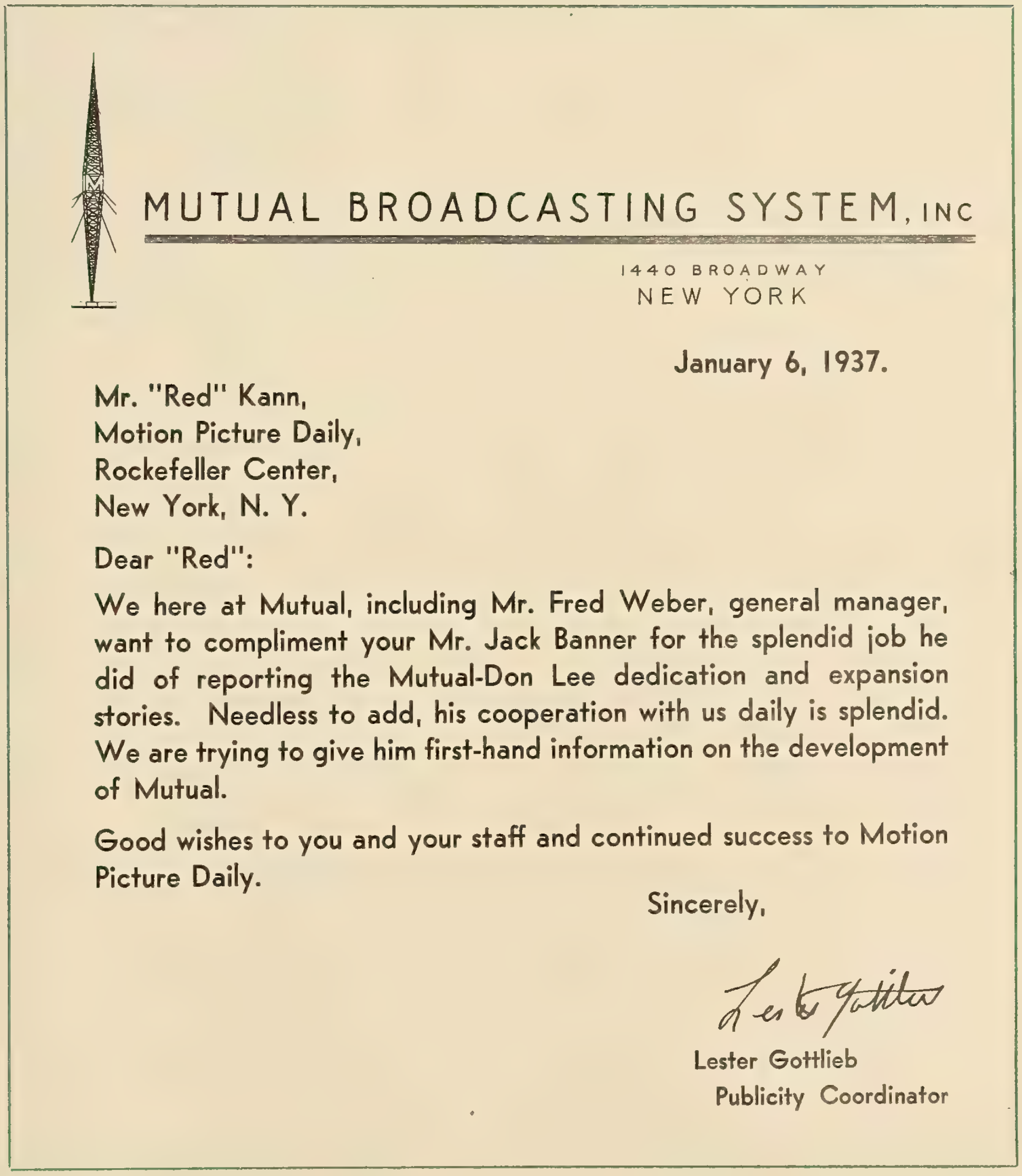
"Lone Ranger" May Switch

DETROIT, Jan. 13.—"The Lone Ranger," western act aired Monday, Wednesday and Friday evenings at 7:30 P. M., E.S.T. over WXYZ and the Michigan Network may go to another outlet, according to report. George W. Trendle conceived the original act which once played at the Fisher about two years ago when that theatre ran vaudeville.

WNBC Renewals Heavy

NEW BRITAIN, Conn., Jan. 13.—WNBC, which is awaiting an F.C.C. decision on its full-time operation application, reports almost 100 per cent renewals in advertising contracts.

Radio Acceptance



MUTUAL BROADCASTING SYSTEM, INC
1440 BROADWAY
NEW YORK

January 6, 1937.

Mr. "Red" Kann,
Motion Picture Daily,
Rockefeller Center,
New York, N. Y.

Dear "Red":

We here at Mutual, including Mr. Fred Weber, general manager, want to compliment your Mr. Jack Banner for the splendid job he did of reporting the Mutual-Don Lee dedication and expansion stories. Needless to add, his cooperation with us daily is splendid. We are trying to give him first-hand information on the development of Mutual.

Good wishes to you and your staff and continued success to Motion Picture Daily.

Sincerely,

Lester Gottlieb
Publicity Coordinator

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

A SHOWMAN PAYS TRIBUTE TO SHORT SUBJECTS

SHORT SUBJECTS cost a mint of money to produce. Like features . . . there are good and bad shorts . . . but the chief trouble is that the majority of theatremen never get to know the difference because they pay scant attention to them . . .

It is our business to pay attention to all product . . . features and shorts . . . and we now report a decided improvement in the quality of program builders . . . as we like to call the short subject . . . That is what they really are . . . only . . . too many theatremen look upon them only as fillers . . . losing interest and revenue that should result from proper emphasis and advertising of meritorious short subjects . . .

STR . . . trail blazer for many other innovations in trade paper publication practices . . . proposes to treat the short subject with all the respect due it and in an aggressive effort to make the theatremen appreciate the value and possibilities of them . . . And the idea is . . . based . . on the practical truth that short sub-ects must be better emphasized than ey are at the present time.

CHICK LEWIS
in The Showmen's Trade Review

And here are some of the Better Short Subjects that have convinced Chick Lewis and many other showmen of the new values in the program builders.

JEFFERSON MACHAMER
and his "Gags and Gals"
in
"AMUSE YOURSELF"

BUSTER KEATON in
"MIXED MAGIC"

PAT ROONEY Jr., and
HERMAN TIMBERG Jr.,
in
"JUST THE TYPE"

TIM and IRENE in
"MODERN HOME"

TERRY-TOONS
"KIKO THE KANGAROO IN A BATTLE ROYAL"
"ROBIN HOOD IN AN ARROW ESCAPE"
"CATS IN A BAG"
"SALTY McGUIRE"

BUSTER WEST and
TOM PATRICOLA in
"THE SCREEN TEST"

BERT LAHR in
"WHOSE BABY ARE YOU?"

NIELA GOODELLE
with BOB NOLAN in
"HIGH-C HONEYMOON"

SYLVIA FROOS and
James Brierly in
"TRANSATLANTIC LOVE"

TREASURE CHEST Productions
"THE CHESAPEAKE BAY RETRIEVER"
"SYMPHONY IN SNOW"

SONG AND COMEDY HITS
"GIFTS IN RHYTHM"
with The Cabin Kids
"STRIKE! YOU'RE OUT"

Presented by E. W. HAMMONS

PLAY *Educational Pictures* TO BUILD BETTER SHOWS

ADVERTISE THEM TO BUILD BETTER PROFITS

Educational Pictures
"THE SPICE OF THE PROGRAM"

DISTRIBUTED IN U. S. A. BY 20th CENTURY-FOX FILM CORPORATION

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 12 NEW YORK, FRIDAY, JANUARY 15, 1937 TEN CENTS

Big Year Is Ahead, View On the Coast

Gains of 1936 Expected To Be Increased

Los Angeles, Jan. 14.—Although the continuance of the maritime strike is a matter of concern to all southern California, Los Angeles business and agricultural leaders and theatre owners as well as Hollywood producers are unanimous in the opinion that 1937 will be a year of unprecedented prosperity. Locally in the production and exhibition branches of the industry there is confidence that not only will the gains made during the past year be consolidated but that they will be further increased.

Southern California is in the throes of a building boom. Probably the most significant proof that Hollywood, particularly, is looking to 1937 with something more than optimism is the new construction program upon which studios and theatre owners have embarked. At M-G-M, 20th Century-Fox, Warners, Hal Roach, Columbia and Universal new construction is being rushed. The activity includes new stages, administration buildings, still and technical departments, color laboratories and dressing rooms. New theatre construction, dormant during the depression years, has taken a new

(*Continued on page* 8)

Blumenthal to Sail Soon on G. B. Deal

With Isidore and Maurice Ostrer sailing yesterday on the *Aquitania* for home and the 20th Century-Fox-Loew's-G.B. deal at a standstill, A. C. Blumenthal, who has been acting as intermediary in the transaction, will sail for London next week in an effort to work out an arrangement with the three companies.

Blumenthal spent some time with Isidore Ostrer in the latter's cabin before the *Aquitania* left its dock. After the session Ostrer said: "Everything is the same as before. There

(*Continued on page* 8)

Award Procedure Is Changed by Academy

Hollywood, Jan. 14.—Two outstanding changes in method of the Academy award nominations and voting were announced Thursday by President Frank Capra. New setup involves presentation of the award for the best performance by an actor

(*Continued on page* 22)

Radio Probe Sought Again; See Room for 500 Air Spots

By BERTRAM F. LINZ

Washington, Jan. 14.—Possibilities of accommodating as many as 500 additional broadcasting stations of not exceeding 100 watts power on the frequencies between 1,510 and 1,600 kilocycles were today called to the attention of the Federal Communications Commission in a report of the engineering division on the broadcasting hearings which were held last October.

While all cities of over 100,000 population now have one or more broadcasting stations, it was pointed out, there are 329 between 10,000 and 100,000 population which have no

(*Continued on page* 20)

Washington, Jan 14.—Exhaustive investigation by a special Congressional committee of alleged monopoly in radio and of the activities of the Federal Communications Commission is sought in a resolution introduced in the House today by Representative Connery of Massachusetts.

Explaining the measure, similar to one he unsuccessfully pressed last session, Connery expressed the belief

(*Continued on page* 20)

Additional radio—page 20

Hagen to Make 12 Yearly for Maxwell

By BRUCE ALLAN

London, Jan. 14.—Julius Hagen, head of Twickenham, at a press luncheon today at the Mayfair, revealed that he has signed a five-year agreement to produce 12 pictures annually for John Maxwell, head of Associated British Pictures.

He declared the recent receivership of his three companies was due to an increased expenditure in an effort to obtain a world market for his product.

He said, "I got caught hook, line

(*Continued on page* 8)

RKOReorganization Hearing Postponed

A first hearing of RKO creditors on the company's plan of reorganization, scheduled for yesterday before Federal Judge William Bondy, was postponed to Feb. 18 on the application of White & Case, attorneys for the RKO general creditors' committee.

All pending motions set for hearing concurrently with the reorganization

(*Continued on page* 7)

Report Odlum May Become SEC Head

Floyd B. Odlum, head of Atlas Corp., which is heavily interested in RKO and Paramount, is reported in financial circles to be slated for the chairmanship of the Securities & Exchange Commission, succeeding James M. Landis. Odlum is out of town and could not be reached for comments on the reports.

The Atlas head, who resigned from the Paramount board last summer, although his company retains its large holdings of Paramount securities, has

(*Continued on page* 7)

Southern Receipts Total $20,759,000

Washington, Jan. 14.—Amusement enterprises in the four east south central states, totaling 2,079, had box-office receipts in 1935 of $20,759,000, according to figures made public tonight by the U.S. Census Bureau.

An average of 5,595 persons were given employment for the year, the aggregate payroll being $4,500,000, of

(*Continued on page* 8)

Dude Ranch Play Very Good For Film Comedy or Musical

By PLAYBOY

The hallmark of fame in the theatre will never, never register "Howdy, Stranger." But the play at the Longacre last night was never designed to be that kind of offering. Rather was it intended for those who may seek amusement without being critical about dramaturgy and, on that score and in the main, it reaches its objective.

The evening might have been a more successful one, but, unlike other evenings in the theatre such as

(*Continued on page* 22)

1st Copyright Measure Goes Before House

Would Give Owner Right To Exhibition

By CLARENCE LINZ

Washington, Jan. 14.—Copyright legislation has been thrown into the Congressional mill with the introduction by Representative Moser of Pennsylvania, a new member who took his seat in the House only 10 days ago, of the first copyright measure of the session.

The bill would give to the copyright owner the exclusive right to exhibit if it be a film, or to communicate it by broadcasts, television or other means of transmission. Specific provision is made for the copyrighting of films or works prepared expressly for radio.

Copyright would extend to the work of an author or proprietor who is a citizen or subject of a foreign country not a party to the Berne Convention only when such author or proprietor is domiciled in the United States at the time of first publication or when the foreign country grants the benefits of copyright to Americans on the same basis as to its own citizens. The terms of copyright would be limited to 28 years with provision for extension for a similar period.

The penalties for infringement would include restraining injunctions, payment of damages, including profits, or payment in lieu of proved damages

(*Continued on page* 22)

Sales Tax Hearing Expected on Monday

Major distributors are prepared for a hearing by the Court of Appeals at Albany on their appeal from the Appellate Division ruling holding film rentals to be subject to the city's two per cent sales tax.

O'Brien, Driscoll & Raftery, attorneys for United Artists, an assessment against whose rentals provided the test case for the sales tax, said

(*Continued on page* 22)

Ask Registration of Paramount Issues

Washington, Jan. 14.—The registration on the N. Y. Stock Exchange of securities running into many millions was asked of the Securities and Exchange Commission today in statements filed by five film organizations.

The largest registration was that of

(*Continued on page* 7)

MOTION PICTURE
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(Registered U. S. Patent Office)

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Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

National Buy Awaits Tally-Corbar Moves

HOLLYWOOD, Jan. 14.—Further moves by 20th Century-Fox for the purchase of the remaining 58 per cent of the controlling interest in National Theatres will not be made until it is definitely determined whether Tally and Corbar Corp. plan to carry the F. W. C. bankruptcy case to the Supreme Court for a rehearing. Joseph M. Schenck today stated that he would not continue with purchase moves until the next Tally move is seen.

Following the Wednesday hearing, when the U. S. Court of Appeals upheld the bankruptcy ruling, it was learned that William H. Neblett and Dearn Warner, counsel for Tally, left on a three-week vacation. It is believed here that the case won't be carried to high court but nothing definite is known.

Einfeld on Coast

HOLLYWOOD, Jan. 14.—S. Charles Einfeld is here for Warner conferences.

Insiders' Outlook

By RED KANN

ISIDORE and Maurice, the two riddle men from London and Gaumont British, finally quit these shores yesterday. Before departing, however, they left a second trail of curiously and apparently unrelated statements, noting the past, present and the future—perhaps—of matters germane to their American distributing organization.

Like the jig-saw columning of a day early last December—the fourth, if you insist—once again we turned to the reliable news columns of MOTION PICTURE DAILY for yesterday's fun and found it. Here goes the second whirl at the Ostrers:

NEW YORK, Jan. 2.—G.B. will have its own exchanges in all key cities. . . . "Have not had any notice from Kent as yet or the opportunity of seeing him, but if 20th Century-Fox will not physically distribute what we have exhibited, we will then open our own offices right away as it is only a matter of time before we would have to do this anyway, due to our growing business"—*Arthur A. Lee*, by wire from Miami in a reply to a query as to intent.

NEW YORK, Jan. 5.—Opening of G.B. exchanges throughout the country will get under way within the next few weeks. Offices will be opened one at a time, it was stated yesterday, since there is no disposition on the part of 20th Century-Fox to inconvenience G.B. . . . Isidore and Maurice Ostrer are understood deferring their return to England until details in connection with G.B. exchanges are completed.

NEW YORK, Jan. 11.—Returning from "a few days' rest" in Miami. . . . Isidore Ostrer stated upon his arrival last night he had made no decision on opening exchanges in this country. Ostrer gave reporters the impression he knew nothing, or very little, about the stories which appeared in the newspapers and trade press with regard to G.B.'s own exchange system. When he was told the story appeared in Miami papers, he said: "Oh, yes. I heard something of that. I haven't given the matter any thought and will not consider any such plan until I return to England." In reference to the letter sent by Sidney R. Kent, advising G.B. that the 20th Century-Fox exchanges could not physically handle other than G.B. product, he said he had not seen the letter, but "Arthur Lee mentioned it" to him.

"There hasn't been any change in our situation with 20th Century-Fox since I left London," Ostrer stated, and asked whether G.B. will continue to distribute through the present setup, he answered "I imagine so."

NEW YORK, Jan. 12.—Arthur A. Lee, American head for G.B., will confer today with Sidney R. Kent, president of 20th Century-Fox, on the status of G.B. distribution. . . . G.B. is anxious to continue releasing its product through 20th Century-Fox . . . provided that the current schedule of 24 pictures can be handled without looking to outside sources to distribute.

NEW YORK, Jan. 13.—G.B. will continue to distribute through 20th Century-Fox exchanges for the time being. . . . While further details are lacking, it is understood that further discussion will be held between Kent and Lee when pictures other than G.B.-made come up for distribution. . . . Plans for establishing its own exchange system have not been dropped entirely by G.B., it is understood, and it is likely the company may set up its own national distribution outlet for next season.

YESTERDAY IN NEW YORK.—"Everything is the same as before. There is no change. Until a better arrangement presents itself, there is nothing to say."—*Isidore.*

Asked about setting up G.B. exchanges in this country, the assistant managing director [*Maurice*] said: "It is almost inevitable."

▼

Next stop, London.

G. N. to Have 2 Imports

Grand National will distribute two English-made films on the current season's lineup. One is "Scotland Yard Commands," an A.B.F.D. film, and the other "Mr. Bliss," produced by Garret Clements. The A.B.F.D. picture is part of the deal closed by Edward L. Alperson when he was in London and closed a two-year distribution pact for Grand National's output in England.

G. N. in Far East Deal

HOLLYWOOD, Jan. 14.—Grand National today completed a deal with H. S. Everett for the distribution of its product in the Philippine Islands. The distribution setup will be arranged by Jack Barnstyn.

Mrs. Atwell Dead

Mrs. Ben H. Atwell, wife of the theatrical publicity man, died Wednesday of a heart ailment in the Mt. Sinai Hospital where she had been a patient for six weeks. Mrs. Atwell was known professionally as Marcella Albus. She was an operatic and concert soprano. In addition to her husband, she is survived by a sister, Mrs. Lillian Stevens of Kansas City. Funeral arrangements have not been set.

Levy Keeps Bank Post

NEW HAVEN, Jan. 14.—Edward G. Levy, general counsel of the M.P.-T.O.A., has been re-elected chairman of the board of The Community Bank and Trust Co.

Lina Pictures Sues HER Lab for $62,000

A suit for $62,000 damages brought by the Lina Pictures Corp. against H. E. R. Laboratories, Inc., Garrison Film Distributors, Inc., and the Aladdin Pictures Corp. became known yesterday when the plaintiff filed a motion to examine before trial Stephen H. Eller, president of the H. E. R. Laboratories, and Tom Brandon, treasurer of Garrison Films. This motion will be argued this morning in Supreme Court before Justice John E. McGeehan.

The suit is over 32 negatives which the plaintiff claims the defendants had in their possession for a year which they assert rightfully belong to them. Originally these negatives were the property of Talking Picture Epics which went into bankruptcy and the properties of which on Nov. 5, 1934, were sold by the trustee, Irving Trust Co., to Joseph Briskman, president of Lina. Briskman, in turn sold them to Lina Pictures.

H. E. R. Laboratories claim they had a lien on these negatives for services rendered to Talking Pictures Epics and they sold the negatives to Aladdin Pictures who in turn sold them to Garrison. Lina Pictures further assert in their complaint that the defendants have wrongfully made prints of these films which they offered to the trade and are also offering to enter into contracts with exhibitors and distributors for exhibition of these prints. They claim the value to be $50,000 and also ask for $1,000 per month for the use of the negatives.

RFC Moves to Take Assets of Prudence

Attorneys for the R. F. C. yesterday petitioned Federal Judge Grover M. Moskowitz in U. S. District Court at Brooklyn for leave to foreclose on the assets of the Prudence Co., which are part of the collateral securing an R. F. C. loan of $20,000,000 made by the company in 1932.

The Prudence Co. is a subsidiary of N. Y. Investors, Inc., which guaranteed the loan and assigned all of the capital stock of the Prudence Co. to the R. F. C., and also the stock of its other subsidiaries, which include Allied Owners Corp. The latter financed the construction of a number of theatres for Paramount in 1930 and had a claim of $5,000,000 allowed in the Paramount reorganization proceedings. The company has two representatives on the Paramount board of directors, Stephen Callaghan and Harry O. King, and preferred stock estimated to have a market value of $2,000,000.

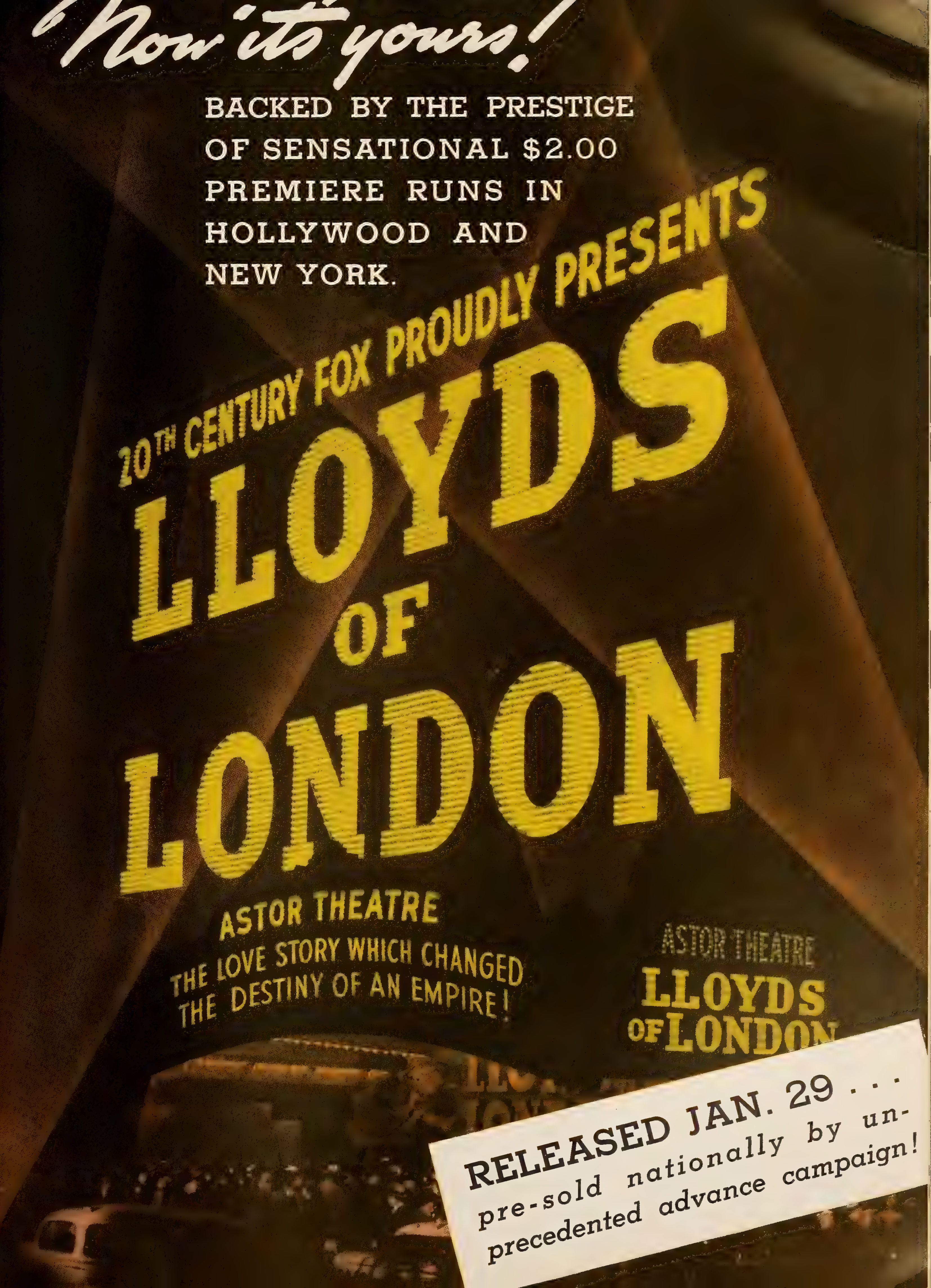
Reorganize Talent Dep't

HOLLYWOOD, Jan. 14.—Paramount has reorganized its talent department. The talent school has been placed under the direction of Oliver Hinsdale, who recently left a similar post at M-G-M. Ted Lesser, former assistant to Adolph Zukor, has been added to the staff. Hinsdale and Lesser will work under the supervision of A. M. Botsford. Melville Shauer, in charge of the department since the resignation of Jack Votion, has resumed his duties as an associate producer.

Nate Watt has been signed to direct "The Round-Up," fourth Hopalong Cassidy film being made by Harry Sherman.

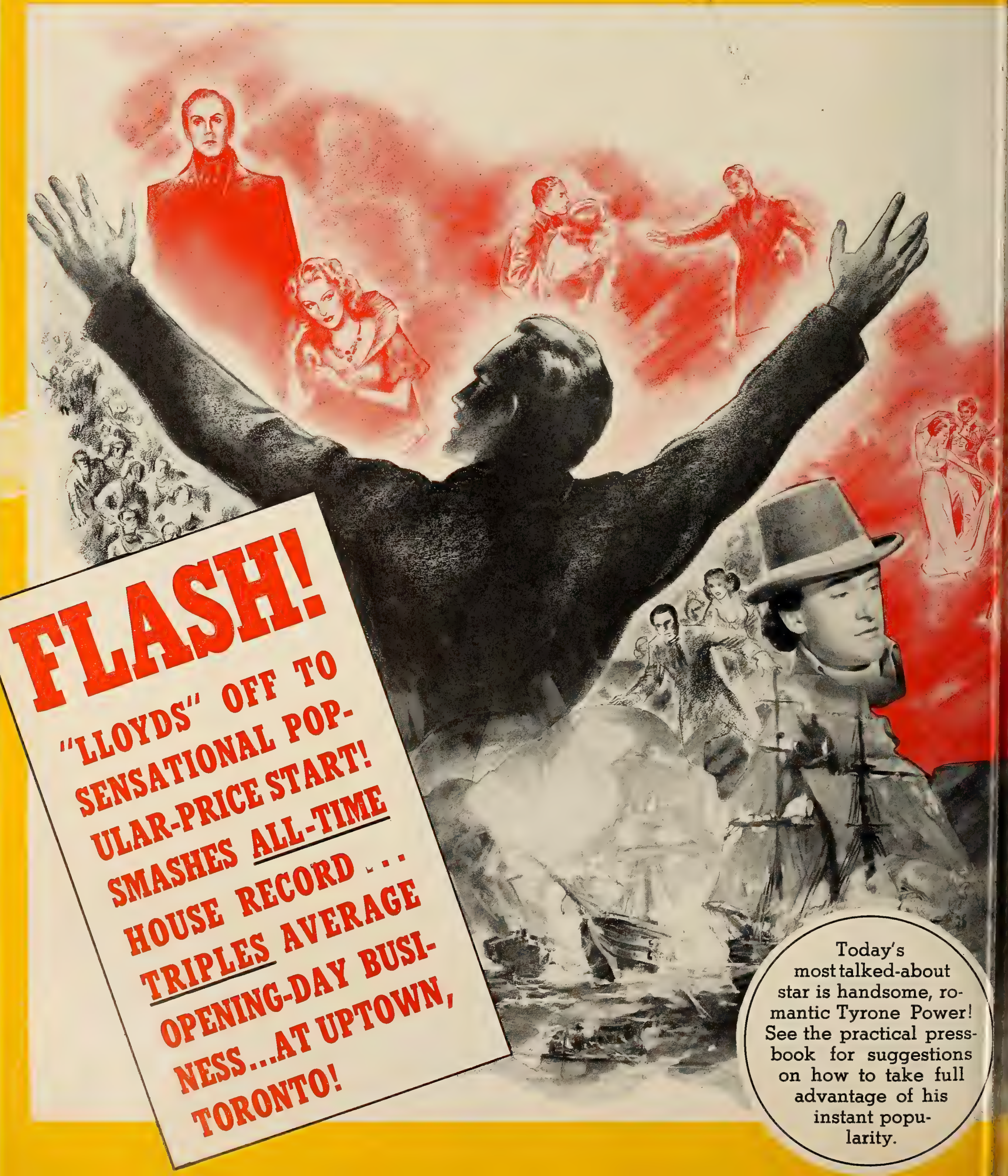
"Now it's yours!"

BACKED BY THE PRESTIGE OF SENSATIONAL $2.00 PREMIERE RUNS IN HOLLYWOOD AND NEW YORK.


20TH CENTURY FOX PROUDLY PRESENTS
LLOYDS OF LONDON
ASTOR THEATRE
THE LOVE STORY WHICH CHANGED THE DESTINY OF AN EMPIRE!
ASTOR THEATRE
LLOYDS OF LONDON

RELEASED JAN. 29 . . . pre-sold nationally by unprecedented advance campaign!

THE PICTURE THE MILLIONS
THE LOVE STORY...DOWN-TO-
WHICH CHANGED THE DESTINY



FLASH!

"LLOYDS" OFF TO SENSATIONAL POPULAR-PRICE START! SMASHES ALL-TIME HOUSE RECORD ... TRIPLES AVERAGE OPENING-DAY BUSINESS...AT UPTOWN, TORONTO!

Today's most talked-about star is handsome, romantic Tyrone Power! See the practical pressbook for suggestions on how to take full advantage of his instant popularity.

ARE WAITING TO SEE!
EARTH AND ELEMENTAL...
OF AN EMPIRE!

20th Century Fox

THE KEYSTONE
OF YOUR FUTURE

The world has heard ... over the networks ... through the papers ... in the magazines ... by word of mouth ... how both coasts hailed "Lloyds" as the top hit of the year and acclaimed Tyrone Power the screen's newest sensation!

Seldom has a picture been so showered with praise! This critic-reaction the public has thunderously seconded at the box-office.

It means that you have in your hands one of the mightiest attractions in the history of entertainment-making! Romance so impassioned that it places a nation in peril! The pageantry and drama of an empire facing its greatest crisis! The intrigue that branded a man "Liar! Traitor! Betrayer!" because he dared to claim the happiness denied him! A stirring and tremendous achievement ... warming every heart with the excitement and adventure of good, honest melodrama, with its intimate emotions, its human and understandable story!

The production brains of 20th Century-Fox give you LLOYDS OF LONDON! The showmanship sense of 20th Century-Fox gives it to you *NOW!*

20th CENTURY-FOX PRESENTS
LLOYDS OF LONDON
AUTOMAT
STRAND
FOX CARTHAY CIRCLE
LLOYDS OF LONDON
20th CENTURY-FOX PRESENTS
LLOYDS OF LONDON

20th Century-Fox presents

ITS MOST SPECTACULAR BOX-OFFICE ACHIEVEMENT

LLOYDS OF LONDON

starring

Freddie **BARTHOLOMEW** and *Madeleine* **CARROLL**

with **SIR GUY STANDING · TYRONE POWER**

C. Aubrey Smith · Virginia Field

AND A MAMMOTH CAST

Directed by Henry King

Associate Producer Kenneth Macgowan
Screen play by Ernest Pascal and Walter Ferris.
From a story by Curtis Kenyon.

A 20th Century-Fox Picture
Darryl F. Zanuck In Charge of Production

ONE OF THE GREAT PICTURES OF ALL TIME!

PRINTED IN U.S.A.

Ask Registration of Paramount Issues

(Continued from page 1)

Paramount Pictures, Inc., covering $24,866,145 of 20-year six per cent sinking fund debentures due Jan. 1, 1955; $1,621,197 of 20-year six per cent sinking fund debentures due Jan. 1, 1955; 16,211 shares of $100 par value six per cent cumulative first preferred stock; 644,140 shares of $10 par value six per cent cumulative second preferred stock; 1,590,751 shares of $1 par value common stock; 2,454,472 shares of $1 par common stock; $8,553,500 of limited guaranty of Paramount Broadway Corp. first mortgage sinking fund loan certificates, and $225,500 of limited guaranty of Paramount Broadway Corp. first mortgage sinking fund loan certificates.

A registration for the two issues of first mortgage sinking fund loan certificates also was filed by the Paramount Broadway Corp.

A statement also was filed by Harry Cohn, et al, as voting trustees, covering voting trust certificates for 5,393 shares of no par value Columbia Pictures Corp. common and the underlying securities. Columbia also filed a statement covering 10,990 shares of no par value common.

General Theatres Equipment Corp. filed a statement covering 527,024 shares of capital stock, issued, and 227,081 shares to be registered on notices of issuance.

Voting Certificates Listed

The N. Y. Stock Exchange yesterday approved applications by Columbia Pictures Corp. for listing voting trust certificates for 5,393 additional shares of common stock and 5,393 shares of common stock, both without par value.

Stockholders of United Artists Theatre Circuit, Inc., received notice yesterday of the company's plan of recapitalization, which is scheduled to become effective Feb. 15. The plan provides for the elimination of $1,050,000 of accrued dividends on the seven per cent preferred through the exchange of the old shares for a new five per cent cumulative but unconvertible preferred, together with three and one-third shares of new common and $15 in cash. The plan requires $450,000 in cash and the new capitalization will consist of 30,000 shares of new five per cent preferred and 600,000 shares of common.

Joseph M. Schenck heads United Artists Theatre Circuit which, in addition to about 20 houses in key cities, holds a controlling stock interest in Metropolitan Playhouses here.

Condor Files Detail For Film Financing

WASHINGTON, Jan. 14.—Proceeds from the proposed issue of 999,999 shares of common stock by Condor Pictures, estimated at $1,227,967, will be used to finance the production of films on which distribution contracts have been made, it was disclosed today by the registration statement filed by the company with the Securities and Exchange Commission.

The pictures included six featuring George O'Brien to cost an average of $82,500 each and in which RKO Radio has invested $225,000; four featuring Conrad Nagel, to cost an average of $22,500, in which Grand National has invested $43,750; five color pictures at $50,000 in which Grand National has invested $115,000; one foreign color picture for 20th Century-Fox to cost $40,000 and four foreign color films for M-G-M to cost $160,000.

The statement showed that the capital stock of the company heretofore has been in the hands of three persons: George H. Hirliman of Culver City, holding 23 per cent; Amadee J. Van Beuren of New York, holding 20 per cent, and Albert H. Lieberman of Philadelphia, who holds 56 per cent. It was disclosed further that B. E. Buckman & Co., Madison, Wis., who will underwrite the new issue, have an option on 372,818 shares of stock at $2.65 per share for 120 days after the effective date of the registration and that there are outstanding warrants for stock, to be taken up between March 1, 1937 and March 1, 1947, at $3.25 per share for the first five years and $5 per share for the remaining period. These warrants are held as follows: A. J. Van Beuren, 45,000 shares; A. H. Lieberman, 30,000; Buckman & Co., 73,930, and M. H. Hoffman of Hollywood, G. A. Hirliman, Frank M. Snell of New York and H. J. Rothman of New York, 65,000 each.

Current Salaries Listed

Salaries to be paid during the current year are estimated at $15,000 for Van Beuren as president, $25,000 for Hirliman as general manager of production, $25,000 for Hoffman as producer, $15,000 for Snell as vice-president and production manager, and $10,000 for Lieberman as treasurer.

The company, the registration statement sets forth, proposes to make a five-year contract with Van Beuren at $15,000 annually for the first two years, $20,000 for the next two and $25,000 for the final year and also will guarantee his $15,000 salary from the Van Beuren Corp.

A two-year contract at $15,000 a year will be made with Snell, and if renewed for three additional years will be at the rate of $20,000 for the first two years and $25,000 for the final year. A similar contract, at $10,000, renewable for three years at $15,000, $20,000 and $25,000, respectively, will be made with Lieberman.

Contracts are to be made with Hirliman and Hoffman for two years at five per cent of production costs with a guaranteed minimum of $30,000 to Hirliman for each year and $25,000 to Hoffman for the first year and $30,000 for the second. The contracts will be renewable for three years during which time each is guaranteed $35,000 for the first year, $40,000 for the second and $50,000 for the third.

Condor to Start Feb. 15

Condor Pictures will begin operations Feb. 15, it was learned yesterday. Offices of the new company will be established in the RCA Bldg.

M. H. Hoffman, who will produce a number of films for the company, will return to Hollywood shortly after completing story buys here.

Para. Illness on Wane

HOLLYWOOD, Jan. 14.—The epidemic of colds and influenza which has seriously interfered with Paramount production appears to be waning, the studio reports.

Balaban, Griffis Leave Coast

HOLLYWOOD, Jan. 14.—Barney Balaban and Stanton Griffis, who have been here for Paramount conferences, left today by train.

Piano Decision

Los Angeles, Jan. 14.—A piano yesterday decided the $1,000,000 damage suit of Leo Mantin and Eleanor Ninon against Paramount, in favor of the latter in U. S. District Court here. Judge Yankwich ordered a piano brought into court and listened to the playing of a Paramount film theme song, "One Hour With You," and "Si Si Senorita of Spain," which the plaintiffs charge had been used as the basis of the Paramount song.

The judge rendered an oral verdict in which he declared he could distinguish no similarity between the two songs. He took under advisement the defense plea that the plaintiffs pay attorney's fees.

Para. Manager Heads Hungary Association

By ENDRE HEVESI

BUDAPEST, Jan. 4.—Miklos Paluggyay, local Paramount manager, has been elected managing president of the Union of Hungarian Film Distributors, replacing the late Marton Libertiny. It is the first time the head of an American company has been elected to the important distributor post.

* * *

If present production plans for the new season are realized, a total of 30 to 35 Hungarian productions will be released next year. Film reviewers, however, who were extremely lenient with domestic product in the early stages of its development, have become increasingly critical, on the belief that the native product has become strong enough to stand impartial criticism.

"Sing, Sinner, Sing" and "My Man Godfrey" have been fanned.

King Vidor's Pact Voided with Para.

HOLLYWOOD, Jan. 14.—King Vidor's contract with Paramount for the production and direction of two more pictures, today was voided by mutual agreement.

"Texas Rangers" is the latest of the Vidor films.

Judge Assesses Song Writers

HOLLYWOOD, Jan. 14.—Judge Yankwich today assessed Gene Johnston and Grant Lamont, song writers, $1,000 for defendants' attorneys fees in ruling in favor of Paramount Studios. Plaintiffs asked an amount approximating $500,000 from Paramount charging infringement on their song, "Stairway of Love," which the defendants allegedly stole from the film, "Two for Tonight," and used as "Without a Word of Warning." No testimony was taken, the judge obviously basing his decision largely on the Mantin case heard earlier.

Simultaneously, Hortense Hirsch filed a $500,000 infringement suit against Paramount, alleging that the company took her song, "Lady of Love," in composing "Without a Word of Warning."

Judge Yankwich took the case under advisement.

RKO Reorganization Hearing Postponed

(Continued from page 1)

plan were also postponed to the same date, including the new motion by Isidor J. Kresel, attorney for a committee of Orpheum Circuit preferred stockholders, for leave to intervene in the reorganization proceedings. Kresel's petition will be opposed by the general creditors' committee, Simpson, Thacher & Bartlett, attorneys for the proponents of the RKO plan, and other creditor factions.

Judge Bondy declined to hear the petition yesterday despite urging by Kresel. The court pointed out that opposition to the plan could be voiced at any time by the Orpheum stockholders even though they were not given the right to intervene in the proceedings.

The court also declined to hear arguments yesterday on the "unconstitutionality" of the RKO proceedings by Edward J. Hickey, a Washington, D. C., attorney who is the owner of old RKO Class A stock, which he failed to convert into common stock under the company's 1931 recapitalization plan.

Report Odlum May Become SEC Head

(Continued from page 1)

had one of the most phenomenal rises of any Wall Street factor in recent years, most of the company's advances having been achieved during the depression years. He has been an active supporter of the Administration and contributed heavily to the Democratic campaign fund during 1936.

Atlas, in association with Lehman Bros., is the proponent of the RKO plan of reorganization, now before the Federal court here. He is reported to be prepared to personally supervise settlements of conflicting reorganization interests which have been delaying hearings on the plan, immediately upon his return to New York.

The Atlas consolidated portfolio, just made public, showed that the company owned on Oct. 31, last, $2,164,597 principal amount of RKO debentures, exclusive of common stock holdings and options to acquire additional RKO securities. Net assets of Atlas were given as $106,578,591.

Landis Resignation Next July

WASHINGTON, Jan. 15.—James M. Landis, chairman of S. E. C., will resign in July. No decision concerning his successor has been reached.

Shift Omaha Tax Plan

OMAHA, Jan. 14.—Although the ordinance has not reached final reading, the City Council apparently has decided to forego enactment of a general occupation levy, which would have hit Omaha theatres, and pass instead a selective occupation tax which would not include the amusement business in its provisions.

Marzoni Taking Post

BIRMINGHAM, Jan. 14. — Peterson Marzoni tomorrow takes office as director of the new Dep't. of Amusement Supervision here. Mrs. Harriet B. Adams, former city censor, has been named as his assistant.

Big Year Is Ahead, View On the Coast

(*Continued from page* 1)

lease on life. Fox West Coast, which has carried on a continual renovation program, announces a $1,500,000 budget for new theatres and further improvements. Independent owners will shortly open two new houses in the Wilshire district.

Similarly, the radio field is engaged in an intensive building program. CBS has started a new studio to house all its coast activities. California Radio System likewise is erecting a new building. NBC already finds the facilities of its building opened in 1935 inadequate and is contemplating expansion.

Exhibitors are confident that business will be materially increased. Pointing out that the quality of product delivered in 1936 enabled the circuit to enjoy one of the best years in its history, Charles P. Skouras, head of Fox West Coast, predicts another rosy year.

Commenting on the trends, Harry Vinnicoff, president of I.T.O says, "The A's and specials are all right, but what our members would like to see is an improvement in the class B pictures. It's hard to get the people who have the money and want to spend it out to see something that they know just doesn't measure up."

Southern Receipts Total $20,759,000

(*Continued from page* 1)

which $473,000 was for part-time employes. A total of 1,746 proprietors and firm members were active in the conduct of the establishments.

Analysis of the bureau's figures showed that of the four states, Kentucky led with 614 establishments with receipts of $7,815,000, followed by Tennessee with 670 establishments with receipts of $7,102,000; Alabama, 495 establishments with receipts of $4,539,000, and Mississippi, 300 establishments with receipts of $1,303,000. The returns for Mississippi are incomplete owing to the impossibility of securing reports from a small number of establishments due to the absence of legislation making the furnishing of information mandatory.

The report covers amusements of all types, including film and other theatres, circuses, shows, amusement parks, dance halls, bowling alleys, etc. No segregated figures for the exhibition branch have yet been compiled.

The four states covered were the third group reported upon, previous releases by the bureau having covered the six New England states where 2,763 establishments had receipts of $59,086,000, and the eight mountain states where 1,722 places had receipts of $19,267,000.

Buy at Glens Falls

Glens Falls, N. Y., Jan. 14.—Schine Theatrical Co. has purchased the Rialto here after having controlled the property under lease for several years. The four-story property includes a hotel and stores.

Hagen to Make 12 Yearly for Maxwell

(*Continued from page* 1)

and sinker" by stories that "The Private Life of Henry VIII" had opened the American market. He declared all the talk about the friendliness of the American market was "terrible nonsense." Continuing, he asserted, "They are not friendly. They do not try to help us and have never tried to help us."

Hagen said that on "Scrooge," New York had ordered 140 prints for Christmas of 1935, and excused the bad returns by saying the prints had arrived too late for general release. A forecast had been made for Christmas of 1936 of business from the United States of $200,000, while actually the U. S. market brought a total of $6,000. There is no use trying to make pictures for American release, Hagen declared, expressing the belief that the only hope is for the British trade to approach the chiefs of the American industry, with the declaration:

"You are taking millions out of England. Give us dollars when you sign contracts and we will sign your big stars and give you the sort of pictures you give us."

Hagen detailed the cost and world grosses of various pictures handled by Twickenham Distributors as follows: "Scrooge," £24,000 cost, £33,000, world gross; "Private Secretary," £30,000 and £25,000; "She Shall Have Music," £48,000 and £60,000; "In the Soup," £32,000 and £20,000. On "She Shall Have Music" Jack Hylton, star, received £7,000 and 2½ per cent of the gross.

Hagen said the pictures for Maxwell will be for the British market only. "They will be wonderful pictures because they won't cost much," he declared.

Criterion Adds Specials

London, Jan. 15.—Five major films with internationally known directors will be made by Criterion Films on the enlarged program for the 1937 season.

The first of these, "The Killer," will be started in March under the direction of Raoul Walsh. The Scottish border film postponed last year because of weather conditions will be resumed by Tay Garnett. It is tentatively titled "High Treason." Three others are to average eight weeks each in production.

British Features Up By 24 for the Year

London, Jan. 4.—The Board of Trade figures of films registered in the 12 months ended Dec. 31, 1936, show an increase of British features, as compared with 1935, of 24, extra footage of 150,424 and a shorts increase of 52 subjects.

Released during the year were 222 British features and 530 foreign, of which the majority were from the United States. The footages were 1,428,281 domestic, and 3,453,473 foreign. A total of 196 British shorts were released during the year, with a footage of 213,253, and 612 foreign shorts, with footage totaling 784,943.

British films accounted for 27.9 per cent of all pictures, and 29.5 per cent of the features. The current quota requirement of the Films Act is 20 per cent for both distributors and exhibitors.

Shard Tells 'em

Cincinnati, Jan. 14.—Elmer Shard, operator of the Monte Vista, suburban, has this on his window cards:

"We do not play Bingo, Banko or anything but pictures. We do not teach wives and children how to gamble."

Lee 1935 Salary Is Reported at $30,000

Washington, Jan. 14.—Arthur A. Lee, vice-president of G. B., received a salary of $30,000 in 1935; George W. Weeks, general sales manager, $20,800, and A. P. Waxman, advertising and publicity director, $18,800, it was revealed here today with the publication of additional 1935 salaries.

Edward Bowes, as managing director of the Moredall Realty Corp., received $26,000; Arthur L. Mayer, managing director of the Midtown Theatre Corp., $22,024; William Morris, Jr., president of the William Morris Agency, $20,400; Abe Lastfogel, treasurer of the company, $31,600; Truman H. Talley, general manager, Movietonews, Inc., $40,525; Laurence Stallings, editor, $31,750; Herman Shumlin, producer; $36,702; Abe Schneider, treasurer of Columbia, $35,400; Nathan Burkan, attorney, $27,000; Abe Montague, general sales manager, $42,066; J. A. McConville, assistant sales manager, $28,850; Louis Weinberg, assistant sales manager, $16,650; Nate Spingold, $33,725; M. J. Cohn, branch manager, $22,475.

America Led Imports To Germany in 1936

By J. K. RUTENBERG

Berlin, Jan. 4.—Of the total of 180 features released in Germany in 1936, of which foreign countries supplied 65, the United States led with a total of 31. In 1935 the United States supplied 50 of 107 foreign features out of a total released of 201, and in 1934 the U: S. furnished 37 of the foreign total of 74 and a grand total of 196 released.

The United States led the foreign field in releases in Germany in all three years, the second ranking going to Austria, which supplied 17 in 1936, 17 in 1935 and nine in 1934. France furnished 15 in 1935, but only five in 1936 and eight in 1934. Other countries accounted for only a negligible fraction of the total in all three years. Ufa led the German producers in 1936 with 22 films. In all, 41 German producers supplied the 115 German films shown in this country last year.

Seeks St. Louis Censors

St. Louis, Jan. 14.—Alderman L. H. Couplin says he will present a bill to the Board of Aldermen for creation of a city board of censors. Distributors would be called upon to pay a city tax of one cent for each foot of film inspected by the censors.

Texas Town Quits Game

Franklin, Tex., Jan. 14.—Bank Night at local theatres has been discontinued in keeping with a recent ruling of the state Supreme Court.

Blumenthal to Sail Soon on G. B. Deal

(*Continued from page* 1)

is no change. Until a better arrangement presents itself there is nothing to say."

Maurice Ostrer stated he had completed tentative deals with independent producers for the distribution of 20 to 24 films in England by G.B. He also asserted he made several good contacts and would return in two to three months to complete negotiations.

With 20 pictures on the current schedule, Ostrer said it is likely the company will produce about 24 next season. There is no intention of making any pictures in Hollywood.

Asked about setting up G.B. exchanges in this country, the assistant managing director said: "It is almost inevitable." He pointed out that with increased production the only solution was to open an exchange system here. He said the American company was making money.

From other sources it was learned that G.B. will make every endeavor to release its schedule of 24 films sold this season. In the event 20th Century-Fox refuses to handle pictures promised exhibitors, then steps will be taken to establish a separate exchange system.

Arthur Lee, American head, will sail for England to attend the Coronation, according to Maurice Ostrer.

Jack Barnstyn, vice-president in charge of Grand National's foreign sales, sailed on the same liner for a five-month tour of Europe.

Gottlieb Quits Columbia

Alex Gottlieb of the Columbia advertising department resigned yesterday, the resignation to take effect immediately. He will announce a new affiliation on Monday. Prior to joining Columbia, Gottlieb was advertising manager at United Artists.

Wall Street

Short Gains on Board

	High	Low	Close	Net Change
Columbia	37¼	36¾	36¾	— ⅝
Columbia, pfd.	45½	45¼	45½	+ ½
Consolidated	5¼	5⅛	5⅛	+ ⅛
Consolidated, pfd.	18	17½	17¾	+ ½
Eastman Kodak	172	172	172	+2
Gen. T. Equip.	31⅞	31⅛	31⅛	— ⅜
K.-A.-O., pfd.	110	110	110	.....
Loew's, Inc.	70⅜	69	69½	.....
Paramount	24¾	24⅛	24½	+ ¼
Paramount 1 pfd.	173¾	170¼	172½	+1¼
Paramount 2 pfd.	22¼	22	22	— ⅛
Pathe Film	9⅞	9¾	9¾	+ ⅛
RKO	9	8⅜	9	+ ⅜
20th Century-Fox	36¾	34¾	36¼	+1⅝
20th Century, pfd.	45¾	43½	44¾	+2
Universal, pfd.	102	102	102	.....
Warner Bros.	17	16¾	16⅞	.....

Little Curb Movement

	High	Low	Close	Net Change
Grand National	3½	3¼	3⅜	.....
Sentry Safety	⅞	⅞	⅞	.....
Sonotone	2	2	2	.....
Technicolor	21⅝	21⅛	21¼	— ¼
Trans-Lux	4⅜	4¼	4¼	.....
Universal Pict.	12½	12½	12½	+ ½

RKO Bonds Off Sharply

	High	Low	Close	Net Change
Loew's 3½s '46	100½	100⅜	100½	+ ⅛
Paramount B'way 3s '55	73¾	73¾	73¾	— ⅛
Paramount Pict. 6s '55	100½	100⅜	100½	+ ¼
RKO 6s '41	125	121	122	—4
Warner Bros. 6s '39 wd	99½	99	99	— ⅛

(Quotations at close of Jan. 14)

Best "BOOK" of the Month:

"CHAMPAGNE WALTZ"

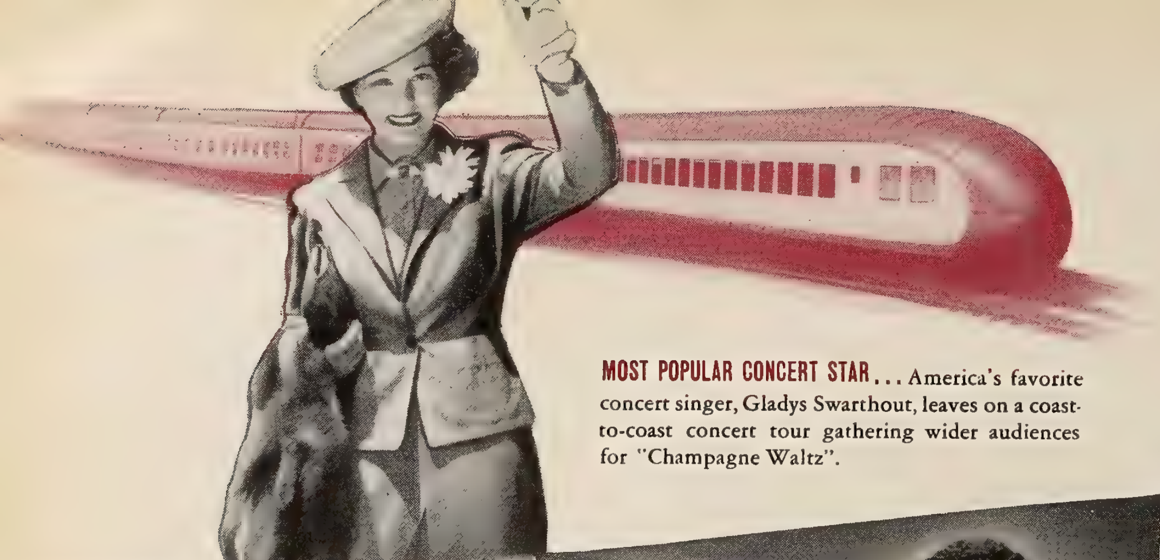
Chosen by Adolph Zukor himself as the picture to celebrate his Silver Jubilee in motion pictures. Booked by world's leading exhibitors, "Champagne Waltz", starring Gladys Swarthout and Fred MacMurray, blends sweet and swing music in a big-time musical comedy produced in the best Paramount manner.

AMERICA'S ACE DANCE TEAM . . . Veloz and Yolanda show you a couple of steps from their sensational rendition of the country's newest dance craze, The Champagne Waltz. See inside for contest facts!

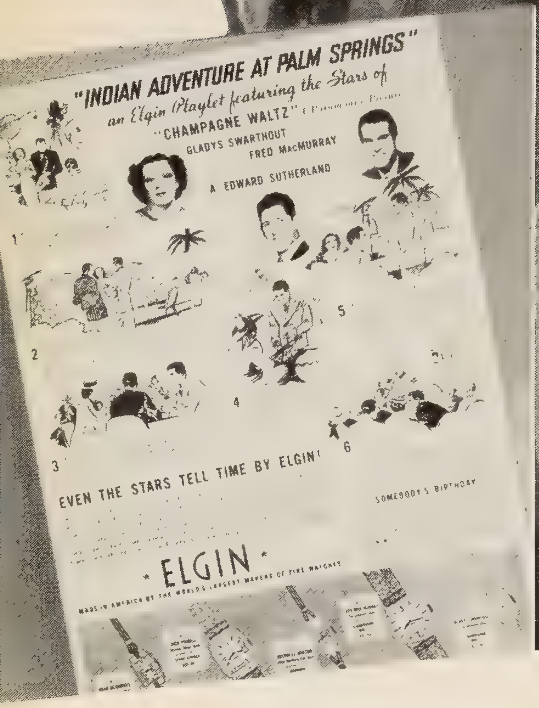
SILVER JUBILEE FOR ADOLPH ZUKOR
1937

25 YEARS A WINNER . . .
The Adolph Zukor Jubilee Medallion, commemorating Mr. Zukor's quarter century as a builder of hit pictures.

SOLD!



MOST POPULAR CONCERT STAR... America's favorite concert singer, Gladys Swarthout, leaves on a coast-to-coast concert tour gathering wider audiences for "Champagne Waltz".



"INDIAN ADVENTURE AT PALM SPRINGS"

an Elgin Playlet featuring the Stars of

"CHAMPAGNE WALTZ"

GLADYS SWARTHOUT

FRED MacMURRAY

A EDWARD SUTHERLAND

1

2

3

4

5

6

EVEN THE STARS TELL TIME BY ELGIN!

SOMEBODY'S BIRTHDAY

• ELGIN •

MADE IN AMERICA BY THE WORLD'S LARGEST MAKERS OF FINE WATCHES

ACE WATCH TIE-UP... This advertisement appears in newspapers all over the country in five columns by 200 line size. Local Elgin dealers have displays and advertising to tie in with exhibitor.

MEN'S STORES... Men's stores all over the country have been contacted by Monarch Manufacturing Co., makers of merchandise shown above, and supplied with blow-ups, stills, ad mats. See Paramount Press Book.

LUGGAGE... Elaborate MacMurray displays hav been sent stores carrying "Val-A-Pak" luggag "Val-A-Pak" has placed large ads, featuring star an picture, in leading motion picture fan magazines

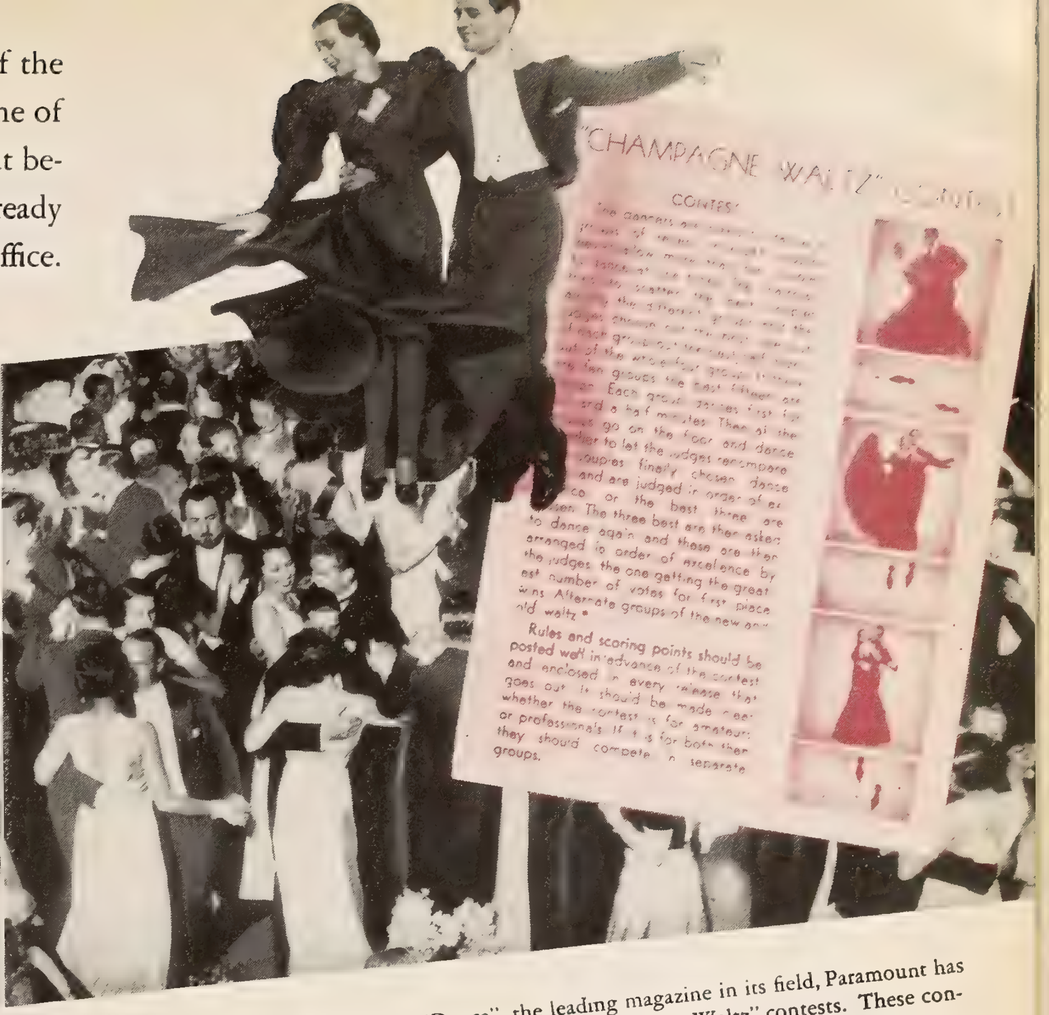
KISS
COULD I BE
THE CHAMPAGNE WALTZ

HIT TUNES...Four musical hits from "Champagne Waltz" are already selling big as sheet music (Famous Music, Popular Melodies) and on Victor, Decca, Melotone and Brunswick records. They are: "The Merry-Go-Round", "When Is A Kiss Not A Kiss?", "Paradise in Waltz Time" and "Champagne Waltz".

JUBILEE OPENINGS...On January 22nd in all the capitals of the world key theatres will play day and date showings of "Champagne Waltz" in honor of Mr. Zukor, giving tremendous publicity to the picture.

Paramount Pictures

SOLD not only by its own excellence as one of the big-time musical shows of the year, but by one of the strongest promotional campaigns ever put behind a picture, "CHAMPAGNE WALTZ" already has started piling up records at the box-office.



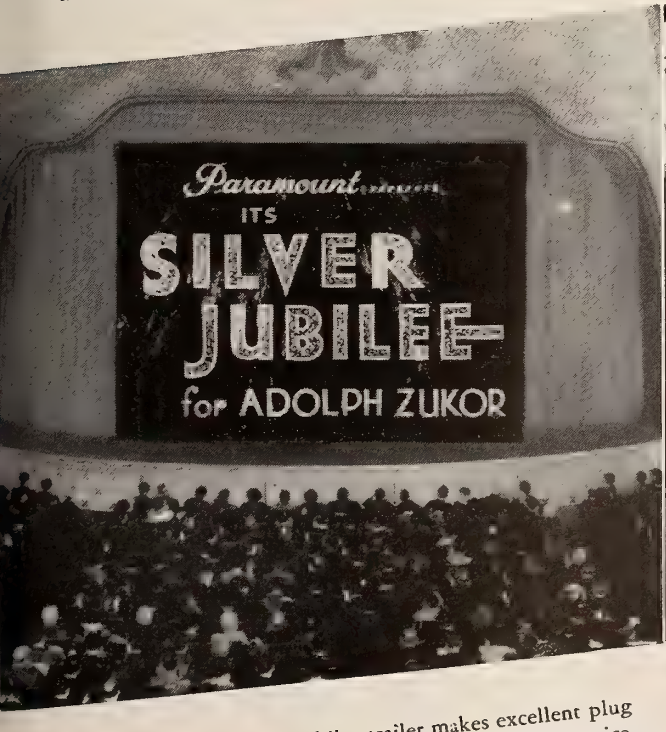
"CHAMPAGNE WALTZ"

CONTES

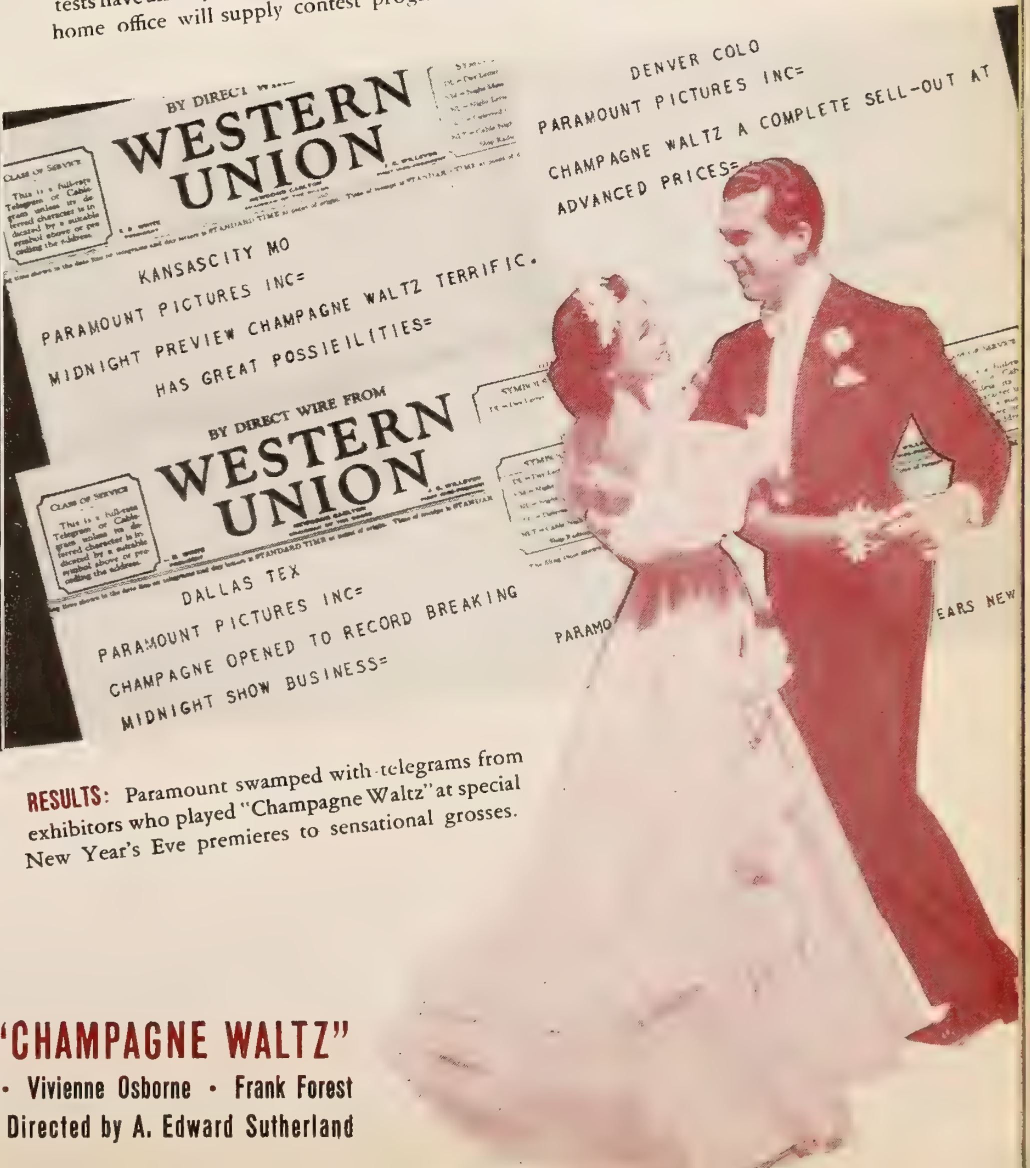
Rules and scoring points should be posted well in advance of the contest and enclosed in every release that goes out. It should be made clear whether the contest is for amateurs or professionals. If it is for both they should compete in separate groups.

SILVER . . . Oneida, Ltd., makers of popular 1881 (R) Rogers (R) Silverware, have sent attractive displays to all dealers and are featuring Gladys Swarthout in their extensive national newspaper advertising.

DANCE CONTEST...Co-operating with "Dance", the leading magazine in its field, Paramount has built a program for spectacular Veloz and Yolanda "Champagne Waltz" contests. These contests have already gone over big wherever staged in key cities from coast-to-coast. The Paramount home office will supply contest programs giving complete details to theatres on request.



UBILEE TRAILER . . . Free Silver Jubilee trailer makes excellent plug or "Champagne Waltz". Complete short subject in itself, runs twice s long as average trailer, gives complete history of motion pictures.



BY DIRECT WIRE FROM
WESTERN UNION

DENVER COLO
PARAMOUNT PICTURES INC=
CHAMPAGNE WALTZ A COMPLETE SELL-OUT AT
ADVANCED PRICES=

KANSASCITY MO
PARAMOUNT PICTURES INC=
MIDNIGHT PREVIEW CHAMPAGNE WALTZ TERRIFIC.
HAS GREAT POSSIBILITIES=

BY DIRECT WIRE FROM
WESTERN UNION

DALLAS TEX
PARAMOUNT PICTURES INC=
CHAMPAGNE OPENED TO RECORD BREAKING
MIDNIGHT SHOW BUSINESS=

RESULTS: Paramount swamped with telegrams from exhibitors who played "Champagne Waltz" at special New Year's Eve premieres to sensational grosses.

Gladys Swarthout and Fred MacMurray in "CHAMPAGNE WALTZ"

with JACK OAKIE • VELOZ and YOLANDA • Herman Bing • Vivienne Osborne • Frank Forest
Benny Baker • Ernest Cossart • A Paramount Picture • Directed by A. Edward Sutherland

PERFORMANCE

INGREDIENTS of SUCCESS

No selling campaign, however good, can make a picture. "CHAMPAGNE WALTZ" is sweeping into the top grosser class because it has the elements you see on this page. GLADYS SWARTHOUT contributes her first really great performance to pictures. FRED MacMURRAY now is solid box-office. Jack Oakie comes through with a rip-snorting comedy job, supported by such experts as Herman Bing and Ernest Cossart. Veloz and Yolanda, after all, are the top ballroom dancers of a day when ballroom dancing is at its peak of popularity. "Champagne Waltz", under the keen direction of A. Edward Sutherland, proves to be a fast-moving story, with many hit tunes — all in all a swell production.

PRODUCTION

"Thin Man" Up To New Record In Pittsburgh

PITTSBURGH, Jan. 14.—Not even bad weather, the holiday excitement or the Rose and Orange Bowl games, could prevent "After The Thin Man" from running up a new all-time record at the Penn. In seven days, including the New Year's Eve midnight show, the picture grossed over $32,000, topping the eight-day take of "Born to Dance" by $3,000. The house's booking jam prevented it from being held and the comedy hit was moved to the Warner.

Everywhere else, business was considerably above average. At the Stanley, "Rainbow on the River" and a stage show got off to a good start but then fell way off and settled down to a moderate $21,500, while "Three Smart Girls" at the Alvin likewise looked headed for great things at the getaway, but also drooped in the middle and took $8,750.

Total first run grosses were $74,100. Average is $44,000.

Estimated takings for the week ending Jan. 7:

"THREE SMART GIRLS" (Univ.)
ALVIN—(2,000), 25c-40c, 7 days. **Gross:** $8,750. (Average, $5,500)

"STOWAWAY" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days, 2nd week. **Gross:** $5,500. (Average, $4,500)

"AFTER THE THIN MAN" (M-G-M)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $32,000. (Average, $11,000)

"RAINBOW ON THE RIVER" (Radio)
STANLEY — (3,600), 25c-60c, 7 days. Stage: Clyde Lucas' band, Buster Shaver and Olive and George Brasnow, Liazeed Arabs. **Gross:** $21,500. (Average, $18,500)

"WANTED: JANE TURNER" (Radio)
"LET'S MAKE A MILLION" (Para.)
WARNER—(2,000), 25c-40c, 7 days. **Gross:** $6,350. (Average, $4,500)

"Plainsman" $9,500 Indianapolis Smash

INDIANAPOLIS, Jan. 14. — "The Plainsman," doing S. R. O. business much of the week and turning them away on Sunday, took a smash $9,500 at the Circle, above normal by $5,500. It was held.

"Camille" did excellent business of $11,000 at Loew's, $5,000 into the black. "Gold Diggers of 1937" was worth $5,500 to the Apollo, which was $1,500 upstairs. "Sing Me a Love Song," abetted by an elaborate stage show, brought $2,800 over the average to the Lyric for a total of $9,800.

Competition was nil and the weather continued mild.

Total first run business was $39,900. Average is $28,000.

Estimated takings for the week ending Jan. 8:

"GOLD DIGGERS OF 1937" (F. N.)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $5,500. (Average, $4,000)

"THE PLAINSMAN" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $9,500. (Average, $4,000)

"THAT GIRL FROM PARIS" (Radio)
"MAKE WAY FOR A LADY" (Radio)
INDIANA—(3,200), 25c-40c, 7 days. **Gross:** $4,100. (Average, $7,000)

"CAMILLE" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $11,000. (Average, $6,000)

"SING ME A LOVE SONG" (F. N.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Wither's "Opry" and Will H. Hill's "Society Circus." **Gross:** $9,800. (Average, $7,000)

"Thin Man" Grabs New High, Buffalo

BUFFALO, Jan. 14.—"After the Thin Man" was a smash at the Buffalo during a week of record breaking box-office receipts in all houses. It garnered $27,200, topping normal by $15,200 and moved to the Great Lakes.

"Pennies from Heaven" took $15,000, a record at the Lafayette where average is $6,000. It was held. "Gold Diggers of 1937," at the Great Lakes, went to $12,000, over the line by $4,700. The Hippodrome was a close runner up, "The Smartest Girl in Town" and "Mad Holiday" netting $11,400, up by $4,100. "Banjo on My Knee" and "15 Maiden Lane," on a dual at the Century, grossed $7,600 in a $5,800 house.

The weather was mild and wet.

Total first run business was $73,200. Average is $38,400.

Estimated takings for the week ending Jan. 9:

"AFTER THE THIN MAN" (M-G-M)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $27,200. (Average, $12,000)

"THE SMARTEST GIRL IN TOWN" (Radio)
"MAD HOLIDAY" (M-G-M)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $11,400. (Average, $7,300).

"GOLD DIGGERS OF 1937" (F.N.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $12,000. (Average, $7,300).

"BANJO ON MY KNEE" (20th-Fox)
"15 MAIDEN LANE" (20th-Fox)
CENTURY—(3,000), 25c, 7 days. **Gross:** $7,600. (Average, $5,800)

"PENNIES FROM HEAVEN" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $15,000. (Average, $6,000)

"Thin Man" Smash Hit in Louisville

LOUISVILLE, Jan. 14.—"After the Thin Man" led the way as all first runs ran up grosses which topped average by a wide margin. The film at Loew's State did $14,000, against an average of $5,500. Business was so heavy on New Year's Eve that the sale of tickets was suspended. The film was held another week.

"College Holiday" beat an average $4,500 by 100 per cent at the Rialto, taking $9,000. The picture was moved to the Brown.

The weather was warm and rainy, with night clubs, hotel floor shows, and private parties providing most of the competition.

Total first run business was $36,500. Average is $22,400.

Estimated takings for the week ending Jan. 7:

"THREE SMART GIRLS" (Univ.)
BROWN—(1,500), 15c-25c-40c, 7 days, 2nd downtown week. **Gross:** $2,400. (Average, $2,500)

"PIGSKIN PARADE" (20th-Fox)
"CRAIG'S WIFE" (Col.)
"STAR FOR A NIGHT" (20th-Fox)
"MUMMY'S BOYS" (Radio)
KENTUCKY—(900), 15c-25c, 7 days, split week. **Gross:** $2,400. (Average, $1,700)

"AFTER THE THIN MAN" (M-G-M)
LOEW'S STATE—(3,000), 15c-25c-40c, 7 days. **Gross:** $14,000. (Average, $5,500)

"GOLD DIGGERS OF 1937" (F. N.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days, 2nd week. **Gross:** $2,700. (Average, $3,500)

"20,000 YEARS IN SING SING" (F. N.)
"I FOUND STELLA PARISH" (F. N.)
"CASE OF THE LUCKY LEGS" (F. N.)
"ALICE ADAMS" (Radio)
OHIO—(900), 15c, 7 days, split week. **Gross:** $1,500. (Average, $1,200)

"COLLEGE HOLIDAY" (Para.)
RIALTO—(3,000), 15c-25c-40c, 7 days. **Gross:** $9,000. (Average, $4,500)

"ONE IN A MILLION" (20th-Fox)
STRAND — (1,500), 15c-25c-40c, 7 days. **Gross:** $4,500. (Average, $3,500)

What a Life!

Boston, Jan. 14. — Small wonder that managers get grey! Francis Gooch, manager of the M. & P. Columbia in Bath, Me., had a special show scheduled the other morning. The film didn't arrive on time. He had to borrow shorts. The feature arrived and was the wrong one. Gooch announced from the stage that those present could get refunds or passes. Every light in the city went out during the announcement. The light came back on in 10 minutes, but when it came time to put on the evening show there was too little power for projection.

Gooch asked for volunteers for an impromptu amateur show. An old phonograph was too old. Gooch borrowed a radio, but there wasn't enough power to run the radio. For the climax, the Columbia showed two emergency features that night without any advance advertising—and broke the all-time house record!

"Love on Run" Is Milwaukee's High

MILWAUKEE, Jan. 14. — "Love on the Run" and "Can This Be Dixie?," were top money for the week, grossing $10,000 at Fox's Wisconsin, just $2,000 above average. Second money went to "The Plainsman" and "Hats Off" with a $6,500 take at the circuit's Palace. This was $1,500 to the good.

With all houses opening their new shows for the benefit of New Year's Eve celebrants at a 75-cent top, instead of the usual 50 cents, business for the new week opened strong and all first runs cleared par. The only house charging less than 75 cents for New Year's Eve was the Riverside, which raised its top ante from 30 to 40 cents.

It grossed $5,800 with "The Man Who Lived Twice" and a stage show. This was $800 above average, while "Gold Diggers of 1937" and "Wanted: Jane Turner," did $5,500 at the Warner.

All houses ran only a single feature program with selected shorts for the New Year's Eve entertainment.

Total first run business was $29,600. Average is $24,500.

Estimated takings:

Week Ending Jan. 6:

"GOLD DIGGERS OF 1937" (F. N.)
"WANTED: JANE TURNER" (Radio)
WARNER—(2,400), 25c-35c-50c, 6 days. **Gross:** $5,500 (Average, $5,000)

Week Ending Jan. 7:

"THE PLAINSMAN" (Para.)
"HATS OFF" (G. N.)
PALACE—(2,400), 25c-35c-50c, 7 days. **Gross:** $6,500 (Average, $5,000)

"THE MAN WHO LIVED TWICE" (Col.)
RIVERSIDE—(2,300), 20c-25c-30c, 8 days. Stage: "Hello 1937" Revue. **Gross:** $5,800. (Average, $5,000)

"COLLEGE HOLIDAY" (Para.)
"ARIZONA MAHONEY" (Para.)
STRAND—(1,400), 25c-35c,50c, 7 days. **Gross:** $1,800. (Average, $1,500)

"LOVE ON THE RUN" (M-G-M)
"CAN THIS BE DIXIE?" (20th-Fox)
WISCONSIN—(3,200), 25c-35c-50c, 7 days. **Gros:** $10,000. Average, $8,000)

"Diggers" Big Detroit Draw With a Show

DETROIT, Jan. 14.—"Gold Diggers of 1937" was a gold mine at the Michigan, with Ina Ray Hutton heading a stage show. The $29,300 take was over par by $9,300.

In spite of this terrific business "One in a Million" and a stage show headed by Francis Lederer ran up to $28,600 at the Fox, and "The Plainsman" was strong with $12,200 at the United Artists.

Total first run business was $93,800. Average without the Downtown is $65,000.

Estimated takings for the week ending Jan. 7:

"CHARLIE CHAN AT THE OPERA" (20th-Fox)
"YOU CAN'T GET AWAY WITH IT" (Univ.)
ADAMS—(1,770), 10c-40c, 7 days. .**Gross:** $4,700. (Average, $5,000)

"ONE IN A MILLION" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Francis Lederer, 3 Slate Bros., Pappy, Zeke & Ezra, Dorothy Martin & Co., 6 DeCardos. **Gross:** $28,600. (Average, $20,000)

"GOLD DIGGERS OF 1937" (F.N.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Ina Ray Hutton & Melodears, Winstead Trio, Trado Twins, Jackie Gilford, Margie Palm. **Gross:** $29,300. (Average, $20,000)

"POLO JOE" (W.B.)
"JUNGLE PRINCESS" (Para.)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $5,200. (Average, $5,000)

"THE PLAINSMAN" (Para.)
UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $12,200. (Average, $10,000)

"GARDEN OF ALLAH" (U.A.)
MADISON—(2,000), 15c-65c, 2nd week. **Gross:** $9,200. (Average, $10,000)

"I COVER CHINATOWN" (Wm. Steiner)
"HOUSE OF SECRETS" (Chesterfield)
DOWNTOWN—(2,950), 10c-35c, 7 days. **Gross:** $4,600.

"Smart Girls" and Band Hit at Omaha

OMAHA, Jan. 14.—The Orpheum set the pace New Year's week, grossing $13,300 for "Three Smart Girls" and Louis Armstrong's band. This topped par by $5,800.

Business at the Omaha for "One in a Million" and "General Spanky" surged over the top with a take of $8,500, or $3,000 above average.

The Paramount continued to find its readopted policy of a 55-cent top paying dividends when "The Plainsman" and "Under Your Spell" grossed $11,000, or $1,700 over par, for the second best take since the October reopening.

Midnight shows New Year's Eve helped offset the weather for all houses.

Total first run business was $38,200. Average is $26,300.

Estimated takings:

Week Ending Jan. 6:

"THAT GIRL FROM PARIS" (Radio)
"NIGHT WAITRESS" (Radio)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $5,400. (Average, $4,000)

"THE PLAINSMAN" (Para.)
"UNDER YOUR SPELL" (20th-Fox)
PARAMOUNT — (2,900), 25c-35c-55c, 7 days. **Gross:** $11,000. (Average, $9,300)

Week Ending Jan. 7:

"ONE IN A MILLION" (20th-Fox)
"GENERAL SPANKY" (M-G-M)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $8,500. (Average, $5,500)

"THREE SMART GIRLS" (Univ.)
ORPHEUM—(3,000), 35c-55c; 7 days. Stage: Louis Armstrong's Band. **Gross:** $13,300. (Average, $7,500)

"Smart Girls" Minneapolis' Lead, $8,300

MINNEAPOLIS, Jan. 14. — "Three Smart Girls" started the new first run policy at the Century by forging ahead for a gross of $8,300. Estimated average is $3,500. The show was held for another week.

At the Orpheum, "That Girl From Paris" grossed $10,000. Average is $6,000 on a bill with a stage show, "Riviera Follies." "A Midsummer Night's Dream" closed a two-week run at the World with $2,500, over normal by $500. "College Holiday" upped the normal of $5,500 at the Paramount by $500 and "That Girl From Paris" did $1,300 more than the usual $4,000. Grosses still kept above normal even after the holiday period.

Total first run business in Minneapolis was $38,800. Average is $27,000. Total first run business in St. Paul was $15,900. Average is $14,500.

Estimated takings:

Minneapolis:

Week Ending Jan. 6:

"STOWAWAY" (20th-Fox)
STATE—(2,400), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)

"A MIDSUMMER NIGHT'S DREAM" (W. B.)
WORLD—(400), 25c-35c, 7 days, 2nd week. **Gross:** $2,500. (Average, $2,000)

"THAT GIRL FROM PARIS" (Radio)
ORPHEUM — (2,900), 25c-40c, 7 days. Stage: "Riviera Follies." **Gross:** $10,000. (Average, $6,000)

Week Ending Jan. 5:

"THE PLAINSMAN" (Para.)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $12,000. (Average, $10,000)

"THREE SMART GIRLS" (Univ.)
CENTURY — (1,600), 25c-40c, 7 days. **Gross:** $8,300. (Average, $3,500)

St. Paul:

Week Ending Jan. 6:

"COLLEGE HOLIDAY" (Para.)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)

"WITHOUT ORDERS" (Radio)
"HOT MONEY" (W. B.)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,600. (Average, $1,500)

Week Ending Jan. 5:

"RAINBOW ON THE RIVER" (Radio)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

"THAT GIRL FROM PARIS" (Radio)
ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $5,300. (Average, $4,000)

Yellow Dogs to Move

DENVER, Jan. 14.—The local Yellow Dogs chapter has arranged for new club rooms which will be open soon. Three rooms on the second floor of the Brown Palace Hotel will be set aside. It is planned to have another show in the near future to raise additional funds.

It has been decided that the membership in the future will be confined to those connected with the amusement industry.

Ohio's Revenue Gains

COLUMBUS, Jan. 14.—Despite the fact that the 1936 Ohio sales tax law did not become effective until Jan. 27, and that receipts were materially reduced by the repeal of tax on foods later in the year, the total revenue to the state for 1936 amounted to $55,798,781. This was more than $9,427,940 in excess of the 1935 figures.

"Thin Man" Leads Big N. H. Business

NEW HAVEN, Jan. 14.—Midnight New Year's Eve shows at advanced prices at all but the College, an excellent New Year's Day, with evening admissions in effect throughout, and a fine week-end, sent grosses sky-rocketing. The Poli broke the house record at present prices and beat the takes for the circuit with "After the Thin Man" and "Come Closer, Folks," more than doubling the usual $7,000 with a $15,000 gross. The bill was moved to the College for another week. The Paramount used its s.r.o. sign for the vaudeville on New Year's Eve at $1.10, and, continuing to do business through the week with "The Plainsman," made a brilliant showing at $11,600, over par by $6,700. The picture was held.

"Gold Diggers of 1937" and "King of Hockey" at the Roger Sherman took $8,000, well over the average $4,700.

Total first run business was $38,900. Average is $19,400.

Estimated takings for the week ending Jan. 8:

"BANJO ON MY KNEE" (20th-Fox)
"COUNTERFEIT LADY" (Col.)
COLLEGE — (1,499), 25c-35c, 7 days. **Gross:** $4,300. (Average, $2,800)

"THE PLAINSMAN" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. (Midnite show, $1,10, vaudeville and "Let's Make a Million".) **Gross:** $11,600. (Average, $4,900)

"AFTER THE THIN MAN" (M-G-M)
"COME CLOSER, FOLKS" (Col.)
POLI—(3,040), 35c-50c, 7 days. (Midnite show, 50c-75c.) **Gross:** $15,000. (Average, $7,000)

"GOLD DIGGERS OF 1937" (F.N.)
"KING OF HOCKEY" (W.B.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. (Midnite show, 50c-75c.) **Gross:** $8,000. (Average, $4,700)

"Born Dance" Gets Lead in Montreal

MONTREAL, Jan. 14.—"Born to Dance" was the leader in a neck-and-neck box-office race. It grossed $13,000 at the Palace, over par by $2,000. "College Holiday," one of the duo at the Capitol, was responsible for $11,500, while "Smartest Girl in Town," backed by vaudeville, brought $12,500 to Loew's.

"Pennies from Heaven," one of two features at the Princess, took $8,500 while the second week of "Rembrandt" at His Majesty's was worth $6,500 and was held for a third week. The weather included rain and sleet, pavements being in wretched condition.

Total first run business was $52,000. Average is $43,000.

Estimated takings for the week ending Jan. 9:

"COLLEGE HOLIDAY" (Para.)
"ACCUSING FINGER" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $11,500. (Average, $9,500)

"REMBRANDT" (British)
"MAN IN THE MIRROR" (British)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c. 7 days, 2nd week. **Gross:** $6,500. (Average, $5,000). Held over for third week.

"SMARTEST GIRL IN TOWN" (Radio)
LOEW'S—(3,115), 25c-34c-40c-50c-60c, 7 days. Stage: Red Skelton's "Manhattan Scandals." **Gross:** $12,500. (Average, $10,500)

"BORN TO DANCE" (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $13,000. (Average, $11,000)

"PENNIES FROM HEAVEN" (Col.)
"MAN WHO LIVED TWICE" (Col.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $8,500. (Average, $7,000)

"Thin Man" $8,300 Grosser in Seattle

SEATTLE, Jan. 14.—Top money for the week went to "After the Thin Man" at the Fifth Avenue with a take of $8,300, over par by $1,300.

"One in a Million" and "Smart Blonde" at the Orpheum were in the money on a gross of $7,150.

New Year's business was excellent, but a heavy snowstorm and severe cold followed, with all kinds of business hard hit.

Total first run business was $41,600. Average is $41,000.

Estimated takings for the week ending Jan. 4:

"AFTER THE THIN MAN" (M-G-M)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $8,300. (Average, $7,000)

"COLLEGE HOLIDAY" (Para.)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $2,850. (Average, $4,000)

"PENNIES FROM HEAVEN" (Col.)
"NORTH OF NOME" (Col.)
LIBERTY—(1,800), 15c-25c-30c-40c, 7 days, 2nd week. **Gross:** $6,100. (Average, $5,000)

"STOWAWAY" (20th-Fox)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Paramount. **Gross:** $3,100. (Average, $4,000)

"LET'S MAKE A MILLION" (Univ.)
"ARIZONA MAHONEY" (Para.)
MUSIC HALL—(2,275), 25c-35c, 7 days. Vaudeville headed by Earl Earle & Co. **Gross:** $4,000. (Average, $4,500)

"ONE IN A MILLION" (20th-Fox)
"SMART BLONDE" (F.N.)
ORPHEUM—(2,450), 25c-30c-40c, 7 days. **Gross:** $7,150. (Average, $6,000)

"COUNTRY GENTLEMEN" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Vaudeville headed by Sammy White. **Gross:** $4,900. (Average, $4,500)

"THE PLAINSMAN" (Para.)
"LUCKIEST GIRL IN THE WORLD" (Univ.)
PARAMOUNT — (3,050), 25c-30c-40c, 7 days. **Gross:** $5,200. (Average, $6,000)

"Theodora" Second Week Portland Top

PORTLAND, Jan. 14. — "Theodora Goes Wild" in its second week at the Paramount again led the way and grossed $8,500, over average by $3,500, with the assistance of "Can This Be Dixie?"

"After the Thin Man" was held for a third successful week at the Broadway, bringing in $7,000, over the regular take by $2,000.

In its second week at United Artists, "Camille" drew $7,900, up by $2,900.

Total first run business was $36,900. Average is $24,700.

Estimated takings for the week ending Jan. 9:

"AFTER THE THIN MAN" (M-G-M)
"DOWN THE STRETCH" (F. N.)
BROADWAY—(1,912), 30c-35c-40c, 7 days, 3rd week. **Gross:** $7,000. (Average, $5,000)

"COLLEGE HOLIDAY" (Para.)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
BLUE MOUSE—(1,700), 30c-35c-40c, 4th downtown week. **Gross:** $2,500. (Average, $1,700)

"THE PLOT THICKENS" (Radio)
"NORTH OF NOME" (Col.)
MAYFAIR—(1,700), 30c-35c-40c, 7 days. **Gross:** $4,000. (Average, $3,000)

"THE PLAINSMAN" (Para.)
"SMART BLONDE" (W. B.)
ORPHEUM—(1,700), 30c-35c-40c, 7 days, 2nd week. **Gross:** $7,000. (Average, $5,000)

"THEODORA GOES WILD" (Col.)
"CAN THIS BE DIXIE" (20th-Fox)
PARAMOUNT—(3,008), 30c-35c-40c, 7 days, 2nd week. **Gross:** $8,500. (Average, $5,000)

"CAMILLE" (M-G-M)
UNITED ARTISTS—(945), 30c-35c-40c, 7 days, 2nd week. **Gross:** $7,900. (Average, $5,000)

"Thin Man" up With $40,000 In Washington

WASHINGTON, Jan. 14. — Loew's Capitol hit $40,000 in eight days for "After the Thin Man" and the "Folies Parisienne" Revue. The gross was $19,100 over average and represented the greatest gross since inauguration, 1933, when $39,000 was taken on seven days.

The New Year's spurt continued throughout the week to a total take of $100,400—the largest in more than three years.

A return engagement of "Born to Dance" at Loew's Columbia took $6,100, over the first run average by $2,500. "Smart Blonde" at the Metropolitan was good for $6,800, to top average by $2,500.

"That Girl from Paris" at RKO-Keith's took $15,500, or $4,900 over average, and went into a second week.

Casualty of the week, however, was the Belasco, which folded Jan. 4.

Total first run business was $100,400. (Average is $76,700.)

Estimated takings, exclusive of tax:

Four Days Ending Jan. 4:

"WEEKEND MILLIONAIRE" (G. B.)
BELASCO — (1,140), 25c-65c, 4 days. **Gross:** $300. (Average, seven days, $3,000.) House closed.

Week Ending Jan. 7:

"GOD'S COUNTRY AND THE WOMAN" (F. N.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Little Jack Little and Orchestra, Herbert Mundin, Three Robins. **Gross:** $21,000. (Average, $18,400.)

"BORN TO DANCE" (M-G-M)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $6,100. (Average, first run, $3,600.)

"CAMILLE" (M-G-M)
LOEW'S PALACE—(2,370), 25c-55c, 7 days, 2nd week. **Gross:** $10,700. (Average, first week, $15,900.)

"SMART BLONDE" (F. N.)
METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $6,800. (Average, $4,300.)

"THAT GIRL FROM PARIS" (Radio)
RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $15,500. (Average, $10,600.)

Eight Days Ending Jan. 7:

"AFTER THE THIN MAN" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 8 days. Stage: "Folies Parisienne" Revue, with Four Craddocks, Red Dust, League of Nations Trio, George Campo & Elsie Roy, Rosalean & Seville, Georges Bruaya, Andre Randall, Meta Carlyle, Eight Argentinas, chorus of "60 French models." **Gross:** $40,000. (Average, seven days, $20,900.)

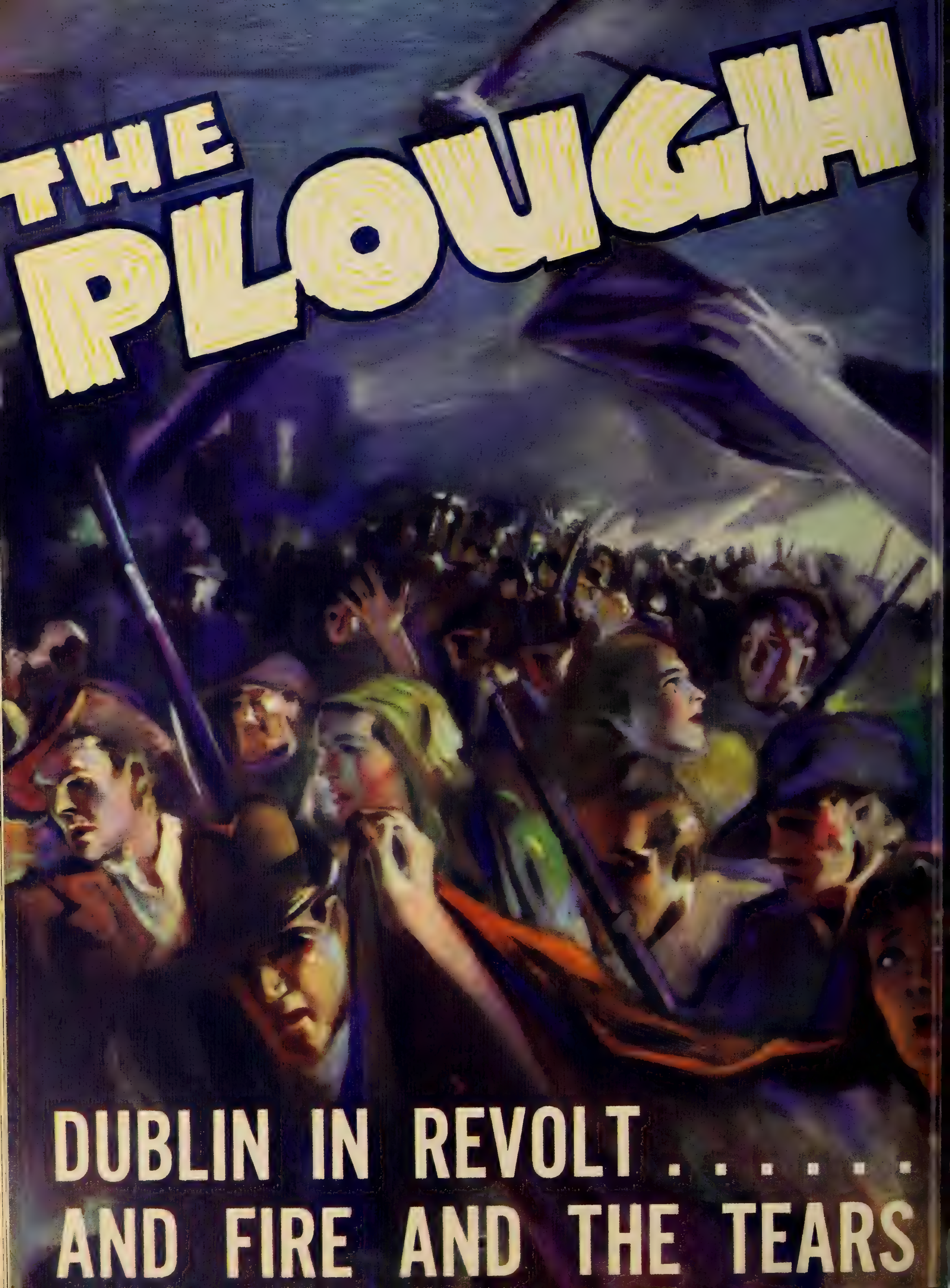
First Run in 3 Houses

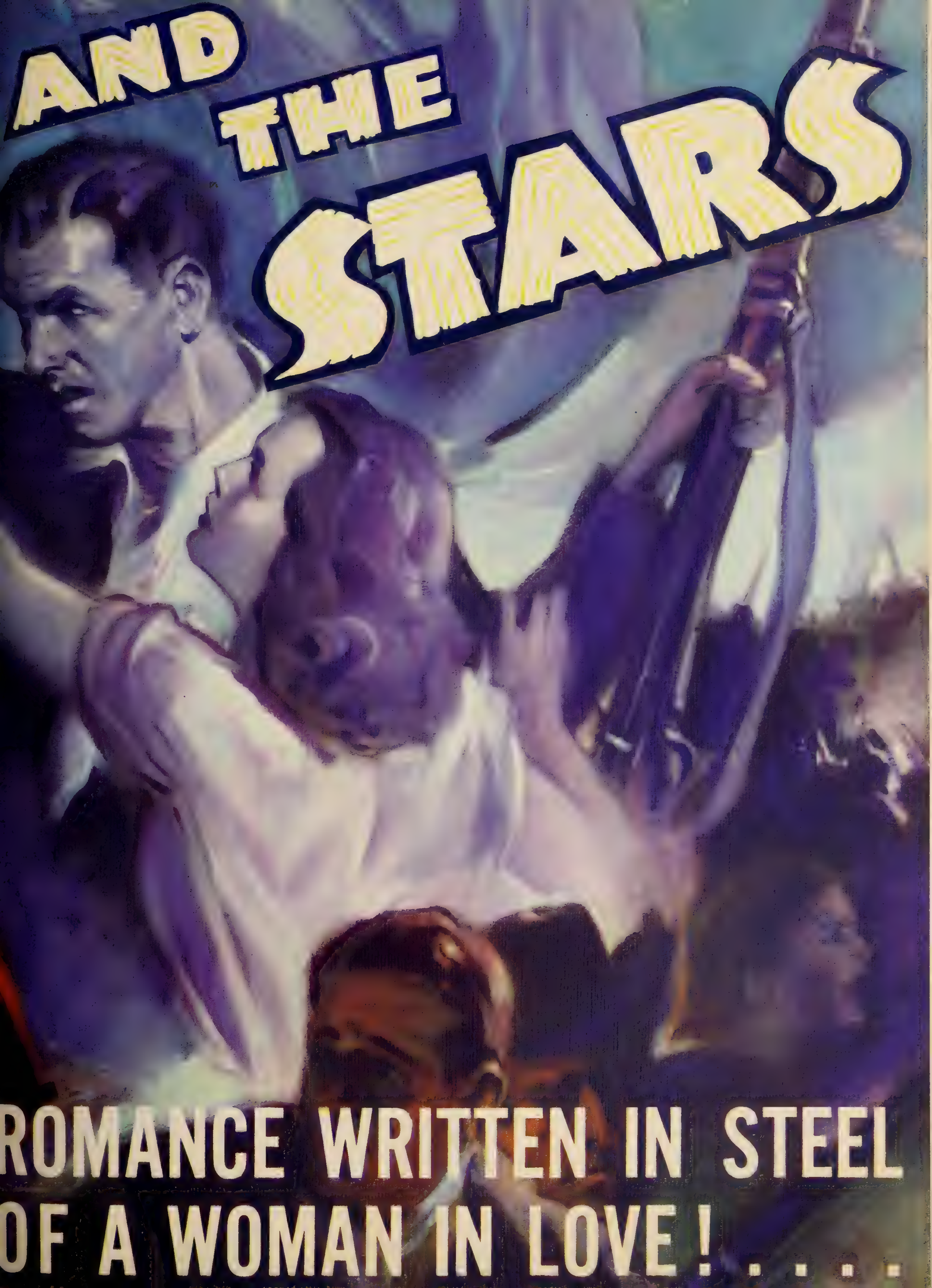
SEATTLE, Jan. 14.—Some sort of record is being established here by "College Holiday," the first picture to play a first run engagement in three different theatres. It opened at the Fifth Avenue, was moved to the Blue Mouse for an extended run, then went to the Music Box for a third-week continuation of the extended run.

Bronson Is Promoted

PITTSBURGH, Jan. 14. — George Bronson has been promoted by Warners from the Sheridan Square to manage the Enright in East Liberty, replacing John McCurdy, resigned. Lyle Harding has been moved from the Regent to the Sheridan Square, Sam Gould from the Cameraphone and Sam Kleeban, assistant at the Regal in Wilkinsburg, to manage the Cameraphone.

RADIANT
WITH THE GENIUS
OF MEN
WHO WON
THE
ACADEMY
AWARD
FOR THE
PRIZE WINNING
"THE INFORMER,"
COMES...


THE PLOUGH
DUBLIN IN REVOLT.....
AND FIRE AND THE TEARS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STARS
ROMANCE WRITTEN IN STEEL
OF A WOMAN IN LOVE!...

"COUNTRY IS GREATER THAN A WIFE!"

"No, no, it's not true! . . . My love is greater than your fight for freedom!"

Men will call her traitor, but women will understand! . . . The words she had wrung from the depths of her heart thundered in his brain, as he led the mob in a fight that couldn't win!

Barbara
STANWYCK
IN SEAN O'CASEY'S

THE PLOUGH AND THE STARS

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PRESTON FOSTER
UNA O'CONNOR AND PLAYERS
FROM THE FAMOUS ABBEY THEATRE
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ASSOCIATE PRODUCERS CLIFF REID AND ROBERT SISK.

"Camille" Wins in Providence Pickup

PROVIDENCE, Jan. 14. — Midnight shows spelled a happy New Year for exhibitors and sent grosses soaring to the skies. Loew's State came down the stretch in the lead with "Camille," which caught $17,500, bettering the house average by $5,500.

"Racing Lady," coupled with the "Hollywood Hotel" Revue, did a land office business at the RKO Albee, garnering $10,800, over by $3,800.

"Go West, Young Man," on a dual with "Beware of Ladies," brought in $10,000 to the Strand, $3,500 to the good and "Gold Diggers of 1937" upped the Majestic take $10,500. Fay's, with "Career Woman" and vaudeville, was $1,000 over at $8,000.

Sonja Henie in person and pro hockey games provided plenty of competition. The weather was warm and fair.

Total first run business was $56,800. Average is $39,500.

Estimated takings for the week ending Jan. 7:

"GO WEST, YOUNG MAN" (Para.)
"BEWARE OF LADIES" (Republic)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $10,000. (Average, $6,500)
"GOLD DIGGERS OF 1937" (F.N.)
MAJESTIC — (2,400), 15c-40c, 7 days **Gross:** $10,500. (Average, $7,000)
"CAREER WOMAN" (20th-Fox)
FAY'S—(1,600), 15c-40c, 7 days. Stage: Five acts of vaudeville. **Gross:** $8,000. (Average, $7,000)
"RACING LADY" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. Stage: "Hollywood Hotel" Revue. **Gross:** $10,800. (Average, $7,000)
"CAMILLE" (M-G-M)
LOEW'S STATE — (3,400), 15c-40c, 7 days. **Gross:** $17,500. (Average, $12,000)

Marquee Law Advanced

WILMINGTON, Jan. 14.—A proposed amendment to the building code regulating marquees and signs has been given first and second readings by the Board of Directors of the Street and Sewer Dept. The present move follows a request of the Stanley-Warner Co., for information regarding the erection of signs on marquees and following the request of the Ace, an independent house, to be allowed to maintain a sign-type marquee already installed.

The amendment gives the directors power to permit signs, advertising and ornamentation on marquees.

Missouri Tax Shift Asked by Governor

KANSAS CITY, Jan. 14.—In his inaugural address to the legislature of Missouri, Gov. Stark asked that the present one per cent sales tax be doubled and that other taxes be increased to support a social security program. The present sales levy expires at the end of this year.

At the same time Stark recommended discontinuance of the property tax of five cents on the $100 valuation for state purposes, provided other tax sources are adequate.

If the legislature carries out this suggestion, then exhibitors probably would benefit, inasmuch as they only collect the sales tax; they have to pay the property tax.

In Kansas Gov. Walter A. Huxman was inducted into office, and he also asked for increased revenues to provide for social security and other state needs, although he made no specific recommendations.

"After Thin Man" Leads In Cincinnati at $18,300

CINCINNATI, Jan. 14.—"After the Thin Man," led the first runs with $18,300 at the RKO Albee. Average is $12,000. It was moved to the RKO Capitol.

The runner-up was "College Holiday," which gave the RKO Palace $16,000, up $6,000. It continues at the RKO Lyric. "Wanted, Jane Turner," plus "Revue Continental" on the RKO Shubert stage, grossed $17,000 in eight days, including New Year's Eve show at 75 cents, 99 cents and $1.25. The seven-day average at the regular scale is $12,000.

Total first run business was $74,150. Average is $58,700.

Estimated takings for the week ending Jan. 7:

"AFTER THE THIN MAN" (M-G-M)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $18,300. (Average, $12,000) Moved to RKO Capitol.
"COLLEGE HOLIDAY" (Para.)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $16,000. (Average, $10,000) Moved to RKO Lyric.
"WANTED, JANE TURNER" (Radio)
RKO SHUBERT—(2,150), 40c-60c, 8 days including special New Year's Eve show at 75c-99c-$1.25. **Gross:** $17,000. (Average, $12,000)
"THE STOWAWAY" (20th-Fox)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $5,300. (Average, $6,500)
"GOLD DIGGERS OF 1937" (F.N.)
RKO LYRIC—(1,400), 35c-42c, 7 days, 2nd downtown week. **Gross:** $5,100. (Average, $6,500)
"BORN TO DANCE" (M-G-M)
RKO GRAND—(1,200), 25c-40c, 7 days, 2nd downtown week. **Gross:** $3,650. (Average, $2,750)
"MISSING GIRLS" (Chesterfield)
RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,700. (Average, $1,250)
"YELLOW CARGO" (G.N.)
RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,400. (Average, $1,200)
"BANJO ON MY KNEE" (20th-Fox)
KEITH'S—(1,500), 30c-40c, 7 days, 2nd week. **Gross:** $5,700. (Average, $6,500) Moved to RKO Grand.

Two Films, Show Lincoln's Leader

LINCOLN, Neb., Jan. 14. — Cold weather bore down on box-offices late in the week, but not until most houses had grabbed a sizeable amount of coin over the holiday weekend. The leader was the Orpheum with a stage show, "Texas Centennial Revue" and two films, "Let's Make a Million" and "Tundra," which picked up $3,100. This was $1,350 over average.

"Stowaway" was strong at the Lincoln, $2,800 in, and $600 to the good. "The Plainsman" hopped along in the fore part of the week at the Stuart and came out with $3,900, $800 up.

Total first run business was $11,350. Average is $9,000.

Estimated takings:

Week Ending Jan. 6:
"GENERAL SPANKY" (M-G-M)
"VOICE OF BUGLE ANN" (M-G-M)
"RED SALUTE" (U. A.)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
LIBERTY—(1,200), 10c-15c, 7 days. **Gross:** $850. (Average, $850)
Week Ending Jan. 7:
"STOWAWAY" (20th-Fox)
LINCOLN—(1,600), 10c-20c-25c, 8 days. **Gross:** $2,800. (Average, $2,200)
"LET'S MAKE A MILLION" (Para.)
"TUNDRA" (Burroughs-Tarzan)
ORPHEUM—(1,350), 10c-15c-20c-25c-35c, 7 days. Stage: "Texas Centennial Revue" 3 days and midnight show. **Gross:** $3,100. (Average, $1,750)
"GREAT GUY" (G. N.)
VARSITY—(1,100), 10c-20c-25c-35c, 7 days. **Gross:** $700. (Average, $1,100)
Week Ending Jan. 8:
"PLAINSMAN" (Para.)
STUART — (2,000), 10c-25c-40c, 8 days. **Gross:** $3,900. (Average, $3,100)

Turnquist to Imperial

BOSTON, Jan. 14.—Elmer Turnquist has been named booking manager of Imperial Pictures by District Manager Leo Britton. Turnquist was booker for Academy Pictures, which was taken over by Philip Smith of Imperial a few days ago.

Is Evergreen Assistant

SEATTLE, Jan. 14.—Robert Williams, former assistant manager of the Orpheum here, has gone to Wenatchee, Wash., as assistant to Morrie G. Nimmer, in charge there for Evergreen-Fox West Coast.

Houston Gets Two Hits in One Week

HOUSTON, Jan. 14. — "Camille" at Loew's State and "The Plainsman" at the Majestic ran nip and tuck to take honors with an estimated take of $11,500 each. Average for each theatre is $7,000. In the face of this opposition, "One in a Million" came through at the Metropolitan with $9,300, which was $2,300 above par.

The Kirby had an average week of $5,000 with "Mad Holiday," "Everything Is Thunder" and "Under Your Spell."

The weather was as warm as spring, and fair. Opposition was held to a few scattered night clubs.

Total first run business was $37,300. Average is $26,000.

Estimated takings for the week ending Jan. 7:

"MAD HOLIDAY" (M-G-M)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)
"EVERYTHING IS THUNDER" (G. B.)
KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,200 (Average, 7 days, $5,000)
"UNDER YOUR SPELL" (20th-Fox)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $1,800. (Average, 7 days, $5,000)
"CAMILLE" (M-G-M)
LOEW'S STATE—(2,750), 25c-50c, 7 days. **Gross:** $11,500. (Average, $7,000)
"THE PLAINSMAN" (Para.)
MAJESTIC — (2,250), 25c-50c, 7 days. **Gross:** $11,500. (Average, $7,000)
"ONE IN A MILLION" (20th-Fox)
METROPOLITAN — (2,600), 25c-50c, 7 days. **Gross:** $9,300. (Average, $7,000)

Name Awards Committee

HOLLYWOOD, Jan. 14. — Ray June, chairman of the photographic branch of the Technicians' Section of the Academy, has named a committee to formulate rules for the cinematographic award nominations.

It includes: John Arnold, Joseph August, George Crane, Edward Cronjager, Arthur Edeson, George Joseph Folsey, Jr., Fred Gage, Merritt B. Gerstad, Thomas Angman, E. B. McGreal, Virgil Miller, Victor Milner, Hal Mohr, Ira Morgan, J. M. Nickolaus, Karl Sturss, John Swain, Joseph Valentine, Joseph Walker, Vernon Walker, Ray Wilkinson and June.

"Thin Man" Denver Smash in Big Week

DENVER, Jan. 14.—"After the Thin Man" packed the Orpheum repeatedly and made a remarkable showing—$17,000, over par by $11,000—in the face of competition that resulted in four holdovers.

"The Plainsman" went to $10,000, over normal by $5,500, in seven days at the Denham, and "The Garden of Allah" was $5,000 to the good on a take of $12,500 at the Denver. "Banjo on My Knee" was par at $3,000 in the Aladdin. "Allah" was moved to the Aladdin and "Banjo" was transferred to the Broadway.

Principal competition was the annual Shrine Circus at the Municipal Auditorium.

Total first run business was $50,000. Average is $28,500.

Estimated takings for the week ending Jan. 7:

"BANJO ON MY KNEE" (20th-Fox)
ALADDIN—(1,500), 25c-40c-50c, 7 days. **Gross:** $3,000. (Average, $3,000)
"STOWAWAY" (20th-Fox)
BROADWAY—(1,500), 25c-40c, 7 days, following a week at the Denver. **Gross:** $2,500. (Average, $2,000)
"THE PLAINSMAN" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $10,000. (Average, $4,500)
"GARDEN OF ALLAH" (U. A.)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $12,500. (Average, $7,500)
"AFTER THE THIN MAN" (M-G-M)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $17,000. (Average, $6,000)
"MORE THAN A SECRETARY" (Col.)
"SLALOM" (World)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $5,000. (Average, $3,500)

To Open in Pittsburgh

PITTSBURGH, Jan. 14. — Warner's will open a new neighborhood house, the Squirrel Hill, located in the residential district bearing that name, on Feb. 12. The theatre will have 1,000 seats and will be one of the most modern in the tri-state area.

Warners have another theatre in the same district, the Manor, three blocks away from the Squirrel Hill.

Coast SMPE Meet Set

HOLLYWOOD, Jan. 14.—The Pacific Coast section of the S.M.P.E. will meet here Jan. 28. Dr. Kenneth Mees will present a paper on "Photographic Developments During the Past 25 Years" for the group.

All studio heads will be invited to attend.

Union Will Celebrate

BIRMINGHAM, Jan. 14.—Operators' Local No. 236, will celebrate its 25th anniversary at the Thomas Jefferson Hotel Feb. 13.

Members from nearby states will attend, including R. M. Cooke, city commissioner of Chattanooga, and W. P. Raoul, Atlanta.

Form Torrington Firm

BRIDGEPORT, Jan. 14.—The State Theater of Torrington, Inc., has been organized here by Charles Levine and Morris Jacobson. Levine and Jacobson are the owners of a string of local neighborhood houses.

Switch Pittsburgh Policy

PITTSBURGH, Jan. 14.—After operating the small Palace, Diamond St., as a first run for the last six weeks, the Harris Amusement Co. has gone back to subsequent run duals at 15 and 20 cents.

Engineers See Room for 500 New Air Spots

(*Continued from page* 1)

radio service and 562 towns between 5,000 and 10,000.

By opening the band between 1,510 and 1,600 kilocycles now reserved for experimental use, additional stations, ranging from 40 using 5,000 watts to 500 using 100 watts could be accommodated.

As anticipated, the division recommended the creation of six classes of broadcasters in the regular band, to consist of A stations operating with not less than 50,000 watts; B stations of 10,000 to 50,000 watts; C stations of 5,000 to 50,000 watts; D stations of 1,000 to 5,000 watts; E stations of 500 to 1,000 watts, and F stations of 100 to 250 watts. The A stations would operate on powers up to 500,000 watts.

As a means of meeting the protests of educators that insufficient attention was being paid to cultural programs, the engineering division suggested the commission consider the use of the ultra-high frequencies for that purpose. To allocate a block of frequencies to any special group, it was pointed out, "would be unsound engineering and would limit the service which can be rendered to the public."

"It is the opinion of the engineering department that the band 550-1,600 kilocycles is too small a band with which to solve the perplexing engineering problems presented by such special groups," the report continued, "and that resort must be had to the ultra-high frequencies if the problems of these groups are to be solved by the use of sound engineering."

All changes determined upon by the commission, the engineering division warned, should be brought about gradually, so as to minimize the difficulties of the broadcasters and the expense involved.

Beau Geste to Gravet

As a farewell gesture to Fernand Gravet, the French actor, NBC today is dedicating a special musical program to him and short-waving it to Europe. Gravet will sing two numbers on the program, which will be aired over the Blue from 3:45 to 4 P. M., and transmitted to Europe via W3XAL and W8XK.

"Singing Lady" Renewed

The Kellogg Co., through N. W. Ayer & Son, Inc., yesterday renewed its NBC "Singing Lady" program for 48 weeks. The program is heard Mondays through Thursdays on the Blue, 5:30 to 5:45 P. M., E.S.T., and Fridays, 5:30 to 6 P. M., E.S.T.

Gluskin Starting Series

Lud Gluskin, who was recently named music director for the CBS west coast stations, will inaugurate a new series Jan. 16. The program will be known as "Fiesta" and will originate in the studios of KNX, Hollywood. Guest stars will be featured and it is expected that screen players will be used in the main. The series will be heard Saturdays at 10:30 P. M., E.S.T.

WMCA to Broadcast "Good Will Clinic"

What WMCA hopes will be a foolproof "Good Will Court" begins a stay on that station and the affiliated intercity stations Jan. 20. The program will be known as "Good Will Clinic" and will be broadcast weekly for a full hour beginning at 10 P. M., E.S.T. John J. Anthony will direct the series.

Like its ill-fated predecessor, the "Good Will Clinic" will deal with human problems, but it is promised the new series will not conflict with any bar association or court rulings in that advice will be rendered only by Anthony, not by jurists or lawyers. The new director is an official of the Marital Relations Institute: Naturally, a sponsor will be sought.

One Way of Doing It

Two new Mexican singers were signed by NBC yesterday. They are Ramon Armengo, tenor, and Josef Negrete, baritone, and their network debut has been set for Jan. 21 at 3:30 P. M., E.S.T. on the Blue. The following week they will be heard over the Red.

How they came to be signed makes a humorous story. Recently, while visiting a radio studio in Mexico, John Royal, NBC vice-president, heard them sing and after extending perfunctory compliments told them to drop in and see him if they ever decided to come to New York.

Royal thought he had seen the last of them when he left Mexico, but yesterday the surprised executive found them in his office. As good as his word, Royal granted them an audition and signed them to a contract.

Form Westinghouse Company

Westinghouse Electric & Manufacturing Co. has formed a broadcasting company, it was revealed recently by a statement filed with the Securities and Exchange Commission. The new company, Westinghouse Radio Stations, Inc., is expected to operate the present Westinghouse chain of four stations, including KDKA.

The statement related that Westinghouse bought all the outstanding capital stock of the Main Auto Supply Co. of Indiana on Aug. 1 and the name was changed to Westinghouse Radio Stations, Inc., two days later.

N. H. Sheriff Refuses Offer

New Haven, Jan. 5.—High Sheriff J. Edward Slavin of New Haven County whose staging of "First Offender" program Sundays over WELI has resulted in several national network offers, has refused in the hope that a Connecticut sponsor will be found and the present WELI cast retained. The script is written from county jail prisoners' accounts of their first encounters with the law, and has been presented for 13 weeks, in cooperation with a volunteer WELI group headed by Adelaide Poli, niece of S. Z. Poli.

Audition for Marx Bros.

Hollywood, Jan. 14.—The Marx Brothers will make an air debut soon over CBS if the special audition for an unnamed sponsor scheduled for Friday is successful. Audition will be played before an audience with Raymond Paige's Orchestra at the Music Box Theatre. It will not be broadcast.

He Got It

Kosciusko, Miss.

Editor,
Motion Picture Daily.
New York.
Dear Sir:

WHEF has a daily program of Hollywood news made up of information sent us by the industry and run as a daily feature at 1:15 P.M. except Sunday.

We would like permission to quote your publication on such occasion as it may carry news which is suitable to the occasion.

Yours very truly,
Attala Broadcasting Corp.
Radio Station WHEF,
J. E. WHARTON, President

Non-Network Gross Gains 23% Over 1935

The National Ass'n. of Broadcasters' estimate of the total U. S. non-network revenue is available only for the first nine months of 1936. Below it is compared with NBC's gross from national spot and local advertisers (non-network) on NBC operated stations:

Total U. S. non-network revenue, first nine months 1936, $31,893,930 or an increase over the preceding year for a corresponding period of 23 per cent.

Total NBC national spot and local revenue, first nine months 1936, $2,674,844 or an increase over 1935's figures for a similar period of 64 per cent.

The CBS non-network spot business estimate is not available.

Templeton, Flynn, Et Al

Short Shots: Alex Templeton, blind pianist formerly featured with Jack Hylton's band, was signed for the Studebaker "Champions" program yesterday . . . Cissie Loftus, Dorothy Dresslin and Douglas Stanbury will guest appear on the Hammerstein "Music Hall" program Jan. 19 . . . First of the "College Campus" series will emanate from the University of Michigan Jan. 22 . . . Lois Bennett will substitute for Milo Miloradovich in the "Metropolitan Opera Auditions of the Air" this Sunday, the latter having contracted grippe . . . Wedding bells will ring for Arthur Peterson, Jr. Jan 23. He is heard on the "Modern Cinderella" programs: the bride-to-be is Norma Ransom, a non-professional . . . Bess Flynn, author of "Bachelor's Children," treks coastward March 1 . . . New accounts reported by WCKY, Cincinnati: Plough, Inc., 300 spot announcements starting Jan. 11 through the Lake-Spiro-Cohn agency; Standard Oil Co. of Ohio, 40 spot announcements beginning today through McCann-Erickson; Carter Medicine Co., 260 one-minute announcements starting Jan. 18 through Street & Finney . . . Three members of Lyn Murray's troupe, Marlyn Stuart, Toney "Oswald" Labriola and John H. Hyman were signed to five-year contracts . . . Fats Waller, Doris Kerr and Glen Miller will appear as guests on the CBS "Saturday Night Swing Club" tomorrow . . . Because of the Jessica Dragonette program assignment, Jean Paul King has been replaced as announcer on the "Gang-busters" program by Tiny Ruffner . . . Al Clauser's WHO (Des Moines) cowboy band have been signed for a stint in a Gene Autry western picture by Republic . . . Eddie Klein was interviewed over WMCA by Martin Starr yesterday afternoon on the use of English dialogue in American and British talkers and its effect in spreading the use of the language in non-English speaking countries.

Radio Probe By Congress Sought Again

(*Continued from page* 1)

that "it would be in the public interest that a thorough and exhaustive investigation be made of the entire radio monopoly situation."

Hundreds of complaints, he said, have come to him in the past year from all over the country "showing that without doubt the monoply exists," and he has also received numerous requests that something be done to remedy the situation.

Favorable action by the Rules Committee was predicted by Connery, who said also that if the House passes the measure, and the speaker, as is the custom, appoints him chairman of the investigating committee, he would "go into every angle of radio, and after a thorough investigation the committee would report to Congress what legislation it believed necessary to remedy the intolerable conditions now existing."

Shift Two Programs West

Because Richard Crooks, co-star with Margaret Speaks on the "Voice of Firestone" program must fulfill several coast concert dates, the program will shift to Hollywood for the broadcasts of Feb. 1 and 8. Nathaniel Shilkret's orchestra will provide the music for the program in Hollywood.

Hollywood Awaits Crooks

Hollywood, Jan. 14. — Richard Crooks is due to arrive here soon for two coast broadcasts on Feb. 1 and 8.

Margaret Speaks will fly out from New York to join him. No local orchestra or announcer has been set for the program. Firestone is the sponsor.

Arnold in RCA Post

Frank A. Arnold recently was named managing director of the RCA Institutes Technical Press by Charles J. Pannill, president of RCA Institutes. Arnold has been prominent in the broadcasting field for many years. He will direct publication of the RCA *Review.*

Robinson to Lux

Edward G. Robinson has been engaged for next Monday's Lux "Radio Theatre" offering, "The Criminal Code." The supporting cast is as yet unknown. Produced by Cecil B. DeMille, the program will be broadcast over CBS at 9 P. M., E. S. T.

Bergen Pact Causes Stir

Chicago, Jan. 14.—Announcement that Rudy Vallee had signed Edgar Bergen for a long term caused excitement here today as the Chez Paree has Bergen signed for four weeks starting Feb. 12 and plans to hold him to the contract.

Radio Acceptance

The San Diego Sun

Dec. 25, 1936.

Mr. Maurice Kann,
Motion Picture Daily,
New York

Dear Mr. Kann:

The coverage of radio and movies in the same medium seems to me to be a logical trend and I think you have approached the matter in a completely satisfactory manner.

Your coverage seems to be not only complete, but up-to-the-minute and I notice where at least one other Coast columnist has made use of it, giving credit, of course.

My reactions are that your radio department is thorough and authoritative and one of its advantages is that it is concise. If you can keep all the news boiled down to a page a day, it should become tops as a radio news service. If one can read just one page a day and know he's up on all the latest, it's a great satisfaction.

Yours very truly,

Willis Werner

Willis Werner,
Radio and Theatres.

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

◂ Purely Personal ▸

LEON J. BAMBERGER, RKO promotion manager, has returned from Peoria where he addressed the Peoria Advertising and Selling Club. He also held a meeting with Great States managers while there.

•

Arnold Picker of the Columbia foreign department yesterday wed Ruth Cohen of the same office. The ceremony took place at Mr. David Picker's San Remo apartment with Lou Weinberg as best man. Weinberg, incidentally, has been best man for the three other Picker boys and today leaves for the coast to celebrate his 20th anniversary.

•

Sophie Tucker, ending a Chicago theatre engagement, will fly to New York tomorrow for one hour, to appear on the Vincent Lopez program over WABC, then will leave for the coast to appear in "Broadway Melody of 1937."

Quip of the Day

Everywhere I look I see in big, bold, bad type

Black Legion
By
Red Kann

What is all this—another competitor of Technicolor?

ALI GAGA
(who is being haunted by the suggestion that all this might be termed "Black and Kann" publicity)

George Batcheller says there'll be no successor to Edward Golden as sales manager of Chesterfield Pictures.

•

Harry Haskel, talent scout for 20th Century-Fox, is here from the coast looking for talent for "Cafe Metropole."

•

Max A. Cohen will make a trip to the coast soon and from there will go to Mexico on an extended vacation.

•

Maurice McKenzie, C. C. Pettijohn and Walter Trumbull of the M. P. P. D. A. returned to New York from Indiana yesterday.

•

Florence Browning, secretary to J. Robert Rubin, is back from a three-week visit to the M-G-M studios.

•

Phillip Sherman, former G. B. manager, has been named manager of the new Imperial exchange in New Haven.

•

Bob Taplinger of CBS and Lynn Farnol will leave tonight for the coast via American Airlines.

•

William Barrett, head of Amer-anglo, sailed yesterday on the *Aquitania* on his regular trip to England.

•

Dave Rubinoff leaves today for Philadelphia to entertain at the Poor Richard Club.

•

Gertrude Merriam of the Managers' Round Table Club of *Motion Picture Herald* left last night for Lakewood to recuperate from a recent siege of pneumonia.

•

William Wyler sailed yesterday on the *Aquitania* for a few weeks of winter sports at St. Moritz.

•

Douglas Fairbanks and Kay Francis yesterday returned from Europe.

•

Fred Meyers, RKO division manager, is due from Rochester this morning.

•

Lynn Farnol left for the coast last night. This time by rail.

•

Adolph Zukor arrives from Hollywood Wednesday.

•

Harry C. Arthur and Mike Marco will leave for St. Louis tomorrow.

•

Howard Dietz will leave tonight for El Paso, Tex.

•

Mildred Lewis is scheduled to take a plane tonight for El Paso, Tex.

•

Johnny Dowd will return from his Bermuda honeymoon tomorrow.

•

Ed Sullivan will leave for Detroit Sunday to open his act at the Fox.

•

Abe Warner is down in Miami on his usual winter vacation.

•

Pat O'Brien has arrived in town from South Bend, Ind.

Await McVickers Plans

Chicago, Jan. 14.—Plans for the McVickers are awaited here, as B. & K. now has all the Loop first runs except the RKO Palace. John Balaban is expected to return from Hollywood Monday.

Dude Ranch Play Very Good For Film Comedy or Musical

(*Continued from page 1*)

Wednesday and "Behind Red Lights" for instance, it was not without its merits. In this writing job by Robert Sloane and Louis Pelletier, Jr., about dude ranches and what might be its occasional consequences, the scrivening could have been tighter, the stage direction better and the acting more so. Inherently, however, and as these matters are wont to, it is this opinion "Howdy, Stranger" contains enough in basic situations to fit it into a popular, but non-discriminating, mould on the stage and into a potentially better one, considerably, as a motion picture. As a comedy or a musical, either way would fit easily.

The story has to do with Frank Parker, beating his way across the country to California. His phobia is a deadly fear of animals and he waxes so hysterical over it and them that birds are included as well. That brings him to a dude ranch where Dorothy Libaire takes a fancy to him and gives him a job. It appears Parker can sing. Louis Sorin, a Broadway agent so much like Sam Lyons that Lyons recognized himself and laughed along last night, hears Parker and signs him as Wyoming Steve Gibson.

The scene switches to New York. There, Parker's real father and mother from Brooklyn visit. It looks as if the jig is up and actually it is when Parker is exposed on the Major Bowes' radio hour that night. The remainder of the play deals with ways and means of preserving the built-up identity, swinging around a genuinely funny pivotal situation when Parker is hypnotized into dropping his phobia about animals long enough to smash the dogie roping contest at Madison Square Garden and forever more establish his claim to Wyoming's open spaces. Not a new situation, but still a funny one made funnier when Sorin himself galls under the spell and goes completely western, Jewish accent and all.

This was the initial producing sweat of Bob Goldstein, an inveterate first nighter who stopped poking fun at the new plays weeks ago, or as soon as he embarked on his own in deference to Der Tag which was last night. There have been more auspicious debuts in the producing field. But also there have been decidedly less. One thing he has. That's a comedy built to order for Hollywood purposes.

"Aged 26" Closing

"Aged 26," stage play which opened at the Lyceum Dec. 21, closes its run tomorrow night.

Sales Tax Hearing Expected on Monday

(*Continued from page 1*)

yesterday that there was every indication that the appeal would be reached by the court on Monday and argued as scheduled. T. Newman Lawler of that law firm will attend the hearing in Albany with Frederick Wood of Cravath, de Gersdorff, Swaine & Wood, who is scheduled to make the principal argument for the distributors. Attorneys for Keith-Albee-Orpheum, Allied of New Jersey and other industry groups will also go to Albany for the hearing.

Randforce and RKO Pool 2 in Brooklyn

Negotiations are practically completed between RKO and Randforce for the pooling of the Republic and Greenpoint in Brooklyn. The contracts are now in the hands of attorneys with the arrangement scheduled to become effective Sept. 1.

RKO operates the Greenpoint and the independent circuit the Republic. Under the partnership deal, RKO will operate both houses with both companies sharing in the profits.

Flash Review

"Devil's Playground"—Built around a sea rescue of the crew of a sunken submarine, this will rate well on dual programs.

This film will be reviewed in full in a coming issue of Motion Picture Daily.

Levy Is Treasurer

Sidney B. Levy has been named treasurer of Signer & Bryne, Inc., producers and distributors of advertising films.

1st Copyright Measure Goes Before House

(*Continued from page 1*)

and profits, such damages not exceeding $20,000 as may be fixed by the court. An unauthorized performance by two or more connected radio stations would be considered as the act of one infringer. Merely incidental and no reasonably avoidable inclusion of a copyrighted work in a motion picture or broadcast depicting or relating current events would not be infringement.

"Million" at $41,500 In Second Roxy Week

"One in a Million" wound up a second week at the Roxy last night with a gross of $41,500. Each day's intake has been better than $4,000. The picture is one of 11 that has been held by the theatre for three weeks and there is a possibility, if weekend business holds up, that an extra week may be added.

According to 20th Century-Fox, the picture has gone into its third week at the Orpheum, Seattle, and is being held a second week in San Francisco and Baltimore. In Milwaukee, according to the company, the film has outgrossed any 20th Century-Fox film of the past year, and in St. Louis, Philadelphia and Albany it has been shifted to other first run theatres for additional playing time.

"Lloyds of London" opened yesterday at the Music Hall at popular prices. The first day's business was reported to be above average and the film may be held another week, the decision dependent on weekend business.

Award Procedure Is Changed by Academy

(*Continued from page 1*)

in a supporting role and by an actress in a supporting role in addition to usual best performance award.

The system of nominations also underwent a change. Four major awards, for production, acting, directing and writing will be made through a committee of fifty chosen from five Academy branches. Members will nominate five leading choices for each award with general membership electing winners from ballot. Heretofore each branch made its own nominations.

Capra stated, "We feel this committee will be able to give various achievements of the year more individual discussion and consideration than could be done by the old method. Also, opinions of a more diversified group will be taken into consideration.

Auto Strike Hits Houses

Cincinnati, Jan. 14. — Harold Bernstein and Andrew G. Hettesheimer, operators of the Plaza and Norwood, respectively, both large houses, and the only ones in suburban Norwood, report business has fallen off 40 per cent as result of idleness of the 2,800 operatives of the Chevrolet and Fisher Body plants, located in this suburb.

VERSATILITY

UNUSUAL and special though it is in its characteristics, Super X fills every requirement of general cinematography. Proof? It is used throughout features and shorts made under every possible condition. In Super X, specialization has surprisingly led to supreme versatility. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

HE HIT THE NAIL ON THE HEAD!

One of the leading editors of this industry said:

"I believe that every exhibitor, regardless of his present affiliation or the circumstances that dictate it, wishes in his secret heart that he had been able to obtain M-G-M attractions."

And-thousands of happy M-G-M exhibitors agree as they welcome HIT after HIT after HIT!

"CAMILLE" *is following right* "AFTER THE THIN MAN" *with hold-overs! Then* "THE LAST OF MRS. CHEYNEY" *will pack 'em in. And your wintry days will be brightened by* "MAYTIME" *and you'll clean up with* "A DAY AT THE RACES." *Then the giant drama* "CAPTAINS COURAGEOUS." *That's M-G-M!*

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 13 NEW YORK, SATURDAY, JANUARY 16, 1937 TEN CENTS

Radio Revenue For November $11,419,143

Advertising Returns 1% Under October Record

By CLARENCE LINZ

WASHINGTON, Jan. 15.—Broadcasting station advertising revenue in November amounted to $11,419,143, a decline of less than one per cent from the record figure achieved in October, according to figures made public today by the National Ass'n of Broadcasters. The November business brought the total for the first eleven months of 1936 to $96,503,945, it was stated.

The association's record showed that advertising on national networks totaled $6,149,818 in November against $6,722,926 the preceding month; regional networks, $122,725 against $154,979; national non-network, $2,873,200 against $2,401,800, and local, $2,273,400 against $2,234,800. Radio advertising of the amusement industries totaled $45,880, of which $31,760 was spent with local stations and $14,120 with national non-network stations.

The food industry was the heaviest advertiser, followed by toilet goods, drugs and pharmaceuticals and automobiles.

Radio News—Page 3

Conciliators Need Prestige—Myers

BOSTON, Jan. 15.—Members of a conciliation board may be valuable "only where their prestige as Government officers or their reputation for honesty and fair dealing are so high as to command admiration or respect," Abram F. Myers, general counsel of Allied States Ass'n., declares in an article appearing in the current publication of the Independent Exhibitors, Inc., of New England, in which he comments on the proposed establishment of the local conciliation boards suggested by the M.P.T.O.A.

Despite Allied's advocacy of "fair

(*Continued on page* 2)

UMPTO Told MGM Agreement Not Set

PHILADELPHIA, Jan. 15.—Members of the U.M.P.T.O. were informed at a meeting here today by the negotiating committee that final details of the agreement pending with M-G-M have not yet been ironed out, but that a

(*Continued on page* 4)

CEA's Moyne Reply Favors Quota Scheme

But Sees Suggested 50% Top Impracticable

By BRUCE ALLAN

LONDON, Jan. 15.—The Cinematograph Exhibitors' Ass'n, in its official statement to the Board of Trade on the Moyne report suggesting revision of the Films Act, which expires in 1938, welcomes the suggested institution of a preference to exhibitors in the quota over distributors, but reserves comment on the figures presented. The Moyne report had suggested an initial new quota of 15 per cent for exhibitors and 20 percent for distributors, against the present 20 per cent for both.

The exhibitor organization deprecates the Moyne recommendation for a graduated quota, reaching 50 per cent in 10 years, declaring it impracticable, but favors the principle of flexibility involved. The group approves the quality clause in the report, but suggests that the recommended viewing committee for determination

(*Continued on page* 2)

New Fund for Phone Probe Held Certain

WASHINGTON, Jan. 15.—Inclusion in a deficiency appropriation bill shortly to be reported to the House of a $350,000 fund for the continuance of the telephone company investigation by the F.C.C. was seen here as practically assured by the request for the money sent to Congress this week by President Roosevelt.

The request was made in a letter to

(*Continued on page* 4)

Senator Has Idea

Des Moines, June 15.—Introducing a bill in Iowa's legislature seeking to have children under 18 barred from film theatres in which the characters are divorced, Senator L. H. Doran of Boone, a Republican, announced he is trying to "help the film industry clean its own house."

Senator Boone carried his divorce legislation farther by introducing a measure seeking a 30-day jail penalty for persons violating provisions of a divorce decree.

Kansas City Showed Good Gain in 1936

KANSAS CITY, Jan. 15.—General business in Kansas City and its trade area definitely improved during 1936, and should continue to do so in 1937, judging from available statistics.

Theatre grosses suffered a setback due to abnormally cold weather the first three months of the year, and from the drought, but theatre expenditures being made or budgeted for 1937 point to improved business at some box-offices in the area at least.

The report of the Tenth Federal Reserve district shows principal business indices substantially improved in the 11 months, with very few exceptions. Retail stores had the best holiday business in six years, and street car traffic, car and truck sales and electric consumption registered substantial gains.

Missouri banks showed a gain in

(*Continued on page* 4)

Columbia Hooks 'em Up by Telephone and Peps 'em Up

By SHERWIN A. KANE

The N. Y. telephone Co. threw a switch or pressed a button or plugged in on a master trunk line or something at 5:04 P. M. in the board room at the Columbia home office yesterday, and whatever it was they did it opened the "Columbia's Montague Sweepstakes" in 31 sales territories across the country. The national sales and playdate drive will remain open until May 1.

Once the telephone hookup with 31 Columbia branch offices had been completed, it was utilized by home office executives for the first national sales "meeting" ever held in this industry without either executives or salesmen having to leave their own offices. Loudspeakers were set up in the branches and around them were gathered an estimated 1,500 Columbia employes, to say nothing of the numbers of exhibitors who had been lured into the exchanges by the novelty of listening in on the coast-to-coast and bor-

(*Continued on page* 4)

Para. Reports Owning of 72 Subsidiaries

SEC Statement Reveals $45,000,000 Issues

By BERTRAM F. LINZ

WASHINGTON, Jan. 15.—Ownership on Oct. 3, last, of 72 subsidiaries which in turn fully owned 16 others, and part interest of 50 per cent or more in 13 others which themselves have ownership in varying degree of 31 companies is shown by the registration statement for more than $45,000,000 of securities filed with the Securities and Exchange Commission yesterday by Paramount.

The most important subsidiary, it was disclosed, is Balaban & Katz Corp., Chicago, in which Paramount has a 92.09 per cent interest. Balaban & Katz in turn have 100 per cent ownership of 10 subsidiaries and lesser interests in three others, and these 13 own three subsidiaries themselves. Nine of the subsidiaries, it was shown, have been liquidated or dissolved since last October.

Paramount, the company reported, owns 42 exchanges, and owns, leases or operates 569 theatres, of which 361 are leased and 49 are covered by managing agreements. Of the total theatres, 372 are in the United States, 178 in Canada and 19 in other countries, chiefly the United Kingdom.

The only holder of 10 per cent or more of any class of Paramount securities was shown to be Allied Owners Corp., New York, with 25,000

(*Continued on page* 4)

Equity for Subsidy Of New Playwrights

Subsidization of playwrights by the legitimate theatre is urged upon stage producers by Actors' Equity Ass'n. in a leading editorial in the current issue of *Equity,* monthly publication of the organization.

The editorial cites the employment of writers by film producers as illustrative of the soundness of the idea in solving Hollywood's problem of

(*Continued on page* 2)

Legitimate Theatres Circuit Is Planned

Plans for inaugurating a new legitimate theatre circuit of 20 houses in the metropolitan area are being formulated by Jules Leventhal, Louis Werba and Jack Linder, producers, according to the current issue of *Equity,*

(*Continued on page* 2)

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Entered as second class matter, January 4, 1926, at the Post Office at New York City, N. Y., under Act of March 3, 1879.

Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

Clark Sets Feb. 4-5 For Session at K. C.

John D. Clark, general sales manager of 20th Century-Fox, has set Feb. 4-5 as the dates for the annual district managers' convention at the Muelbach, Kansas City. Delegates from New York will leave Feb. 2 and arrive in Kansas City the night of Feb. 3.

Clark will leave by plane for the coast tomorrow to confer with Darryl F. Zanuck on production and new pictures which will be discussed at the two-day session. Divisional Sales Head William Sussman, William Kupper and William C. Gehring also will attend.

Skouras Party to Tour

Spyros Skouras, Ed Zabel, William T. Powers, Sumner Gamby and Irving Barry will leave tomorrow for Milwaukee, Kansas City, Denver, Seattle, Portland, San Francisco and Los Angeles for one and two-day meetings with divisional operating heads of National Theatres.

Product, operations and budgets will highlight the sessions.

Conciliators Need Prestige—Myers

(*Continued from page* 1)

arbitration" as the most effective means of solving industry disputes, Myers states that he "would not want to be understood as implying that high-minded conciliation has no place in the affairs of the motion picture business. An airing of grievances, actual or supposed," he writes, "often accomplishes some good even though no formal action is taken."

He implies that the personnel of the conciliation boards will spell their success or failure, pointing out that "conciliation means merely friendly intervention in an effort to bring the disputants together," and that "conciliators have no authority and cannot render decisions or enforce orders. Either party to a dispute may, at any stage of the proceedings, tell the conciliators to jump into the lake."

That Allied is not inherently opposed to the submission of trade disputes to a conciliation board is also brought out by Myers in recalling that the independent organization joined with the M.P.T.O.A. in 1932 in working out proposals for a national board of appeals and conciliation and an optional license agreement.

His article, however, concludes with the statement that "the distributors will have nothing to do with any boards, whether they be arbitration boards, code boards or conciliation boards unless they can control the personnel of such boards, unaffiliated as well as affiliated."

The annual meeting of the Independent Exhibitors, Inc., has been set for Jan. 26 at the Hotel Touraine, Boston.

White Funeral Today

ST. LOUIS, Jan. 15.—Funeral services for John W. White, father of Gordon S. White of the Educational New York office, who died recently, will be held here tomorrow. White was 83 years old, Surviving are a widow, three sons, a daughter and a sister.

Waxman at Mother's Deathbed

Mrs. Sarah Waxman, mother of A. P. Waxman, died early yesterday morning from injuries received when struck by a taxicab in Atlantic City. Waxman, informed of the accident, chartered a plane and flew to the resort city only to run into a dense fog which made landing impossible. Landing finally at Camden, he drove the 56 miles to the shore, reaching his mother's bedside just before she succumbed.

Mrs. Waxman was 68. Funeral arrangements have not been made.

Thomas Ormiston Dies

LONDON, Jan. 15.—Thomas Ormiston, 58, exhibitor in Scotland for many years, and the holder of important executive positions in the Cinematograph Exhibitors' Ass'n., is dead here.

Name Films for Awards

HOLLYWOOD, Jan. 15.—Art directors, film editors and directors of photography have received ballots on which they will name the productions of their own in 1936 which they consider their best. Each will name one film for consideration for the Academy awards in art direction, editing and photography. Nominating committees will meet on Jan. 25.

Equity for Subsidy Of New Playwrights

(*Continued from page* 1)

story material supply. It declares that there is a dearth of good play material being written, that the entire stage industry suffers as a result, and that the only means of insuring a definite supply of play material lies in subsidizing a new school of playwrights for the theatre.

"It is," the editorial observes, "the steady, dependable stream of plays coming from brilliant minds which the theatre must have to survive.

"Hollywood producers," it continues, "are farseeing enough to know they have to have stories, and writers must furnish them. So . . . they subsidize brains. A group of promising young playwrights put under contract and put to work (by the stage) their output at the subsidizing manager's disposal, could earn their salt many times over. Suppose one of these writers was to be paid three or four thousand dollars a year. One hit alone would earn the manager and himself many times over what had been paid to him."

Equity has been engaged during recent months in joint conferences with the League of N. Y. Theatres and the Dramatists' Guild in an attempt to discover what is wrong with the present day theatre and what can be done to increase its popularity with the public, particularly that part of it residing anywhere between 110th St. and the west coast. The *Equity* editorial is regarded as an outgrowth of the discussions.

Japan Bars Two Films

TOKYO, Jan. 15.—"Mary of Scotland" and "Mutiny on the Bounty" have been barred in Japan, the former on the ground that it might be disrespectful to the throne and the latter because it is regarded as too revolutionary for Japanese audiences.

Set Two 20th-Fox Meets

Two foreign sales conventions will be held by 20th Century-Fox sales forces, starting April 28. The first will be held in Paris from April 28 to May 1. The second will take place in London, starting May 3.

To Redeem Loew Notes

Dillon, Read & Co., as paying agent, has selected for redemption on Feb. 15, out of money in the sinking fund, $260,000 in principal amount of Loew's Inc., 3½ per cent sinking fund debentures due Feb. 15, 1946.

A T & T Net $174,715,000

Net income of A. T. & T. for 1936 amounted to $174,715,000 after deduction of interest on its funded debt. This is equal to $9.36 per share on the common stock outstanding.

Denies Dividend Report

LONDON, Jan. 15.—Gaumont British has officially denied reports that it is considering deferring payment of the preference share dividend due March 31.

RKO Coast Meet Monday

HOLLYWOOD, Jan. 15.—Production conferences of RKO will begin here Monday. No sessions were held today.

CEA's Moyne Reply Favors Quota Scheme

(*Continued from page* 1)

of quality should be composed of two exhibitors, one producer, one distributor and an independent chairman.

It declares its belief that the abolition of the advance booking restrictions would be ill advised and a retrogressive step. The suggestion is vigorously opposed in the statement.

The statement said, "We are emphatically opposed to a film commission vested with executive powers and composed of people entirely independent of the industry. In similar schemes applied to other industries it is noted that the main essential of their personnel is long and intimate experience in the business concerned."

The statement indicates that the statutory machinery suggested for the disposal of trade disputes amounts to compulsory arbitration. Any trade dispute, says the organization, should be reported to the Board of Trade by any trade association, and the participants should be free to refer for settlement to the special new official arbitration court suggested or to individual arbitrators. The arbitration court, it is said, should have "executive powers to settle points in dispute which relate to questions of policy."

K. R. S. Approached

The official C.E.A. statement states that an offer has been made to the Kinematograph Renters' Society (distributors) for an additional voluntary conciliation committee but that the K.R.S. objected to statutory arbitration, and the C.E.A. general purposes committee came to the conclusion that the arbitration machinery is useless unless enforceable by statutory authority.

The C.E.A. council has appointed a new overbuilding committee in place of the old redundancy committee, and has decided to drop the word "redundancy."

Legitimate Theatres Circuit Is Planned

(*Continued from page* 1)

official publication of Actors' Equity Ass'n.

The magazine reports that arrangements for theatres have been completed at Philadelphia, Newark, Brighton, Englewood and Jackson Heights, and that negotiations are in progress for additional locations in Brooklyn, Stamford, Atlantic City, Providence and other cities.

A policy of $1 top would be maintained by producing inexpensively mounted plays, each with a 20 weeks' run, it was said. The managers hope to have their arrangements completed by the end of the month, the magazine reports.

Confirm Rank Quitting

LONDON, Jan. 15.—J. Arthur Rank has resigned as chairman of the board of directors of British National, Ltd., it was officially announced today. The resignation was reported in MOTION PICTURE DAILY some time ago. Rank has retained his 45 per cent of the total shares of British National.

CBS Billings for '35 Totalled $23,168,148

CBS network billings for the past year, which could only be approximated until now, totalled $23,168,148, an increase of 31.4 percent over the 1935 figure of $17,637,804, the previous all-time CBS high.

Billings for December were $2,433,353, an increase of 29 per cent over the December, 1935, total of $1,885,977.

Suit Details Are Ordered

N. Y. Supreme Court Justice Samuel I. Rosenman yesterday ordered Henry Dagan, artists' manager, to serve a bill of particulars to Columbia Artists' Bureau, Inc., and Gertrude Niesen, whom he is suing for $200,000 for alleged breach of contract.

Dagan claims that in December, 1932, he, Columbia Artists' Bureau and Miss Niesen entered into a joint contract for the purpose of publicizing the services of Miss Niesen for which he was to get five per cent of what Columbia received for her services. In January, 1935, he claims, this contract was broken and Columbia refused to give him any of the proceeds.

Renew "Sidewalk Interviews"

The Cummer Products Co. yesterday renewed its Tuesday night NBC program, "Sidewalk Interviews," from 9 to 9:30 P. M., E.S.T. over 28 Red network stations. The program is broadcast in behalf of Molle and Energine products. Stack-Goble is the agency.

Additionally, effective Feb. 26, the Duff-Norton Manufacturing Co., makers of lifting jacks, begins a program entitled "The House That Jacks Built" over three NBC stations, WEAF, New York; WMAQ, Chicago; and KDKA, Pittsburgh. The program will be heard from 7:45 to 8 P. M., E.S.T. Walker & Downing, Pittsburgh, is the agency.

"Ranger" Goes National

"The Lone Ranger" one of Mutual's first commercial programs, will go coast-to-coast beginning Jan. 18. The program is currently heard over WOR and the eastern portion of the Mutual network Mondays, Wednesdays and Fridays at 7:30 P. M., E.S.T. Effective with the addition of the Don Lee stations the program will be heard the same days as above from 10:30 to 11 P. M., E.S.T. Gordon Baking sponsors.

Lauda, King, Et Al

Short Shots: Charles Lauda, World Broadcasting production executive, has been elected a member of the board of directors . . . Wayne King and his orchestra have left Chicago for a Miami engagement. The "Lady Esther" broadcasts will emanate from Miami for four weeks . . . Harry Azinsky, KDKA (Pittsburgh) concert master has purchased a $5,000 violin . . . Waldemar B. Kaempffert, science editor of *The New York Times,* will guest speak on the "Magazine of the Air" program Monday at 11 A. M., E.S.T., CBS network . . . Helen Musselman makes her debut on "One Man's Family" Jan. 27. She is the wife of William J. Andrews, announcer of the program . . . Operatic tenor Joseph Bentonelli will be Ed Wynn's guest Jan. 23 . . . Webb Miller, European news manager of United Press, will be heard in a talk from London over the NBC-Blue Jan. 19 from 8:45 to 9:10 A. M., E.S.T. . . . Viscount Hidemaro Konoye, of the Japanese House of Peers, arrived here yesterday to appear as guest conductor of the Philadelphia Orchestra. He will make his air debut Feb. 14 on the RCA "Magic Key" program . . . Alan Shurr, tenor who vocals with Bill Landau's orchestra on WHN, has been screen tested for a series of shorts . . . Baby Rose Marie returns to the air this week after an extended personal appearance tour. She will be heard nightly except Saturdays at 6:30 P. M. on WHN, and twice on Sundays, 1:30 and 6:30 P. M. . . . Gloria Swanson and Monroe Silver join "Showboat" for the Jan. 21 performance . . . Jessica Dragonette's physician has assured her sponsor that she will be able to appear next Wednesday for her "Desert Song" performance on the Palmolive "Beauty Box Theatre" program . . . Dave Carter, KNX (Hollywood) publicity head, gave a press luncheon yesterday to introduce Lud Gluskin to coast radio editors. Gluskin recently was appointed musical director of the station, and comes from New York . . . Kenneth Ormison, chief engineer at KNX, recovering from an appendix operation.

Josiah Hopkins Dead

HOLLYWOOD, Jan. 15.—Rev. William B. Hogg, founder of Country Church of Hollywood, known on national networks as Josiah Hopkins, the Goose Creek Parson, died last night following complications resulting from two operations. The deceased was 56 and is survived by his widow and four daughters.

K. G. Ormiston Passes

' HOLLYWOOD, Jan. 15.—Kenneth G. Ormiston, chief technical engineer for KNX of CBS air network, died here today.

Negro Broadcasters Ask Approval of SEC

WASHINGTON, Jan. 15.—Plans for establishment of a negro-controlled broadcasting chain were disclosed in the registration statement filed this week with the Securities and Exchange Commission by the Gold Star Radio & Television Corp., Boston, covering 99,795 shares of $5 par value six per cent common stock to be offered at $6.26 per share.

The company plans to construct broadcasting stations in New York, Chicago, Philadelphia, New Orleans and Los Angeles at a cost of $100,000 each, to be manned by negroes and to broadcast negro programs. The promoters of the scheme have agreed to take no salaries until the first station starts operation, and for the first year thereafter their salary is not to exceed $20,000.

From San Francisco

Short Shots—David Elton, former NBC announcer, will produce the Women's Magazine of the Air, filling the vacancy created when Caryl Coleman joined a Los Angeles advertising agency . . . Peter Abenheim has joined the KPO production staff . . . KFRC-ites are taking time out, while juggling the new Mutual schedules, to congratulate Murray Bolen, Don Lee producer and technician, on his secret marriage to Mildred Bruce, station stenographer. Bolen is slated for a transfer to KHJ shortly . . . Henry King and the new Mrs. whose surprise wedding was announded by Grace ("Scoop") Allen over the Campbell Wednesday night program, are here for King's orchestra engagement at the Fairmont Hotel. He will fly to LA weekly for the Burns and Allen broadcast . . . Greta Gahler, vocalist, is now with "Echoes From the Orchestra Pit," NBC sustaining program.

◂ Purely Personal ▸

FRANK C. WALKER, C. C. PETTIJOHN, FLOYD ODLUM and ED KUYKENDALL are among the industry figures who will attend the inauguration ceremonies in Washington next Wednesday.

•

CLINTON WHITE, assistant sales manager of G. B., left yesterday for Albany, Buffalo, New Haven and Boston. Shortly after his return he will make a swing of the company's southern exchanges.

•

FELIX FEIST, JR., left for Hollywood yesterday after completing two shorts here with BOB BENCHLEY. They are "How to Figure Your Income Tax" and "The Romance of Indigestion."

•

FERNAND GRAVET, MOLLY PICON, the Marquis HENRI DE LA FALAISE and Capt. PHILIP ASTLEY, husband of MADELEINE CARROLL, sail today on the *Paris.*

•

SIG WITTMAN of Universal will leave Tuesday for a short business trip to Philadelphia.

•

DAVE LEVY, New Jersey sales head for M-G-M, is back at his desk after a 10-day illness.

•

WILLIAM GEDRIS of Ideal Seating is in town from Grand Rapids, Mich.

SAM EPSTEIN has suceeded TED SHAW as assistant to JACK BLOOM, contract manager of 20th Century-Fox. SHAW recently was promoted to assistant to W. C. GEHRING, central division head.

•

BOYCE DEGAW and ISABEL DAWN are back from Washington where they conferred with U. S. Navy officials on "Wings Over Honolulu."

•

JACK SKIRBALL and JOE PINCUS are back from Miami vacations. WILLIAM SUSSMAN is due from the same resort next week.

•

VLADIMIR SOKOLOFF, noted Russian actor who is under contract to Warners, will arrive Thursday on the *Champlain.*

•

CHARLES MAYER, Dutch East Indies manager for 20th Century-Fox, is mourning the loss of his father.

•

LESTER STURM, Detroit manager for 20th Century-Fox, has recovered from an appendectomy.

•

JACK SICHELMAN is rapidly recovering from bronchial pneumonia.

•

JAMES R. GRAINGER, general sales manager of Universal, will arrive from the coast on Monday.

Last Night On the Air

Best "Hotel" Yet

"Hollywood Hotel" minus Dick Powell but plus Fred MacMurray, skittered across the airways last night to provide an hour of plus entertainment. The broadcast was one of the fastest moving of the programs ever aired with never a dull moment. It's hard to pick the hour apart to see what made it tick as well as it did, and harder still to determine which artist or unit is to be singled out for praise. But if individual honors are to be granted they must go to Carole Lombard and Fred MacMurray. The re-enactments from "Swing High, Swing Low" provided by this pair were particularly ear-pleasing. The portrayals by the throaty screen siren and MacMurray whetted the appetite of this reviewer to hear more of the proceedings, which means that we'll be visiting our neighborhood theatre to see the picture when it plays there. Multiply us by even a small percentage of the millions who listened to the program last night and the value of this excellent performance to the producers of the picture will be realized.

Raymond Paige's Orchestra, Igor Gorin, Ann Jamison, Tony Martin and Francis Langford, singers all, and tuneful Hawaiian troupes, piloted by Ray Kinney were excellent.

"Hollywood Hotel" is heard Fridays from 9 to 10 P. M., E.S.T., on the CBS network. Campbell's Soup sponsors.

BANNER

Eickelberg to KFRC

SAN FRANCISCO, Jan. 15.—Wilber Eikelberg has been appointed manager of KFRC, replacing Tom Breneman, who went with CBS to KSFO,

Wall Street

Paramount Issues Hit New Highs

	High	Low	Close	Net Change
Columbia	37⅜	37	37	+ ¼
Columbia, pfd.	45½	45½	45½	.....
Consolidated	5⅜	5⅛	5⅛	.....
Consolidated, pfd.	18⅜	17¾	18⅛	+ ⅜
Eastman Kodak	173⅞	172	173⅞	+1⅞
Eastman, pfd.	160	160	160	—2
Gen. T. Equip.	32¼	31½	32	+ ⅛
K.-A.-O., pfd.	110	110	110	.....
Loew's, Inc.	70¼	69½	69½	.....
Paramount	26½	24½	26⅜	+1⅞
Paramount 1 pfd.	185¼	174	185¼	+12¾
Paramount 2 pfd.	23⅞	22⅛	23⅞	+1⅞
Pathe Film	10¼	9¾	9¾	.....
RKO	8⅞	8⅝	8¾	— ¼
20th Century-Fox.	37⅜	36	37⅜	+1½
20th Century, pfd.	46½	46	46½	+1¾
Warner Bros.	17½	17	17½	+ ⅝

Curb Rises Slightly

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3⅜	+ ⅛
Sonotone	2	1⅞	1⅞	— ⅛
Technicolor	21½	21¼	21½	+ ⅜
Trans-Lux	4¼	4¼	4¼	.....
Universal Pict.	13	13	13	+ ½

Most Bonds Gain

	High	Low	Close	Net Change
Loew's 3½s '46	100⅝	100⅜	100⅝	+ ⅛
Paramount B'way 3s '55	73¾	73¾	73¾	— ¼
Paramount Pict. 6s '55	100½	100⅜	100⅜	— ⅛
RKO 6s '41 pp.	123⅛	123	123⅛	+ ⅛
Warner Bros. 6s '39 wd	99⅜	99	99⅜	+ ⅜

(Quotations at close of Jan. 15)

Para. Reports Owning of 72 Subsidiaries

(Continued from page 1)

shares, or 10.45 per cent of the first preferred.

Holdings of officers and directors were reported to the commission as follows: Adolph Zukor, chairman of the board, none; Neil F. Agnew, vice-president, none; George L. Bagnall, assistant treasurer, none; Barney Balaban, president, six shares of common; Stephen Callaghan, director, none; Walter B. Cokell, treasurer, none; Norman Collyer, assistant secretary, 300 shares common and 120 shares second preferred; Y. Frank Freeman, vice-president, none directly, but beneficially, 1,000 shares common; H. A. Fortington, director, none directly but beneficially, 1,000 shares common and 300 shares first preferred; Harvey D. Gibson, director, none; A. Conger Goodyear, director, none directly but beneficially, 1,000 shares common and 300 shares first preferred; Stanton Griffis, director, none directly but beneficially, 1,000 shares first preferred; Duncan C. Harris, director, none; Henry Herzbrun, vice-president, 209 shares common and 83 shares second preferred; John D. Hertz, director, none directly but beneficially, 15 shares first preferred and $21,500 in debentures and (owned by Lehman Bros.) 600 shares common and 8,000 shares second preferred; John W. Hicks, vice-president, 59 shares common and 23 shares second preferred; Harry O. King director, none; Earl I. McClintock, director, 100 shares, second preferred; Jacob H. Karp, assistant secretary, none directly but beneficially, 100 shares common; Austin C. Keough, vice-president and secretary, 59 shares common and 23 shares second preferred; Charles A. McCullough, director, none directly but beneficially, 1,000 shares first preferred and $58,000 debentures; Frank Meyer, assistant secretary, 10 shares common, 100 shares first preferred and four shares second preferred; Fred Mohrhardt, comptroller, none; Maurice Newton, director, none directly but beneficially, 4,518 shares common and 2,413½ shares second preferred and (owned by Hallgarten & Co.) 5,000 shares common and 5,000 shares second preferred; E. V. Richards, director, none directly but beneficially, 2,000 shares common; Atlas Corp., principal underwriter, none directly but beneficially, 1,516.4830 shares first preferred; Allied Owners Corp., 25,000 shares first preferred, and beneficially, $2,500,000 debentures.

The statement reported that the company has 11 managing contracts with various individuals for managing houses and subsidiaries, the most important being contracts of Balaban & Katz with John and Barney Balaban, to run seven years from Dec. 28, 1935, guaranteeing them a percentage of the profits of Balaban & Katz and its subsidiaries; other contracts are for a percentage of the net of various companies.

Zukor Salary Listed

The company's report on remuneration of directors, officers and others showed that, for the 1935 fiscal year, Adolph Zukor received a total of $91,645 from the parent company and subsidiaries which included his remuneration both as president and chairman of the board; John E. Otterson, who succeeded Zukor as president on June 17, 1935, received $84,000 for the remainder of the year; Stephen A. Lynch, chairman of the advisory committee, $79,500; 22 trustees and directors received a total of $298,891; eight other officers who were not on the board received a total of $145,623; two employes receiving more than $20,000 a year got a total of $40,911, and Simpson, Thatcher and Barlett, New York, received $25,000 as counsel.

Para. Issues at New High

Paramount's three issues on the N. Y. Stock Exchange yesterday hit new highs with two of them closing at the highs. The common reached 26½ and finished at 26⅜ for a gain of 1⅞ on a turnover of 63,100 shares. The first preferred closed at a new peak of 185¼, a gain of 12¾ points, with 3,300 shares traded. The second preferred is now 23⅞, 1⅞ better than Thursday's closing. A total of 7,100 shares of this issue changed hands.

Ask Zukor Dinner Shift

Because Adolph Zukor will remain in New York for only three to four days following his arrival next week to attend the premiere of "Champagne Waltz" in Washington, Paramount executives are asking that the proposed testimonial by the Broadway Merchants' Ass'n., scheduled for Jan. 25, be postponed until March.

Zukor is understood not to be feeling well after several days of excitement before and after his birthday, and is anxious to return to his home near Hollywood as soon as important business here can be disposed of.

Paramount Group Back

Neil F. Agnew, Albert Deane, Charles Gartner and Frank Meyer will return today from the coast where they attended the Zukor Jubilee dinner. John W. Hicks, Jr., got in Thursday.

Columbia Hooks 'em Up by Telephone and Peps 'em Up

(Continued from page 1)

der-to-border talks which are a part of the drive.

The sales stunt was scheduled to begin at 5 o'clock, but after a minute of silence at that hour the telephone company's sound man in the home office board room looked up from his portable gadgets with a puzzled expression and announced: "They say Detroit doesn't answer."

"I hope they haven't joined the strike out there," Jack Cohn, Columbia vice-president, remarked drily.

Then at 5:04 the sound man announced that the connections to all 31 branches had been completed and Cohn led off with a speech he had contemplated saving for the annual sales convention in June after reading it. He was followed by Abe Montague, general sales manager, for whom the campaign has been designated, and then by Joe McConville and Rube Jackter.

Free Inspiration for Metro

When the speeches were completed the troublesome sound man again looked up from his gadgets, a little dubiously, this time.

"I think," he said, "that we were hooked up with M-G-M in Cincinnati."

The hookup was on the wires for a total of 14 minutes and at the telephone company's conference rates for the number of stations involved, and their location, which is $51 a minute, cost about $714. In addition, broadcasting and receiving equipment had to be rented, and for a minimum rental period of two months, despite the fact that the conversations were calculated in minutes. Cooperating for the hookup were 15 telephone companies, 30 technicians, 100 operators (and only one probable wrong number!) and 26,722 miles of wire.

The New York speeches were carried to a central radiating station in Chicago, from where they were distributed simultaneously to the 31 branch offices. This involved sending the talks back over the wires to the New York exchange, as well as such other eastern offices as Albany, Buffalo, New Haven, Philadelphia and Boston. A special line was run into the Columbia studio as well as to the Los Angeles exchange.

Horwitz Signs First

Cleveland, Jan. 15.—M. B. Horwitz was the first in the Cleveland territory to sign a Columbia contract in the Montague Sweepstakes after hearing the coast-to-coast talk today.

Horwitz signed a blank contract for a Columbia Serial for Haltnorth.

Expect 800 at ITOA

Approximately 800 local exhibitors, exchange men and persons identified with the industry will attend the annual dinner and dance to be staged by the I.T.O.A. tonight at the Waldorf. Governor Lehman has promised to attend and other prominent figures have promised to be on hand.

Biophone Takes Appeal

TRENTON, Jan. 15.—An appeal to the U. S. Circuit Court of Appeals, Philadelphia, has been taken by the Biophone Corp. from a ruling of Judge Philip Forman against the company in a suit over patents.

Plaintiffs in four suits started in 1929 are Western Electric, Erpi and A. T. & T.

I. A. Meets End Today

HOLLYWOOD, Jan. 15.—Meetings of the I.A.T.S.E., which have extended throughout the week and at which plans were discussed for organizing various branches of the industry, will end tomorrow.

Postpone Game Trials

CHICAGO, Jan. 15.—The scheduled trial of 16 exhibitors arrested in a police drive on giveaways here last month was postponed today until Jan. 21.

Kansas City Showed Good Gain in 1936

(Continued from page 1)

deposits of $36,036,426 since June 30. Loans gained $16,676,105, and real estate owned dropped over $1,000,000. Other statistics show that Kansas has had one of its best years since early in the depression.

Increased admissions is one of the most significant indices of improving theatre business, and exhibitors in this area are just beginning to put higher prices into effect. Fox Midwest has increased admission tops five cents in about 30 situations, although not in Kansas City. Here the Tower has gone from a straight 25 cents to 25 cents-35 cents, and W. D. Fulton, operator of five suburban houses, has raised the level of his admissions by eliminating bargain nights.

As a whole, for the year first runs in Kansas City showed little or no improvement in grosses. However, conditions here are probably as competitive as anywhere in the United States.

One strong indication of improvement is the approximate $225,000 spent during the past month or now being spent by Kansas and Missouri exhibitors on new theatres or on new equipment, furnishings and remodeling. Unaffiliated circuits have made no announcements but are expected to spend substantial sums during 1937 for rehabilitation.

Business of National Theatre Supply, according to Walter Shreve, manager, was one-third ahead of 1935. New theatres contributed most of the increase.

New Fund for Phone Probe Held Certain

(Continued from page 1)

Speaker Bankhead of the House. The commission already has had $400,000, of which all but $65,000 has been spent, and the additional money must be furnished if the investigation is to be completed.

The commission recently suspended publication of certain preliminary reports because of lack of funds.

While there may be opposition to the granting of further funds for the inquiry by critics in Congress who assert the commission has produced little of real value with the money so far spent, it is not anticipated undue difficulty will be encountered in securing the additional money.

UMPTO Told MGM Agreement Not Set

(Continued from page 1)

satisfactory conclusion of the arrangement may be expected in a few days.

The members went on record against weekly payments for shorts, insisting on a pay-as-played policy. The question of non-theatrical competition again came to the fore. It was reported several upstate churches are running film programs, obtained from exchanges. The organization called on distributors to cease the practice. Members also were assured that if any move toward intimidation was threatened, the organization would protect them to the limit.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 14 NEW YORK, MONDAY, JANUARY 18, 1937 TEN CENTS

Distributors Urged to Aid Local Boards

Kuykendall Makes Plea For an Early Start

Distribution companies are urged by Ed Kuykendall, M.P.T.O.A. president, to take the initiative in setting up local conciliation boards in cooperation with exhibitors who petition them "at the earliest possible date."

In a letter to Ned E. Depinet, vice-president of RKO Radio Pictures, acknowledging the company's recent statement of policy on the M.P.T.O.A. trade practice program, Kuykendall points out that only through the operation of the local boards can "six or seven of the exhibitors' 10 trade practice proposals be accomplished effectively." Under this heading Kuykendall lists unreasonable clearance, overbuying, unfair competition, non-theatrical competition, designation of Sunday playdates, forcing of shorts and "other local complaints and grievances not involving contract enforcement."

"The M.P.T.O.A.," Kuykendall observes, "has gone as far as it can to secure the establishment of the boards. It is now up to the distributors to work out each such local board, where

(*Continued on page* 9)

Furst Takes Spry's Warner Boston Post

Boston, Jan. 17.—Nat Furst, Warner branch manager in New Haven, has been named to succeed Tom Spry, who has resigned the post of Boston branch manager which he had held since the original First National in 1915. Gradwell L. Sears, general sales manager, expressed the good wishes of the organization toward Spry on his resignation.

Furst has been in the film business for 32 years. He became New Haven sales manager for Pathe in 1917, joining Warners there four years ago. John Pavone, New Haven salesman for 11 years, has been promoted to succeed Furst as manager there.

Additional 1935 Salaries Listed

Washington, Jan. 17.—Additional salaries for 1935, in excess of $15,000, as made public here, follow. The listing is by companies.

Columbia Broadcasting System, Inc., P. W. Kesken, $30,756; L. W. Lowman, $27,249; H. K. Boice, $42,970; H. L. Atlass, $15,834; Sam Pickard, $25,064; M. R. Runyon, $18,849; W. C. Gittinger, $16,819; W.

(*Continued on page* 9)

Radio in Complete Hold of Hollywood as Talent Source

Exhibitor charges that Hollywood is indiscriminately turning over its talent to radio, thereby creating unwarranted competition in the theatre field and generally loose statements about the extent of the penetration of radio into films led James P. Cunningham, news editor of Motion Picture Herald into an exhaustive checkup of facts and fancy.

The conclusions and their proofs are presented herewith in the first of a series to appear in this and subsequent issues of Motion Picture Daily.

By JAMES P. CUNNINGHAM

Radio has taken virtually complete possession of Hollywood as a principal source of talent for popular air entertainment, and it intends to strengthen its hold.

Radio's broadcasters have yielded to the strong demands for the services of motion picture stars made by their liberal sponsoring advertisers, spending $100,000,000 annually on the air alone, and in six months have so literally moved in on the motion picture talent market that Hollywood stands today nearly as important to the radio field as a purveyor of amusement as to the screen.

It is almost entirely an arrangement between the air advertisers and stars, with broadcasters and producers as witnesses. To the stars it is bringing $3,000,000 a year. All parties concerned appear satisfied over the results: The broadcasters are successfully delivering to their advertisers the sales medium specified; the producers feel they are benefiting by the "free" occasional mention of their motion pictures.

There is, however, a little uneasiness among the producers, caused by the vociferous complaints expressed by their own customers, the exhibitors, against the stars' radio shows com-

(*Continued on page* 10)

Pittsburgh Sees '36 Revival Continuing

Pittsburgh, Jan. 17.—This thriving city of steel and smoke definitely came back during 1936 and all indications are that 1937 is destined to be even better. Everything is up, production, employment, industry and theatre grosses.

The past year found the public becoming conscious that Pennsylvania at last has Sunday films. Sunday grosses have been building steadily all year and are expected to climb still further during 1937. Also, the extra trade has affected business during the other six days, as many showmen predicted.

But the lights in the sky at night

(*Continued on page* 8)

Austro-German Talks Are Postponed Again

By HANS LORANT

Vienna, Jan. 8.—Austrian-German film negotiations, fixed for this month, again have been postponed, because of the wide differences of opinion among the parties involved. The problem of the pending arrangement between the two countries is the most vital in the Austrian industry at the moment, and is one which affects American product.

The increase in the importation to this country of German product,

(*Continued on page* 9)

4 States' Receipts Total $41,437,000

Washington, Jan. 17.—Box-office receipts totaling $41,437,000 were reported for 1935 by 3,626 places of amusement in the four west south central states, which gave employment to an average of 11,189 persons during the year and had a payroll of $8,559,000, of which $1,025,000 was for part time work, according to figures made public by the U. S. Census Bureau. A total of 3,105 proprietors and firm members were active in the conduct of the establishments.

The census report gave no specific figures for film theatres, but covered the amusement industry only as a

(*Continue don page* 9)

Directors Protest Soviet Restriction

By BEATRICE STERN

Moscow, Jan. 4.—The most significant outcome of the recently concluded conferences among film workers and officials of the Soviet industry was the protest of leading directors against the limitations imposed on them. The conference was for the purpose of discussion of the unfulfilled state plan and the general shortcomings of the film industry.

The conference concluded with no indication that steps will be taken in the direction of a reorganization of the Soviet industry.

N. Y. Area Has 24 New Spots, 32,481 Seats

Theatres Here Now Total 1,140; Circuits Gain

Twenty-four new theatres with a total seating capacity of 32,481 were added to the Greater New York territory last year, according to the latest survey of the New York Film Board of Trade. The number of theatres listed during 1935 was 1,140 with a combined seating of 1,298,066. Last year's records show that there were 1,164 houses with 1,330,547 seats.

Of the new list, 117 theatres are closed. In 1935 109 were dark. By states, there are 839 houses seating 979,698 in New York, indicating an increase of 23 units over the year before, while New Jersey has 325 theatres seating 350,849, or one theatre more than in 1936.

Circuit representation increased by 25 theatres and 31,960 seats. The latest figures show that there are 711 theatres seating 978,672 now affiliated with the circuits as compared with 686 units and 946,712 seats in 1935. Affiliated theatres in New York total 120, with 252,751 seats, an increase of 10 houses over the previous period and 12,030 seats. Affiliated units in New Jersey are now listed at 63 in comparison to 66 in 1935. The unaffiliated

(*Continued on page* 12)

Suits Against AT&T And W. E. Dismissed

Wilmington, Jan. 17.—The anti-trust suits against A. T. & T. and Western Electric brought by General Talking Pictures Corp. and Duovac Radio Corp. were dismissed in U. S. District Court here yesterday by Judge John P. Nields. The court held that restrictive clauses in film licensing agreements during the research stage of talking pictures were legal but were not legal in subsequent commercial stages.

With regard to the complaint against Erpi, the court ruled that

(*Continued on page* 12)

Midwest Men to Join 20th-Fox K. C. Meet

In addition to eight district managers, branch heads of Chicago, Detroit, Indianapolis and Milwaukee will attend the two-day mid-season sales session of 20th Century-Fox in Kansas City on Feb. 4-5.

Among those who are listed to attend are William Sussman, W. C.

(*Continued on page* 9)

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Legion Approves 13 Of 14 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved 13 out of 14 new films either for general patronage or adults, and classed one, "Broken Blossoms," as objectionable in part. Eight were approved for general patronage and five for adults. The films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"The Dead March," "A Doctor's Diary," "God's Country and the Woman," "Larceny on the Air," "The Mighty Treve," "A Million to One," "They Wanted to Marry," "Round-Up Time in Texas." Class A-2, Unobjectionable for adults —"Bulldog Drummond Escapes," "The Eternal Mask," "Green Light," "Men Are Not Gods," "Under Cover of Night."

Ann Harding to Marry

LONDON, Jan. 17.—Ann Harding and Werner Janssen, New York Symphony Orchestra conductor, have filed notice of their intention to marry.

Purely Personal

SHIRLEY LUTTENBERG, associate editor of *Columbian Beacon*, Columbia house organ, will be installed tonight as worthy matron of the Goelet Chapter of the Order of the Eastern Star.

•

FRANK KASSLER, co-director of "The Golem," European-made feature based on a Hebrew legend, is here from Prague, Czecho-Slovakia, to set an American distribution deal.

•

GEORGE O'BRIEN will meet his wife, MARGUERITE CHURCHILL, in Boston this week. She is doing a play there for JOHN GOLDEN.

•

CHARLES S. GOETZ has been signed as personal representatives of HANS FEHER and his father, FRIEDRICH FEHER, producer of "The Robber Symphony."

•

CYRIL VON BAUMANN intends to return to South America to make another jungle film. This one probably will be made in Venezuela.

•

LUCILLE PAGE, wife of BUSTER WEST, has been signed to make two shorts on dancing for Monotone Pictures.

•

EDGAR SELWYN and BENNY THAU arrived from the coast Saturday. HOWARD STRICKLING met them.

•

STEPHEN PALLOS, general manager of London Films, will sail for home in about two weeks.

•

BOYCE AND MRS. DE GAW are here from the Universal studio on a vacation.

•

NORMA SHEARER is in New York from Hollywood.

•

HARRIET EBERHARDT back from a visit to Duluth.

•

. . . Cincinnati

CHARLES LOWENTHAL, erstwhile Cincinnatian, here on a visit from Milwaukee.

JEROME M. JACKSON, neighborhood exhibitor, elected president East End Civic Ass'n.

GEORGE GOMERSALL and NATE LEVENE have motored to Florida.

H. L. STAHL, Oil City, Pa., here on a visit with his brother MAX, of U. A.

•

. . . Denver

HARRY MARCUS of Allied, NAT WOLFE of Commercial Film, and GEORGE KERER of Capital have returned from Salt Lake City.

ROY NOTHEIS engineered the big Fox theatre party for its Denver employees, held at the Broadmoor Country Club. NOTHEIS, manager of the Webber, was master of ceremonies.

DONNELLY JAMES, director of the Denver theatre orchestra, and KAY ANDRE, soloist, are recovering from the flu.

HUGH BRALY, district manager for Paramount, went to California for the holidays.

LEE AND MRS. MOTE, owners of the theatre at Riverton, Wyo., were in town.

Big Business

Denver, Jan. 15.—One night during last week's cold spell, Kenneth Richards, manager of the Rex, decided it would be cheaper to refund the admissions rather than operate, since only two paying patrons had showed up!

. . . London

REGINALD SMITH, Oxford Repertory Theatre graduate, appointed assistant television stage manager by British Broadcasting Corp.

SIMON ROWSON, A. S. NEWMAN, P. BASTIE and A. G. D. WEST nominated for presidency of British Kinematograph Society.

SIDNEY BERNSTEIN, SAM ECKMAN and ALEXANDER KORDA joint chairmen of committee which is to organize super "Midnight With the Stars" show, Coronation time, in aid of Benevolent Fund.

MONTAGUE COHEN resigning from Twentieth Century Cinemas, Ltd.

QUEEN MARY to attend premiere of Bergner's "Dreaming Lips," Pavilion Feb. 2.

•

. . . Los Angeles

HARRY WHITE and FRANK BAXMAN are the new owners of the Arrow in downtown Los Angeles. J. A. MANARD was the former owner.

J. S. NELSON is the new manager of the Nile in Bakersfield. The theatre is owned by F. W. C.

•

. . . Omaha

JOE SCOTT, 20th Century-Fox exchange manager, and his bride, the former NYNEE LEFHOLTZ, leave late this month on a belated honeymoon which will take them to Texas and Mexico.

•

. . . Pittsburgh

JOE GINS of Columbia has been joined by his wife and baby. They have been living in Washington for the last year.

ROBERT KAIL has been sent here by the Loew office from Columbus to replace temporarily the ailing BOB NEWKIRK as MIKE CULLEN'S assistant at the Penn.

MRS. JOHN MCGREEVEY, wife of the Harris booker, and her son have left for Florida to spend the winter.

BENNY DAVIS wrote a Pitt Victory March here the other day and dedicated it to the Rose Bowl victors on the Stanley stage.

•

. . . Seattle

L. J. MCGINLEY, manager of the local Universal branch, has returned to his office after a siege of the flu.

MORRIE SIEGEL, Paramount sales representative in Eastern Washington, is being congratulated on the birth of a son in Spokane.

MIKE GOODMAN, formerly with Paramount-Famous Players in the British Columbia territory, was a visitor on Film Row this week. He is at present out in advance of the "Northwest Mountie Band."

HUGH W. BRUEN, 1934-1935 president of M.P.T.O.W., and now an exhibitor of Whittier, Cal., a visitor here.

•

. . . Washington

EDWARD HEIBER and his Universal staff are moving into their new building.

BEN LUST, theatre supplies, will soon ocupy new quarters on New Jersey Ave.

SAMUEL A. GALANTY has recovered from a brief illness.

RUDOLPH BERGER recently underwent two operations one on his eyes and a tonsilectomy.

JACK NELSON, local Bank Night Agent, eloped to Elkton, with ELEANOR DIAL, sister of Theatre Art Display's ROY L. DIAL.

J. HENRY HISER, operating the State Bethesda, became a father for the third time with the birth of BARBARA ALLISON HISER.

A. E. LICHTMAN and JOSEPH MORGAN are vacationing, and may visit Hawaii before returning to Washington.

BOB CAMPBELL has shifted from G. B. to United Artists.

SAM WHEELER is back from a Florida vacation.

Gottlieb Joins Wanger

Alex Gottlieb, who resigned last week from the Columbia advertising department, today joins Walter Wanger Prod. He will work on special advertising campaigns and spend half of his time in Hollywood and the other half in New York.

Hal Horne, who is casting for "Walter Wanger's Vogues of 1938," plans to leave for the coast in 10 days. It is possible Gottlieb will accompany him.

Hold Hamrick Meeting

SEATTLE, Jan. 17.—Division executives and managers of the Evergreen State and Hamrick-Evergreen circuits met here for the quarterly check-up of quotas and distribution of prize money. Al Rosenberg's Washington state division won first place for the 13-week period just ended. Second place went to Al Finkelstein's Portland sector.

Delay Sales Tax Appeal

At the request of the corporation counsel's office, hearing of arguments before the Court of Appeals at Albany on the distributors' appeal from the application of the city sales tax to film rentals, which was scheduled for today, has been postponed for one week. The city asked for the additional time in order to complete its reply briefs.

Imperial in New Deal

NEW HAVEN, Jan. 17.—Mutual releases have been executed by Imperial Pictures and Connecticut Films Distributing Co., following suit brought by the latter for damages as the result of alleged violation of a franchise agreement dated Nov. 12, 1936.

ITOA Dance at Waldorf

The annual dinner and dance of I. T. O. A. was held at the Waldorf Saturday night and ended early Sunday morning. Approximately 800 local exhibitors, exchange men and other persons identified with the industry attended.

John Miltern Killed

HOLLYWOOD, Jan. 17.—John Miltern, veteran actor, was struck and killed by an automobile while out walking with Basil Rathbone Friday night.

RKO Renews License

RKO Radio Pictures has renewed its R. C. A. sound recording license agreement for an additional 10 years.

Follow the Publix' Pulse!

Publix First Run Minneapolis:

Minneapolis

Fifteen below zero weather and pneumonia and flu epidemic undoubtedly are adverse business factors, but, in spite of them, 'Three Smart Girls,' is a highly sensational box office performer.

VARIETY

Publix First Run Birmingham:

HOLD OVER
AND GOING LIKE
A HOUSE AFIRE!

—and so it goes

**just one record after another!
. . . and just another reason
why everybody is talking about**

THREE SMART GIRLS

and the NEW UNIVERSAL!

B. & D. Weakness Is Blamed on U. S. Field

London, Jan. 8.—That disappointing results from the American market were largely responsible for the discouraging state of the company's finances was the keynote of speeches by E. Ronald Crammond, chairman, and C. M. Woolf, managing director, at the annual meeting of British & Dominions Film Corp.

The report and accounts of the company, already reported, showed a net loss for the 12 months to Oct. 31, last, of £105,599 and a total debit balance of £131,148.

Crammond said that films like "Escape Me Never" and "Brewster's Millions" obtained only a small proportion of the expected revenue from the United States, and had compelled a drastic writing down of film values. Further, United Artists had agreed to a revision of the contract calling for 12 pictures a year, and a further revision was being discussed. In the meantime, it was indicated the company will concentrate on the management of the Pinewood studios, of which it owns half the capital and from which it received a yearly management fee of £10,000 a year.

Woolf, saying the ultimate policy of the company would be to produce for the home market as economically as possible, declared, "We haven't got the American market, and I doubt if we shall ever get it." The Films Act, he declared, had increased British production but it had doubled studio costs and it had not helped British films in America. Answering a shareholder he declared nothing could be done to stop American films here. "Ninety per cent of the films shown on British screens are American, and no president of the Board of Trade will take the risk of rationing them, with the serious risk of reprisals from America," he stated. Woolf said the policy of B. & D. was to manage the studios and make as few films as it could, in view of their agreements.

Selznick Changes Made

Hollywood, Jan. 17.—Henry Ginsberg, general manager of Selznick International, has realigned the executive setup of the company. Under the new arrangement the department heads will be: E. L. Scanlon, comptroller; Charles Richards, casting director; Charles Morrison, talent scouting; C. R. Walrod, purchasing agent; Lillian K. Deighton, research department; Val Lewton, story department; Barbara Keon, stenographic; Hal Kern, film editing; Lyle Wheeler, art; Harold Fenton, construction; Ernst Dryden, wardrobe designing; Edward Lambert, wardrobe department, and Edward G. Boyle, property department.

'Romeo' Beats 'Ziegfeld'

Portland, Ore., Jan. 17.—"Romeo and Juliet," roadshowed at the Mayfair here for four days, exceeded by 20 per cent the corresponding take of "The Great Ziegfeld." Manager Fenney established tieups with local schools and colleges.

Lilli Palmer Re-signed

London, Jan. 17.—Lilli Palmer, Viennese actress who is co-starred with Richard Arlen in "The Great Barrier," has been given a new term contract by G. B., and may go to Hollywood under a loan arrangement.

Looking 'Em Over

"Scotland Yard Commands"

(ABFD—Grand National)

An importation from England and produced there by A.B.F.D., this picture offers a touch of mystery and romance and a final flash of lively action, but for the most part it appears to be rather heavily handicapped by the considerable amount of English-accented speech.

The only familiar name is that of Clive Brook, as the wealthy young man who comes upon a smuggling group while he is intoxicated, is knocked unconscious, meets a young girl in a dance hall in Leeds, befriends her, falls in love and finds himself involved, with her, in the activities of Scotland Yard, investigating the smuggling. Her brother, it appears, is the unwilling tool of the miscreants, who are using his truck to transport their smuggled armament from the shore.

Actually, the film, if produced here, would be ranked as ordinary program material, suitable for double bill programs. Victoria Hopper is the girl who, caught up in the Yard's net after her brother is apprehended, marries Brook when the investigation closes with the murder of the brother by the gang leaders and their capture by Brook in an active closing sequence. James Flood directed.

Reviewed without production code seal. Running time, 60 minutes. "G."

Overseas Previews

"The Mill on the Floss"

(National Provincial)

London, Jan. 8.—There is an enormous amount of good work in all the details of this adaptation of George Eliot's novel, a British classic, period early nineteenth century. An American release has not been fixed, but should be obtainable for a film well above British average. It is a John Clein production, directed by Tim Whelan from a Garnett Weston adaptation with dialogue by John Drinkwater.

The story is centered upon an old English mill and the picturesqueness of background provided by this rambling wooden building, on the banks of an old English river, pervades the whole picture which is a fascinating, sometimes discursive, study of English life when men wore tall hats and tight trousers and the girls were be-flounced and hadn't heard the word "emancipation."

The plot chiefly concerns Maggie Tulliver, daughter of the miller, the innocent victim of a family feud which prevents her marrying Phillip Wakem, son of her father's enemy. The vindictive pursuit of the vendetta by her brother, Tom, and the girl's submission to his authority is effective dramatically and incidentally gives a picture of woman's status in pre-Victorian and early Victorian days which will seem inconceivable to many of the present public.

Spectacularly, there are many fine scenes. Particularly good are the episodes of small-town intolerance which, after Maggie has innocently been stranded with a male companion, lead to an angry mob marching on her retreat to hound her out of town. These scenes link to a striking final sequence when flood sweeps away the mill and half the town and drowns the girl and her still faithful lover.

The outstanding performance is that of Geraldine Fitzgerald as Maggie Tulliver. In a cast containing an array of names famous on the English stage and screen, Frank Lawton, Victoria Hopper, Griffith Jones, Athene Seyler, Mary Clare, Martita Hunt, Felix Aylmer, Sam Livesey, William Devlin and James Mason all do excellent work.

It demands respect as a faithful transcription of a great book and, whatever may be thought of the "costume" angle, it should interest part at least of the American public as an English picture which does vividly portray a characteristic and important phase of English life.

Running time, 90 mins. "G"

"Love from a Stranger"

(Trafalgar—United Artists)

London, Jan. 8.—Melodrama, from the Frank Vosper stage play founded on an Agatha Christie story, which has been a considerable success in the West End here. Basil Rathbone has the part played by Vosper on the stage and Ann Harding, in her first British film, is the other big name. Rowland V. Lee directed the Frances Marion script for Max Schach who made the picture at Denham.

The story is that an office girl wins a big lottery prize, is infatuated

(Continued on page 5)

Short Subjects

"Pigs Is Pigs"

(Vitaphone)

Entertaining stuff about a family of pigs, one of which has an insatiable appetite. Finely colored, the piece has the always hungry one eating so much he has a nightmare in which he becomes the victim of an ogre who stuffs him until he bursts. Awakening in a fright, the pig promptly goes down to breakfast and starts gorging again. Good animation and many comic twists. Production Code Seal No. 2,939. Running time, 7 minutes. "G."

"Deep South"

(Radio)

The Hall Johnson Choir celebrates in song the marriage of a pair of cotton pickers. Filmed in natural settings, the short in a pleasantly entertaining manner combines excellent choral singing with fairly diverting story. Production Code Seal No. 2,748. Running time, 17 mins. "G."

"Gold Mania"

(Van Beuren-Radio)

Beautifully filmed outdoor compositions are a highlight of this sentimental treatment of a day in the life of a prospector. With a perfect "type," for the part and as tasteful a spoken accompaniment, it should bring good audience reaction. Production Code Seal No. 01,394. Running time, 11 mins. "G."

"Merry Cafe"

(Mintz-Columbia)

Weak from starvation, Krazy Kat wanders into an Eatomat and passes out. While unconscious he has hallucinations in which the various edibles come to life and put on a show. Hunger revives him, but it is still a cruel world and he lapses back into a coma where at least he eats. Some clever invention makes it enjoyable. Production Code Seal No. 2,736. Running time, 7 mins. "G."

"A Vitaphone Pictorial Revue No. 4"

(Vitaphone)

The first two sequences of this short manage to sustain interest. The last part is mere filling. Shown in order are the methods of testing the physical reactions of would-be aviators, the merchandise testing laboratory of a department store and finally what the well dressed woman wears in warmer climes. Production Code Seal No. 01,399. Running time, 11 minutes. "G."

To Show Hungary Film

"Salary, 200 Monthly," a Hungarian musical starring Paul Javor, described as Hungary's Clark Gable, will have its American premiere at the Modern Playhouse, 81st St. and 3rd Ave., Jan. 21.

Big in Pittsburgh

Pittsburgh, Jan. 17.—"One in a Million," starring Sonja Henie, gave the Alvin here its biggest opening day of the past six months. The picture did more than $2,000 in the 2,000-seat house and continued the pace through the second day. A second week is assured.

Bernstein Issuing New Questionnaire

London, Jan. 8.—Sidney L. Bernstein, whose patron questionnaires are famous, is issuing another to the 350,000 weekly visitors to his Granada circuit, in which he particularly aims to get a public opinion on color and on films running two hours or more.

Bernstein's last questionnaire, to which 124,837 replied, was issued in 1934. In the current form he repeats the standard questions about stars, subject preferences, directors, stage shows, and so forth but adds two new questions:

"Do you like colored feature talkies?"

"Say whether you prefer two 'big' pictures or one super lasting more than two hours, and shorts."

Another new question asks the patron to list players whose names lead them to stay away from the theatre.

Suggestions from the Board of Education and the National Institute of Industrial Psychology helped in framing the questionnaire, which is being circulated in the Bernstein theatres from Jan. 4-18.

New Enterprises

The following film and theatre companies have been incorporated:

At Albany:

Dover Theatres Corp., New York, exhibition, by Betty Schneider, William Permison and Harry Gotesky.

B. & D. Film Corp., New York, distribution, by Harold J. Sherman, Martha Harris and Eleanor Brook.

Filmland Amusement Corp., New York, exhibition, by Theodore Perlman, Irving Feinman and Benjamin L. Rose.

Three Villages, Inc., Whitesboro, exhibition, by Lynn B. Fenner, Frances L. Tumposky and Bette Taylor.

Arlihar, Inc., New York, exhibition, by Leonard R. Speiss, Laura Hart and Elias M. Felief.

At Austin:

Tad Screen Advertising, Inc., Dallas, by R. A. Duncan.

At Dover:

Associated Artists of America, Ltd., film business, by L. H. Herman, B. R. Jones, J. P. Murray, Wilmington.

At Spokane:

Baker Amusement Corp., Newport, Wash., by Vernon L. Baker, George H. Unternehrer and Nelson W. Baker. At Newport, Wash.

Baker Amusement Corp., exhibition, by Vernon L. Baker, George H. Unternahrer, Ivy A. Unternahrer and Nelson W. Baker.

At Jacksonville, Tex.

Ajax Amusements, exhibition, by G. Zapf, F. Schwartz and L. S. Joel.

May Revive Magazine

M. P. Associates will revive its monthly house organ dropped seven years ago. It may be called *The Reel* with Jack Ellis of RKO as editor. Activities of the organization will be publicized for the benefit of the current 190 members. The first issue is due to come out Feb. 15.

Loew's to Reopen House

Meriden, Conn., Jan. 17.—Loew's will reopen the Poli here, 1,000-seat house which has been dark for more than a year, on Jan. 29, with Lou Falk, manager of the local Palace, in charge. For the present a weekend policy will be followed.

Overseas Previews

"Love from a Stranger"

(Trafalgar-United Artists)

(Continued from page 4)

by a plausible stranger who comes to hire her flat and, during a trip to Paris, decides to marry him, turning down the faithful but unpretentious lover of her working days. Returned from the honeymoon, the young couple settle down in an isolated country cottage where the husband begins to show eccentricities, awakening the girl's suspicions until she realizes, when he is about to murder her, that he is a homicidal maniac. Her attempts to outwit him lead to a good suspense finish.

The material is artificial and there is a good deal of over-acting from the leads in the "big" scene, but direction is skilful in detail, there is considerable humor in the early scenes and all the dialogue will be easily understandable in America. It is lacking in convincing human interest.

Running time 75 mins. "A" Allan

"Le Mort en Fuite"

"Death Escaped"

(Films Richebé)

Paris, Jan. 6.—This weird comedy is based on an original idea, and its development leads to many amusing situations which, although often touched by the thought of death, never lose their humor.

Two third-rate and absolutely untalented, but ambitious, actors, Trignol and Baluchet, decide to pretend to be murderer and victim to gain publicity. Trignol, believed to be dead, goes into hiding, and from his retreat sends an anonymous letter to the police. The author of the supposed "crime" is caught by the police and condemned to death. His appeal for time to prove his innocence is rejected. In the meanwhile, Trignol, the supposed "victim," who knows nothing of his friend's plight, is mistaken for an officer who is wanted by his country on a charge of treason. He is arrested and condemned to death.

He manages to escape and return to Paris in time to save his friend from the guillotine, and the two are hired as performers.

From an original story by Lois le Gouradiec, the film is directed by André Berthomieu. Technical work and photography are good, but although the subject is very amusing, it has not been developed to full advantage. The cast includes Michel Simon, an excellent comedian; Jules Berry and Marie Glory.

Running time, 90 minutes. "G." Autre

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Devil's Playground"

(Columbia)

Hollywood, Jan. 17.—It is only in the final reel that this picture emerges from the classification of less than routine, trite gob-girl material to that of the suspense-laden type of action stuff that rates well on dual programs. Therein, the unsuccessful attempts from a stormy sea to rescue part of the crew of a sunken submarine, and the final winning effort of a diving ace to save them lifts the film with a leap into good entertainment of its kind.

Chester Morris and Richard Dix are buddies in the Navy, Morris woman-conscious, Dix home and garden struck. Dix meets and marries a cheap dance hall gold digger, Dolores Del Rio. When he is away, she goes after Morris, who is unaware of Dix's marriage. Dix finds them together, she makes it appear that Morris is at fault, and Dix throws him out. Later when Morris is among the part of the crew trapped in the damaged submarine, Dix refuses to answer the call for aid, until Miss Del Rio tells him the truth. Then in a crackling sequence, he goes down, brings air to the men, and they are rescued. Erle C. Kenton directed from a screenplay by Dalton Trumbo and Jerry Chodorov.

Interesting are the shots depicting the escape of some of the men through the hatch wearing artificial lungs, and the manner in which Dix fixes an air line to the compartment in which the men are trapped.

Production Code Seal No. 2,033. Running time, 72 minutes. "G."

Variety Club

Cincinnati

Cincinnati, Jan. 17.—Olsen and Johnson, members of Tent No. 2, were very much in evidence around the local tent during their engagement at the RKO Shubert. The team entertained the entire company of some 60 members at a dinner in the club's quarters, at which presents were distributed.

John Hawthorne, president of Operators' Local 327, is the latest recruit into resident membership.

Maury White again is back in the fold, having reinstated his membership.

E. V. Dinerman, as well as Solon R. Worthington, both of the RKO advertising department, have joined the ranks of benedicts.

Cleveland

Cleveland, Jan. 17.—New officers of the Cleveland Variety Club were conducted into office at a dinner-dance at the Statler Hotel yesterday. New officers are: M. B. Horowitz, president; David Miller, first vice-president; Frank Drew, second vice-president; Frank H. Boyd, secretary; J. S. Jossey, treasurer. The directors are: Col. Harry E. Long, Jack Shulman, I. J. Schmertz, Nat Holt, Harry H. Goldstein and Jerome Friedlander..

Columbus

Columbus, Jan. 20.—Political and industry leaders here will participate in the President's Birthday Ball sponsored by the local Variety Club tent. It is scheduled for Jan. 30 at the Neil House.

Among those active are: Gov. Martin L. Davey, Myron B. Gessman mayor of Columbus; Col. Lynn Black, chief of the Ohio highway patrol; J. W. Thompson, Thompson Decorating Co.; William James, former president of the O.T.O.A.; Harry Schreiber, city manager for RKO; M. R. Clark, Paramount manager; John Barcroft, RKO publicity head; P. J. Wood, secretary of the I. T. O., and Congressman Arthur P. Lamneck.

Kansas City

Kansas City, Jan. 17.—Variety Club will move from the Country Club Plaza, where it has been located the past two years, to Film Row on March 1, Chief Barker Frank Hensler declared this week after a poll of members. While the lease on present quarters does not expire until April, the Tent gets possession of the large building at 108 W. 18th street Feb. 1. Extensive remodeling and decorating is planned.

Barkers Charley Shafer, Frank Bowen and Bill Warner won a lot of praise for themselves with the New Year's Eve party at the Muehlebach Hotel. It was so successful—at $10 a throw—that reservations already have been made for the affair Dec. 31, 1937.

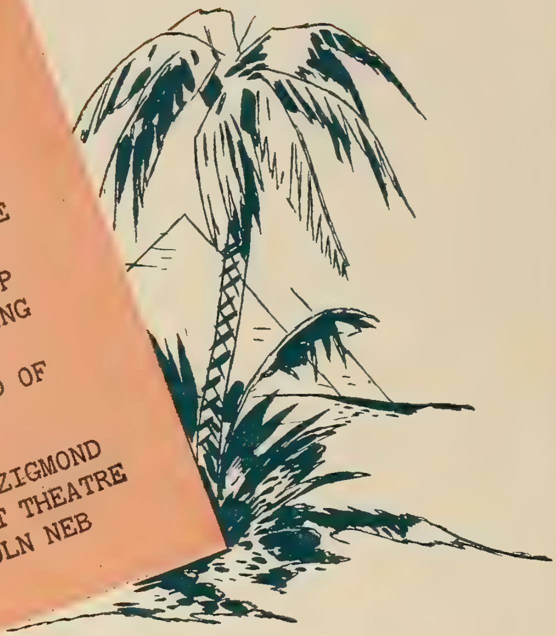
The Variety Club-Film Row annual charity ball, still the big affair of the season for the industry, will be held at Pla-Mor Jan. 25. Proceeds go to a relief fund with which the industry here takes care of its own. Arthur Cole of Paramount is general chairman.

The "GARDEN" spots of A

GEORGE J SCHAEFER
UNITED ARTISTS CORP
729 SEVENTH AVE NYC

IN FACE OF WINTERS BITTEREST WEATHER AND SNOW BLOCKING MOST HIGHWAYS THEATRE FILLED TO CAPACITY ONE HOUR AFTER OPENING FIRST DAY GARDEN OF ALLAH STOP SUNDAYS BUSINESS ALMOST DOUBLE OPENING DAY WITH WEATHER CONTINUING SIXTEEN BELOW STOP HIGHEST PRAISE THE TREND OF COMMENT REGARDS

JERRY ZIGMOND
STUART THEATRE
LINCOLN NEB



UNITED ARTIST
729 SEVENTH A

THE GARDEN OF
BUSINESS FRID
THEATRE ALLEN
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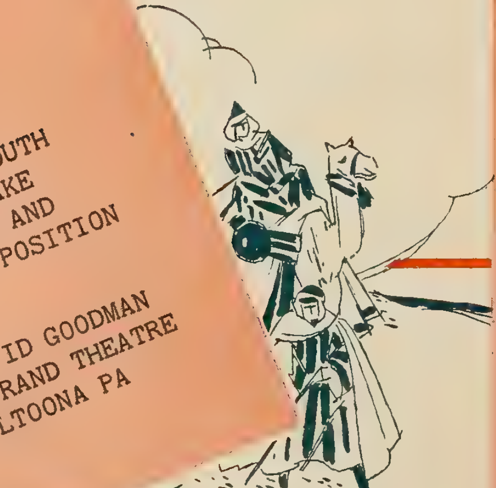
UNITED ARTISTS CORP
729 SEVENTH AVE NYC

GARDEN OF ALLAH OPENED FRIDAY TO SPLENDID BUSINESS STOP WORD OF MOUTH AMONG FEMININE PATRONS SHOULD MAKE IT BUILD TO A TREMENDOUS FINISH AND HOLDOVER STOP OUT-STRIPPING OPPOSITION STOP PRAISED BE ALLAH

DAVID GOODMAN
STRAND THEATRE
ALTOONA PA



GEORGE J SCHAEFER
UNITED ARTISTS CORP
729 SEVENTH AVE NYC

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THE CONCENSUS OF LO
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AND MAGNIFICENCE TH

erica are all "ALLAH" spots!

NED TO TREMENDOUS
BOYDS EMBASSY
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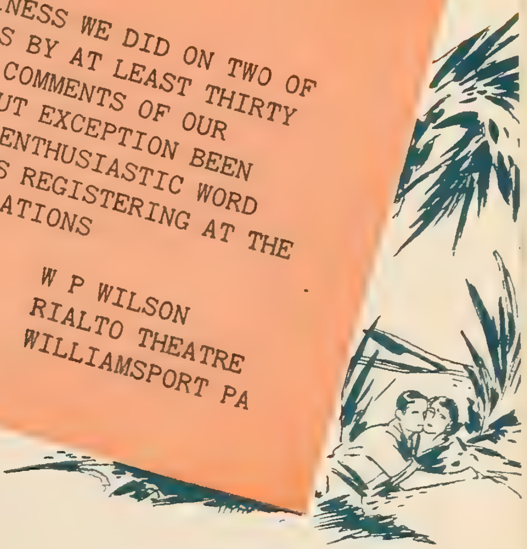
PERFORMANCES
CHARLES BOYER

PAUL W ALLENDER
BOYD THEATRE
BETHLEHEM PA

UNITED ARTISTS CORP
729 SEVENTH AVE NYC

EXCEEDS FINE BUSINESS WE DID ON TWO OF YEARS BIGGEST HITS BY AT LEAST THIRTY FIVE PERCENT STOP COMMENTS OF OUR PATRONS HAVE WITHOUT EXCEPTION BEEN VERY FAVORABLE AND ENTHUSIASTIC WORD OF MOUTH EXPRESSIONS REGISTERING AT THE BOX OFFICE CONGRATULATIONS

W P WILSON
RIALTO THEATRE
WILLIAMSPORT PA



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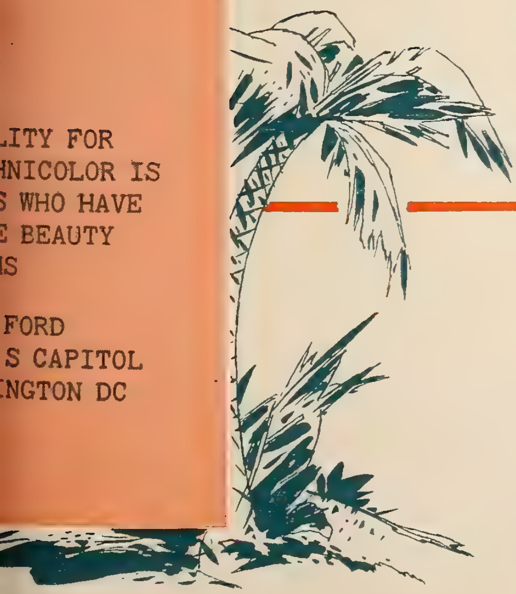

SELZNICK INTERNATIONAL
Presents

Marlene *Charles*

DIETRICH · BOYER

in *The Garden of Allah*

IN TECHNICOLOR

Produced by DAVID O. SELZNICK

Directed by Richard Boleslawski • *From the book by Robert Hichens*

Released thru
UNITED ARTISTS

Walter Reade Takes Third Circuit Site

American Community Theatres, of which Walter Reade is president, has acquired its third site, at Morristown, N. J. The first is at Toms River, N. J., and the second at Saratoga, N. Y.

Approximately $500,000 will be spent on the construction with Thomas W. Lamb drafting the plans. Work will start about March 1, and it is expected the theatre will be ready by July 1.

The Morristown plot is located at South and Pine Sts. and was purchased from Shelton Pitney, Mahlon Pitney, Jr., and Henry P. Van Dusen, trustees for the estate of Henry C. Pitney.

Seek Sunday Show Vote

Oakland, Md., Jan. 17.—Officials here will ask that the Legislature enact a bill which will authorize this city to hold a referendum on Sunday shows. If it is permitted and approved by voters there would be levied on admissions a five-cent tax to help support the fire department, relief and the library.

Get Santa Monica House

Los Angeles, Jan. 17. — Seth Parker and Chester Black, operators of the Drive-In Theatre here, have taken over the Wilshire, Santa Monica. The house recently had difficulties with Projectionists' Local 150 of the I.A.T.S.E., which have been settled amicably.

Seeks a Giveaway Tax

Raleigh, N. C., Jan. 17.—Representative Withrow of Rutherford will introduce a bill calling for a tax upon Bank Night or Jack Pot Night at theatres. Representative King of Scotland is proposing an amendment whereby cities and towns could tax carnival companies operating at agricultural fairs a maximum of $200.

Col. Signs Luli Desti

Hollywood, Jan. 17.—Luli Desti, European star, has been signed to a long term contract by Columbia, which is releasing her latest picture, "Thunder in the City," in which she played opposite Edward G. Robinson. The film was made in England by Atlantic Films.

Seek Auditorium Ban

St. Louis, Jan. 17.—An injunction suit aimed to prevent use of the Municipal Auditorium for sporting events or other commercial purposes has been filed by the Reorganization Investment Co., owners and operators of the Arena.

Buy Story for Hepburn

Hollywood, Jan. 17. — Radio has purchased "A Bridge in the Sky" which will star Katharine Hepburn. It is an original by Grace Norton. Edward Kaufman will produce and Dorothy Yost will do the screen treatment.

Heads Col. Committee

Kansas City, Jan. 17. — E. A. Briles, Stafford, Kan., exhibitor and newspaper publisher, has been named chairman of the important Ways and Means Committee of the Kansas House of Representatives.

Out Hollywood Way

Hollywood, Jan. 17.—Frank Buck signed by Columbia to make a serial called "Jungle Menace;" Buck has two boatloads of animals en route from India.

Joe Allen, Jr., to be known hereafter as Allen Brook, given term contract by Columbia. . . . First assignment "Speed Mad.". . . Bob Burns spoke at the inaugural banquet of Gov. Carl E. Bailey of Arkansas at Little Rock by using the telephone from Hollywood. . . . James FitzPatrick to leave for England Feb. 11 to photograph the Coronation.

Nat Pendelton suffering from lumbago and Republic calls off "Ever Since Adam" until he recovers. . . . Leonard Spiegelglass back from New York. . . . Gladys George due at M-G-M early next week. . . . Van Faust now singing and dancing director at M-G-M, succeeding Milton Becher. . . . Sir Guy Standing signed to new four-year contract at Paramount.

✠

Casting—Jean Perry and Marguerite Marquis in 'Espionage," Melville Cooper in "The Man in Possession," and Robert Wildback in "Broadway Melody of 1937," M-G-M. . . . Gloria Roy and Georgia Cane in "Time Out for Romance," 20th Century-Fox.

John Howard, on loan from Paramount, in "Stones Cry Out," Universal. . . . Reginald Denny in "Weather or No," Columbia. . . . Paramount castings include: Charles Moore in "Internes Can't Take Money," Stanley Blystone in "Murder Goes to College" and Esther Howard in "Swing High, Swing Low."

✠

Title Change—Universal's "Person to Person Call" now "Girl Overboard."

✠

Cameraman—Bert Glennon signed by Selznick International to photograph "The Prisoner of Zenda."

Central Films Formed

Kansas City, Jan. 17. — Central Films Cop. has been incorporated in Nebraska by Robert Russell, Lincoln, and A. F. Baker and George Baker, his son, who operate the Electric in Kansas City, Kan., to distribute 16 mm film. Russell is president, George Baker vice-president. The Bakers own a half interest in the closed corporation, which is capitalized at $25,000.

The Central has been franchised by Films, Inc., New York, to distribute its 16 mm releases of feature recreational film in Missouri, Kansas, Nebraska, Iowa, Oklahoma, Arkansas and Texas. In addition the company represents Erpi's 16 mm visual education service for schools, and handles the 16 mm projection equipment (for rental or sale) of the Victor Animatograph Co., Davenport, Ia.

Goldberg Buys Theatre

Omaha, Jan. 17.—Ralph Goldberg, head of Goldberg Theatre Corp., continues as Nebraska's largest independent exhibitor by buying the 500-seat Winn, neighborhood house, from the Winn Theatre Corp., bringing Goldberg's holdings to eight theatres.

Sultan Invites 'em

Hollywood, Jan. 17. — Leo Carrillo, currently working in Columbia's "I Promise to Pay," and Irving Cobb have been invited by the Sultan of Johore, India, to accompany him on a big game hunt early this spring.

Carrillo and Cobb are trying to arrange their working schedules, so they can accept.

Nebraska Unit Sets Legislative Group

Omaha, Jan. 17.—A committee, including R. E. Falkenberg, L. C. Ehlers, M. Thompson, I. N. Kuhl and Charley Prokop, was appointed at a meeting here of the M.P.T.O. of Nebraska and Western Iowa to prepare for any detrimental bill which might come before the legislature.

President Charles Williams of Omaha will act as liason. He doesn't anticipate any tax problems in the legislature, however, since Gov. R. L. Cochran is opposed to new levies. The organization also believes the current session of the Iowa legislature will be content to keep the theatres under the general Iowa sales tax instead of enacting a selective theatre ticket tax.

Would Ban Contests

Denver, Jan. 17.—Two bills have been introduced into the Colorado legislature that would prohibit the holding of endurance contests that last over 24 hours.

Wall Street

Light Losses on Board

	High	Low	Close	Net Change
Columbia	37¼	36⅞	36⅞	— ⅛
Consolidated Film.	5¼	5¼	5¼	+ ⅛
Consolidated, pfd..	18	18	18	— ⅛
Eastman Kodak..	175	173½	175	+1⅛
Eastman, pfd......	160	159	160	.....
General Theatre Equipment	32¼	32	32⅛	+ ⅛
Loew's, Inc.......	70½	70	70¼	+ ¾
Paramount	26⅝	26¼	26¼	— ⅛
Paramount 1 pfd..	185⅞	184¼	184¼	—1
Paramount 2 pfd..	24⅛	23½	23½	— ⅜
Pathe Film........	10⅛	9⅞	9⅞	+ ⅛
RKO	9	8¾	8¾	.....
20th Century-Fox.	37⅜	36⅞	37	— ⅜
Universal Pictures pfd.	102	102	102	.....
Warner Bros......	17¾	17⅜	17⅜	— ⅛
Warner Bros., pfd.	66¼	66¼	66¼	—1

"U" Up 2 Points on Curb

	High	Low	Close	Net Change
Grand National...	3⅜	3¼	3¼	— ⅛
Sentry Safety.....	⅞	⅞	⅞	.....
Sonotone	2	2	2	+ ⅛
Technicolor	21½	21½	21½	.....
Trans Lux........	4⅜	4¼	4⅜	+ ⅛
Universal Pictures	15	14	15	+2

Small Bond Changes

	High	Low	Close	Net Change
Loew's 3½s '46...	100¾	100¾	100¾	.....
Paramount Broadway 3s '55......	74	74	74	.....
Paramount Pictures 6s '55.....	100½	100⅜	100⅜	.....
RKO 6s '41 pp....	123¼	123¼	123¼	+ ⅛
Warner Bros. 6s '39 wd...........	99½	99	99	— ⅜

(Quotations at close of Jan. 16.)

Pittsburgh Sees '36 Revival Continuing

(*Continued from page 1*)

definitely herald Pittsburgh's advance. Steel production is within only a little less than 10 per cent of complete capacity, mercantile establishments will show their biggest profit since 1929, rolls have been depleted and salaries have increased.

Theatre grosses for 1936 were about 25 per cent better than the preceding year and showmen all over the tristate district expect 1937 to show an even better percentage.

Theatre construction, which has been at a standstill for eight years, has suddenly become active again. In the last few months, at least six new houses have been opened in the city itself and that many more are now in work; the suburban districts have become theatre-conscious again and during 1937, new and more modern houses are expected to supplant a limitless number of old theatres.

There are many who insist now that the spring flood was a blessing in disguise. It revitalized Pittsburgh, poured new millions into every conceivable trade and the eventual recovery brought both spiritual and financial freedom to industry. Cash reserves were unleashed for rehabilitation. In one case, that of Mort Shea's Fulton, the business increase during the first eight weeks of operation more than paid for the flood repairs and on a lesser scale, the same was true elsewhere.

Atlanta Area's Gains High

Atlanta, Ga., Jan. 17.—With about a 12 per cent increase in postal receipts, the biggest Christmas business since 1929 and a definite and equally large increase in "luxury" buying in the district, embracing Georgia, eastern Tennessee, northern Alabama and Florida, a huge increase in business for 1937 is predicted.

Theatres in this district have been gaining for several months, with numerous holdovers of films.

The Atlanta Chamber of Commerce, in its annual statement, indicates that both retail and wholesale business in 1936 was the best in seven years, and postal figures are slightly above those of 1925, the best year in the postoffice in recent years.

Theatre managers of the entire district are of the opinion that the outlook for the new year is excellent, provided the material given them is of the quality of that of the past few months.

Mullin Heading Drive

Boston, Jan. 17.—Martin Mullin, the M of M. & P. Theatres, has been elected a division chairman in the Greater Boston Community Fund campaign, an annual charitable affair. Other division chairmen are Joseph Brennan of Allied Theatres of Massachusetts and E. A. Cuddy and Hy Fine of M. & P. C. W. Koerner, H. M. Addison, Max Finn, Rufus A. Somerby, F. W. McManus, Harry Wasserman, Frank Lydon, Sam Soule, W. J. Doyle, Albert Kane, Martha Ferris, John Loftus, E. S. Canter and Al Bevan are other theatremen associated with the campaign.

Johnson to Millinocket

Boston, Jan. 17.—The Graphic circuit has appointed W. W. Johnson manager of the Opera House in Millinocket.

Distributors Urged to Aid Local Boards

(*Continued from page* 1)

one is desired, in cooperation with the leading local theatre owners and the local exhibitor association."

Evidencing some disappointment over the statements setting forth what the distribution companies which have replied to the exhibitor organization to date are willing to grant in the way of trade practice concessions, Kuykendall reiterates his statement that the 10-point program was not conceived as a bargaining basis which could be pared down by distributors and, when granted in part, still be satisfactory to exhibitors.

"They were intended," he writes, "as moderate, reasonable proposals for the genuine and immediate benefit of all independent exhibitors, not as trading points to be cut down as far as possible by each distributor, nor to create artificial controversy, nor to defeat any legislation."

Blames Distributors

His letter reminds distributors, also that responsibility for the failure of the program and the consequences of its failure "is entirely yours."

"It is no secret," he says, "that many exhibitors feel that the distributors will give up little or no commercial advantages without Government intervention to regulate our business by statute. How far the distributor will go to convince the exhibitors this attitude is without justification obviously is demonstrated by how unyielding the distributor is in responding to exhibitor complaints and proposals."

Kuykendall's letter, however, calls the distributors' replies to date "the only actual step toward solving our problems in the last two years. With your qualified acceptance of our proposals as a beginning," he writes, "we hope to resume negotiations with you on those proposals which you have refused to accept and on any additional proposals that may develop."

Kuykendall is due here late this week.

4 States' Receipts Total $41,437,000

(*Continued from page* 1)

whole. Texas was the most important of the four states reported upon, having 1,895 places of amusement with receipts in 1935 of $24,452,000, followed by Oklahoma where 830 places reported $8,255,000; Louisiana, 453 places with $4,974,000, and Arkansas, 448 places with $3,756,000.

Report Institute Profit

London, Jan. 8. — The British Film Institute received £5,000 in 1934 and £6,000 in 1935 from the Cinematograph Fund established by the Sunday Entertainments Act, and provided by a levy on theatre receipts, it was revealed in the House of Commons by Ramsay MacDonald, President of the Council. The Institute is a semi-official body chiefly concerned with educational and non-entertainment films.

Additional 1935 Salaries Listed

(*Continued from page* 1)

H. Ensign, $20,749; George Bijur, $18,686; L. F. Erikson, $15,860.

Consolidated Film Industries, R. I. Poucher, $19,746.

Cosmopolitan Corp., E. B. Hatrick, vice-pres., $20,000.

Dictograph Products Co., Edward S. Perot, jr., $25,000.

De Lux Laboratories, Inc., Alan E. Freedman, pres., $45,886.

H-M Pictures Corp., Ben Hecht, $20,700; Charles MacArthur, $34,500.

Haenschen, Inc., Walter G. Haenschen, musical director, $23,400.

Hurok Attractions, Inc., L. Leonidoff, $18,300.

Hearst Metrotone News, Inc., $23,400; E. B. Hatrick, gen. mgr., $33,600; Edwin C. Hill, commentator, $23,250.

National Broadcasting Company, Inc., M. H. Aylesworth, $45,180; Joseph Stopak, $36,404; R. C. Patterson jr., $35,240; David Rosenblum, $35,000; Edgar Kobak, $28,958; J. F. Royal, $21,600; A. L. Ashby, $18,000; George Engles, $18,000; F. E. Mason, $18,000; F. M. Russell, $18,000.

Paramount International Corp., J. W. Hicks jr., $18,200.

Paramount News, Inc., L. S. Diamond, $19,450; Fred Waller, $19,050.

Paramount Pictures Distributing Corp., M. F. Agnew, $27,150; Milton Kussell, $18,200; Joseph J. Unger, $26,000; C. M. Reagan, $19,500; Russell Holman, $23,400; Henry L. Salsbury, $25,870; G. J. Schaeffer, $39,750.

Paramount Pictures, Inc., R. E. Anderson, $17,850; Walter B. Cokell, $18,200; Austin C. Keough, $31,200; Louis Phillips, $20,450; Fred Mohrhardt, $15,600; Frank Meyer, $18,203; Dr. N. M. Laporte, $20,461.

Paramount Theatres Service Corp., Y. F. Freeman, $27,950; M. F. Gowthorpe, $15,470; L. D. Netter, $20,800.

Reliance Pictures, Inc., H. M. Goetz, $26,222.

Ross Federal Service, Inc., Harry A. Ross, $37,500.

RKO Radio Pictures, Inc., Jules Levy, $40,600; Phil Reisman, $38,269; Cresson E. Smith, $20,800; S. Barrett McCormick, $16,900; E. L. McEvoy, $16,900; Herman Zohbel, $25,000; William Mallard, $19,999; B. B. Kahane, $20,104.

Technicolor, Inc., H. T. Kalmus, $43,859; Natalie Kalmus, $19,275.

Time, Inc., H. R. Luce, $43,517; R. E. Larsen, $39,010; R. L. Johnson, $20,384; P. R. Prentice, $15,288; J. S. Martin, $33,634; J. S. Billings, $25,480; L. S. Goldsborough, $20,384; H. J. Black, $29,480; W. H. Carey, $17,365; G. B. Sadler, $18,288; H. Dole, branch advertising mgr., $18,288.

Trans-Lux Movie Ticker Corp., Percy M. Furber, $24,000; James W. Decker, $24,000

Twentieth Century-Fox Film Corp., Joseph M. Schenck, $47,500; Sydney Towell, $28,050; Felix A. Jenkins, $20,500; W. J. Eadie, $20,800; A. John Michel, $20,800; Dan Michalove, $18,200; Charles E. McCarthy, $23,400; E. I. Sponable, $18,000; E. C. Grainger, $18,850; W. J. Kupper, $18,850; Harry Ballanca, $20,800; Tom Bailey, $18,200; Edgar Moss, $26,000; H. H. Buxbaum, $18,720; C. W. Eckhardt, $16,224; T. B. Costain, $41,600; D. A. Doran jr., $26,000; William Goetz, $38,000; Alfred Wright, $20,800; Saul E. Rogers, $15,600; W. J. Hutchinson, $19,500; Eric Pommer, $47,000; George White, $48,001.

Vitaphone Corp., George E. Quigley, $39,750; Roy Mack, $20,458; Sam Sax, $39,750; David Mendoza, $26,885; Joseph Henaberry, $19,491; Lloyd French, $19,833.

Theatre Guild, Inc., Elisabeth Bergner, $24,390; George M. Cohan, $41,907; Jane Cowl, $24,746; John Halliday, $21,999; Helen Hayes, $45,804; Philip Merivale, $43,709; Lee Simonson, $16,000.

Warner Bros. Pictures, Inc., Joan Blondell, $39,050; Aline McMahon, $43,000; Ann Dvorak, $49,050; Barbara Stanwyck, $49,000; Lyle Talbot, $32,000; Veree Teasdale, $31,666; Genevieve Tobin, $40,000; Ross Alexander, $30,124; Mary Astor, $41,662; George Brent, $40,416; Bette Davis, $18,200; Claire Dodd, $20,833; Glenda Farrell, $33,462; Allen Jenkins, $21,612; Guy Kibbee, $48,583; Frank McHugh, $32,800; Henry O'Neill, $21,525; Donald Woods, $39,800; William Gargan, $25,725; Anita Louise, $18,733; Josephine Hutchinson, $41,125; Everett Marshall, $20,549; Helen Lowell, $16,866; Robert Barrat, $19,975; Hobart Cavanaugh, $15,287; Hugh Herbert, $34,966; Patricia Ellis, $15,766; Margaret Lindsay, $19,800; Phil Regan, $15,299; Edward E. Horton, $34,416; Joseph Cawthorne, $16,083; Robert Armstrong, $30,000; Ruth Donnelly, $20,616; Grant Mitchell, $16,924; Helen Morgan, $21,500; Barton Maclane, $15,375;

Ned Sparks, $27,083; Bernard Kaun, $18,550; Malcolm Boylan, $21,750; Edward Chodorob, $31,100; Delmar Daves, $39,100; Laird Doyle, $33,950; Warren Duff, $27,466; Sheridan Gibney, $23,500; F. Hugh Herbert, $25,900; Charles Kenyon, $44,383, Ben Markson, $37,600; Seaton Miller, $28,000; Robert Presnell, $30,833; Tom Red, $27,300; Casey Robinson, $37,500; Jerry Wald, $20,400; Carl Erickson, $15,712; Harry Sauber, $17,854; Manuel Seff, $17,783;

Films and Facials

Cincinnati, Jan. 17.—A local beauty salon is showing comedies, travelogues and other shorts while milady is sitting for a facial, permanent and what not.

The pictures are projected on a large screen with 16mm. film, the innovation being advertised as "the first time in America."

Al Cohn, $15,900; Brown Holmes, $16,075; Mary C. McCall Jr., $19,300; Peter Milne, $17,500; Bobby Connelly, $22,650; Ray Enright, $41,725; Robert Florey, $30,583; William Keighley, $35,750; Ralph Straub, $21,200; Helen Thimig, $25,000; George Barnes, $19,248; Arthur Edeson, $19,693; Gaetano Gaudio, $18,793; Ernest Haller, $23,850; Byron Haskins, $18,656; Sid Hickok, $16,978; Sol Polito, $21,938;

Fred Jackman, $40,433; Leo Forbstein, $37,100; Ray Heindorff, $26,500; Maxwell Arnow, $23,850; F. N. Murphy, $29,150; Nathan Levinson, $24,558; Anton F. Grot, $18,350; Harold McCord, $19,500; Percy Westmore, $16,500; Fred Gage, $20,291; Stanley Logan, $16,508; Samuel Carlisle, $26,500; Harold S. Bareford, $34,450; Sam Schneider, $34,450; J. H. Hazen, $34,450; R. W. Perkins, $31,800; J. S. Hummel, $15,650; Ralph Clark, $18,400; Mort Dixon, $20,783; Harry Warren, $48,416; Allie Wrubel, $18,782; Al Dubin, $40,466; Earl Baldwin, $48,000; Lou F. Edelman, $19,366; James Seymour, $22,100; Henry Blanke, $30,550.

Warner Bros. Circuit Management Corp., Clayton Bond, $26,500; H. L. Charnas, $20,063; M. A. Silver, $22,464; Merman Maier, $15,660; W. S. McDonald, $26,500.

Others listed were: George Abbott, $17,150; Fanny Brice, $27,755; Roy Del Ruth, $48,333; William Goetz, $18,333; Bert Lahr, $39,000; Beatrice Lillie, $34,184; Loretta Young, $21,473; Darryl F. Zanuck, $39,833; Dave Rubinoff, $30,000.

Midwest Men to Join 20th-Fox K. C. Meet

(*Continued from page* 1)

Gehring, W. J. Clark, Martin Moskowitz, Nat B. Finkler, C. A. Hill, E. H. Collins, Theodore Shaw, Jack Bloom, Felix Jenkins, Charles E. McCarthy, Lee Balsly, Roger Ferri, Harvey Day, William J. Kupper, Walter J. Hutchinson, Leslie Whelan, H. H. Buxbaum, J. J. Lee and Tom J. Bailey, all from New York; district managers, Herman Wobber, J. P. O'Loghlin, A. Levy, Edgar Moss, George Roberts, Harry A. Ballance and Ward E. Scott. Branch managers include Clyde Eckhardt, Lester Sturm, George T. Landis and Jack Lorentz.

John D. Clark, general sales head, who will conduct the meetings, left for Movietone City yesterday to confer with Darryl Zanuck on the balance of this season's and next season's product. The output will be analyzed in detail. Early in June, the entire sales force of the company will congregate at the studios for the annual sales conclaves.

Reviving Denver Club

Denver, Jan. 17.—The old Rocky Mountain Screen Club is to be revived, with rooms in the Brown Palace hotel. Officers are Harry Golub, president; Chester Bell, first vice-president; Joseph Dekker, second vice-president; Ross Bluck, secretary and Harry Goodridge, treasurer. Buzz Briggs was named chairman of the membership committee.

Austro-German Talks Are Postponed Again

(*Continued from page* 8)

sought by the Reich interests, will be at the expense of American films, since they are the dominant source of product. It is estimated that 160 American films will be released in Austria in 1937, against 115 from Germany. Another part of the problem lies in the purchase by the German Tobis company of the largest Austrian studio and distributing company, Tobis-Sascha. All provisions of the so-called Aryan paragraph have been carried out, which means the dismissal of numerous managers.

It is seen as possible that if German interests obtain control of the 50 per cent share holding in Tobis-Sasch, owned by Dr. Pilzer, general manager, the Germans might terminate the company's activities, in order to extend the market for German films in Austria. The Austrian Government is seeking a means by which the shares may be retained in Austrian hands. A limited company, composed of several Austrian banks, will buy the shares, according to present plans.

Shift FWC Managers

Los Angeles, Jan. 17.—Several F. W. C. managers have been shifted. At the Ravenna Claude F. Spaeth replaces John J. Cardas, resigned. In San Diego at the Mission John Robinson replaces John D. Redmond, and at the Plaza Fred G. Alwaise is temporarily replacing James O'Toole, resigned.

Balto. Orchestra Back

Baltimore, Jan. 17.—William K. Saxton, Loew's city manager, has closed a deal with the musicians' union for the return of an orchestra to the Century. It is expected that stage shows also will be resumed.

THEATRE ACCOUNTING
by WILLIAM F. MORRIS

Tells all the facts about your business each week.

- **Payroll data for Social Security Taxes.**
- **Profit at a glance—Daily or Weekly.**
- **All expenses deducted—Including Rent, Taxes and Depreciation.**
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$3 ENOUGH FOR A FULL YEAR'S BOOKKEEPING

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NEW YORK

NBC's December Net Hits 10-Year High

NBC's revenue for Dec. 1936, was 23 per cent above the same period in 1935, making it the highest December in the 10-year history of the company and enabling NBC to close the year with a total of $34,523,950, its greatest year. This total is 10.8 per cent higher than 1935's total.

The total for the Red network in December was $2,418,713, while the Blue network total was $1,139,877.

More WOR Renewals

WOR reports a flock of renewals and new program additions, to wit:

"Lenten Recipes," given by Eilen Douglas and sponsored by the Japan Crabmeat Ass'n., starts Feb. 8 at 1:35 P. M., Mondays, Wednesdays and Fridays. Beginning March 8 the program will be aired at a new time, 1:35 P. M., same days. Maxon, Inc., is the agency.

E. P. Reed & Co., through its agency Geyer, Cornell & Newell, begins a new electrically transcribed musical series Feb. 24, from 1:45 to 2 P. M.

"Gambling's Musical Clock" (6:45 to 7:30 P. M.) and Vincent Sorey's orchestral program (7:30 to 7:58 A. M.), both sponsored by the Illinois Meat Co. renew for extended periods beginning Feb. 1. George H. Hartman Co., Chicago, is the agency.

The Anderson Co., through Schwab & Beatty Inc., New York, renews Frank Singiser's Transradio news program beginning Feb. 14. The program is heard Sundays at 11 P. M.

All programs listed above are E.S.T.

"Criminal Code" Tonight

"The Criminal Code," starring Edward G. Robinson and Beverly Roberts, which is the Lux Theatre of the Air program for tonight, will consist of the following assisting players: Paul Guilfoyle, Noel Madison, Walter Kingsford, Phillip Voze, Earl Roth, William Williams, Richard Abbott, Ernie Adams, Justina Wayne, Joe Franz, Hilda Haywood, Lou Merrill, Margaret Brayton, Ross Forrester, David Kernan and Frank Nelson.

"Melodiana" Starts on WOR

"Melodiana," a new program sponsored by Winx Mascara, began a 13-week stay on WOR yesterday at 3 P. M., E.S.T. The Hudson Advertising Co. placed the program.

John Shepard in Town

John Shepard, president of the Colonial Network, New England's principal web, is in New York this week on station business.

At It Again

Charles MacArthur is up to his old stunts again. He left on the Century for Hollywood the other day and had himself registered on the passenger list as Mr. Helen Hayes.

Coast scribes and photographers, puzzled, but still believing that it was really Helen Hayes who was arriving, crowded the depot yesterday — and out stepped Charley.

Radio in Complete Hold of Hollywood as Talent Source

(*Continued from page 1*)

peting with the same players' simultaneous appearances on screens.

Radio's union with Hollywood has been in the making ever since the first successful commercial broadcast, some 16 years ago. Its crystallization, however, really began only six months ago—at the beginning of the fall programs. Now, they say that Shirley Temple and Mae West are the only stars in Hollywood who cannot be reached by radio for a price.

In the six months from July 1 to Dec. 31, some 255 motion picture players made 532 "guest" appearances on the air, and additionally performed hundreds of times in 24 series of programs which in the period featured stellar film names. Besides, Hollywood shared other players with the air—those considered as combination radio-film performers, stage-film performers, concert-film performers, as follows:

Class	Number of Players	Percentage	Number of Guest Appearances	Number of Series of Programs
Motion Picture Players	235	53%	381	24
Radio-Film Players	55	12	49	39
Stage-Film Players	50	11	71	6
Stage-Radio-Film Players	28	6	31	30
Miscellaneous (Concert-Film, etc.)	78	18	..	..
	446	100%	532	99

To broadcasters' charges that Hollywood has "stolen" virtually all of radio's talent, and, therefore, they have been forced to transport their microphones to Hollywood Boulevard, the foregoing chart provides a rebuttal. Where radio took 235 "straight-film" players for commercial broadcasts in the last six months of 1936 alone, motion pictures used only 55 players who had radio associations. Less than a dozen of those were of the top rank, whereas the stars taken from films by radio represented the best available as witness the following compilation of "straight-film" players who made air broadcasts in the period from July 1 to Dec. 31:

Film Players on the Air, July 1 to Dec. 31	*No. of Guest Appearances*	*No. of Series Programs*
Olivia de Haviland	7	..
Ann Sothern	7	..
Joan Bennett	6	..
Patsy Kelly	6	..
Robert Taylor	6	..
Alice Faye	5	..
Joel McCrea	5	..
Frank Morgan	5	..
Gertrude Niesen	5	..
Walter O'Keefe	5	1
Gene Raymond	5	..
Barbara Stanwyck	5	..
Sheila Barrett	4	..
Kitty Carlisle	4	..
Ruth Chatterton	4	..
Guy Kibbee	4	..
Elissa Landi	4	..
Anita Louise	4	..
Herbert Marshall	4	..
Adolphe Menjou	4	..
Jack Oakie	4	1
Edward Arnold	3	..
Lionel Barrymore	3	..
Wallace Beery	3	..
Constance Bennett	3	..
Joan Blondell	3	..
John Boles	3	..
James Cagney	3	..
Madeleine Carroll	3	..
Claudette Colbert	3	..
Jackie Cooper	3	1
Dolores Costello	3	..
Joan Crawford	3	..
Irene Dunne	3	..
Cary Grant	3	..
Jean Harlow	3	..
Robert Montgomery	3	..
Pat O'Brien	3	..
Franchot Tone	3	..
Helen Vinson	3	..
Bert Wheeler	3	..
Jean Arthur	2	..
John Barrymore	2	..
Ralph Bellamy	2	..
Charles Boyer	2	..
Joe E. Brown	2	..
Virginia Bruce	2	..
Frank Buck	2	..
Leo Carillo	2	..
Jackie Coogan	2	..
Stuart Erwin	2	..
Glenda Farrell	2	..
Errol Flynn	2	..
William Frawley	2	..
Clark Gable	2	..
Hoot Gibson	2	..
James Gleason	2	..
Lucille Gleason	2	..
Betty Grable	2	..
Jean Hersholt	2	..
John Howard	2	..
Boris Karloff	2	..
June Lang	2	..
Jerry Lester	2	..
Peter Lorre	2	..
Edmund Lowe	2	..
Fred MacMurray	2	..
Dorothy Mackail	2	..
Merle Oberon	2	..
Roger Pryor	2	..
George Raft	2	..
Claude Rains	2	..
Gregory Ratoff	2	..
Lyda Roberti	2	..
Ginger Rogers	2	..
Beverly Roberts	2	..
Charles Ruggles	2	..
Rosalind Russell	2	..
Ann Shirley	2	..
Anna Sten	2	..
Margaret Sullavan	2	..
Estelle Taylor	2	..
Warren William	2	..
Loretta Young	2	..
Robert Young	2	..
Joan Marsh	1	2
Charles Butterworth	1	1
Fifi D'Orsay	1	1
Tom Howard	1	1
Alan Jones	1	1
Dorothy Page	1	1
Dick Powell	1	1
George Shelton	1	1
Tom Mix	..	2
Fred Astaire	..	1
Bernice Claire	..	1
Betty Jane Cooper	..	1
James Hall	..	1
Edward Everett Horton	..	1
Ken Maynard	..	1
Jean Muir	..	1
Ken Murray	..	1
Clarence Muse	..	1
Conrad Nagel	..	1
Irene Rich	..	1

105 players appeared in 253 guest appearances and 34 series programs; 128 players in single performances and 128 guest appearances.

Grand Totals Film Players:

233 players appeared in 381 guest appearances and 24 series programs.

Fitch Co. Show to MBC

Beginning March 13, the F. W. Fitch Co. will sponsor an as yet untitled program on five NBC-Red network stations, from 11:45 A. M. to noon. The series will be presented over WEAF, New York; WCAE, Pittsburgh; WTAM, Cleveland; WWJ, Detroit; WMAQ, Chicago.

Additional Radio News—Page 12

CBS to Start News For Latin-America

Marking the first step in the network's plans for a schedule of special broadcasts to Latin-America, CBS has begun a daily news program for Pan-American listeners over W2XE, the network's short-wave station. Jorge Leal is handling the broadcasts, Mondays through Fridays from 6:45 to 7 P. M., E.S.T.

CBS expects to put its full Latin America schedule into effect some time in February when W2XE places in service a new transmitter having 10 times the power of its present facilities.

More Guests for Cooper

Jackie Cooper will have as his film guests Bela Lugosi, Jackie Coogan and Betty Grable today on his "Lessons in Hollywood" program, heard Mondays and Wednesdays at 8 P.M., E.S.T., over the Mutual network. Lugosi will be heard Jan. 18; while Coogan and Grable will appear Jan. 20.

Cunningham in New York

Robert Cunningham, program director of the Central States Broadcasting System of Nebraska, arrived in New York over the weekend to confer with Mutual officials on program coordination. The Nebraska network recently joined up with Mutual.

Columbia Has "Sing" Shorts

Columbia has completed arrangements for the release of a series of shorts based on "Community Sing," the Sunday evening broadcasts over a CBS network. The subjects will be released nationally Jan. 24.

Bampton, Tracy, Et Al

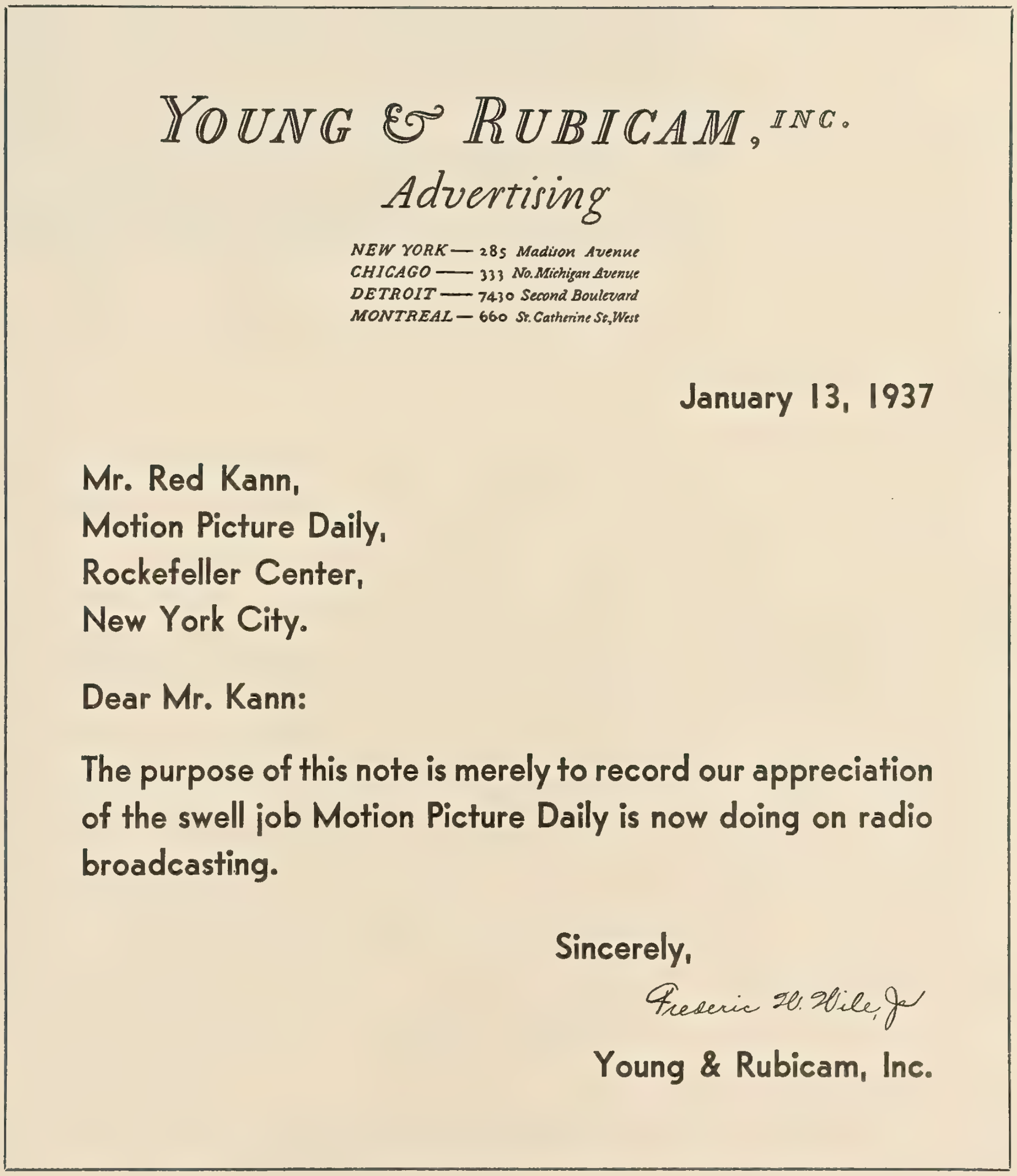
Short Shots: Rose Bampton and Lee Tracy will appear on Bing Crosby's "Music Hall" program Jan. 21. . . . NBC's inaugural staff of 16 men and 118 pieces of equipment left for Washington Saturday, in charge of Operating Engineer George McElrath. . . . Emile Corwin of NBC's press staff makes his radio debut today on the "Music is My Hobby" program. He'll play the piano. . . . Eddie Duchin's band and Frank Albertson will guest appear on "Morning Matinee" Jan. 28. . . . WOR will broadcast exclusively the National Aviation Show proceedings which begins Jan. 28. . . . "News of Youth," CBS serial, celebrates the start of its second year Jan. 25. . . . Martha Dulin, WBT (Charlotte) program department, is vacationing in Florida. . . . Nicholas Massue, Metropolitan Opera tenor, will head the guest stars on the Hammerstein Music Hall program Jan. 26. . . . Block and Sully will "visit" Jack Oakie's "College" Jan. 26. . . . Peggy Allenby will be the guest star of "Your Unseen Friend" Jan. 24. . . . Sylvia Cyde, who has been absent from the air for the past few months,

(*Continued on page 12*)

Listening Groups

Kansas City, Jan. 17.—They even have a "radio listening" group in Kansas City, Kan. It is a part of the Morse Parent-Teacher Ass'n. They meet to listen to outstanding cultural or educational programs.

Radio Acceptance



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Advertising
NEW YORK — 285 Madison Avenue
CHICAGO — 333 No. Michigan Avenue
DETROIT — 7430 Second Boulevard
MONTREAL — 660 St. Catherine St., West

January 13, 1937

Mr. Red Kann,
Motion Picture Daily,
Rockefeller Center,
New York City.

Dear Mr. Kann:

The purpose of this note is merely to record our appreciation of the swell job Motion Picture Daily is now doing on radio broadcasting.

Sincerely,
Frederic W. Wile, Jr
Young & Rubicam, Inc.

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

N. Y. Area Has 24 New Spots, 32,481 Seats

(Continued from page 1)

theatre list for New York indicates an increase of 13 units and 12,030 seats. The New Jersey resume has five new units with a total seating of 5,727. The current number of unaffiliated theatres in New York is 425, and in New Jersey, 103.

The combined independent theatres in New York and New Jersey show a decrease of one, with 294 in New York and 159 in New Jersey currently listed as compared with 294 in this state and 160 across the Hudson in 1935. The new total of 1,144 sound theatres is an increase of 32 over the previous year. The new number of silent houses is 20; the year before it was 28. More units are now closed, the new figure being 117 as compared with 109 in the previous survey. Of this number, 97 have sound, while in 1935, 81 had sound apparatus installed.

There are 46 circuits in the local territory, 43 of which are independents. Loew's has the greatest number of theatres in the major class division with 68; RKO is next with 54, and Warners last with 48. Harry Brandt leads the independent field with 59, Skouras Theatres is second with 57, Randforce next with 45 and Century fourth with 32.

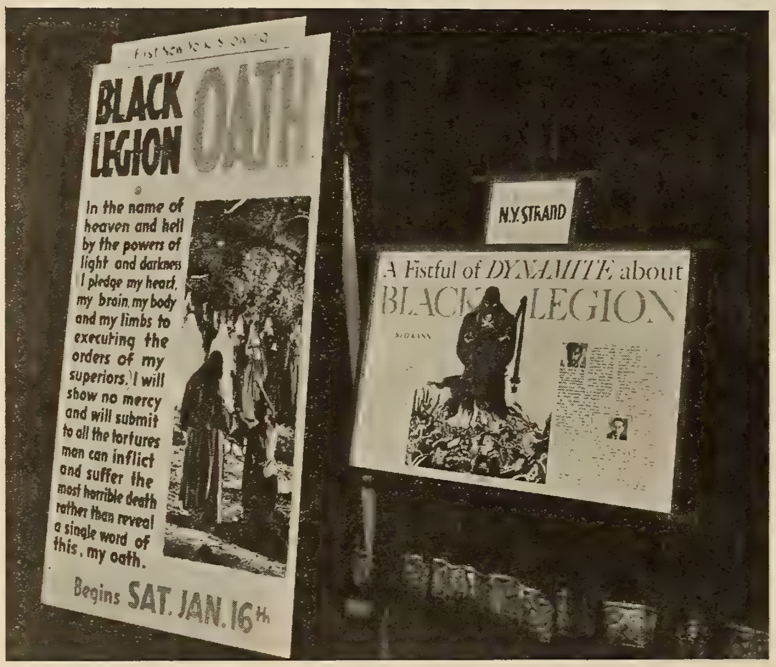
Listed Geographically

The circuits, the number of theatres, states and boroughs are listed as follows: Belle, 12 in Manhattan; Brandt, 19 in Manhattan, 20 in Brooklyn, six in Bronx, six in Long Island, six in New Jersey and two upstate; Leo Brecher, 10 in Manhattan; Century, 13 in Brooklyn, 19 in Long Island; Cinema, four in Manhattan, one in Bronx and two in New Jersey; Cocalis, one in Manhattan, one in Brooklyn, three in Bronx, two in Long Island, four upstate, eight in New Jersey; Consolidated Amusements, three in Manhattan, 16 in Bronx; Consolidated Theatres, four in New Jersey; Estates Operating, four in Brooklyn; Fabian, two in Brooklyn, two upstate and several others which are not in the serving district of local exchanges; Fanchi, three in Manhattan, one in Bronx; Fourth Ave. Amusement, six in Brooklyn; Harris, six in Manhattan, three in Bronx; Harry Hecht, four in New Jersey; Hildinger, seven in New Jersey; Imperial, three in New Jersey; Interboro, 20 in Brooklyn, one in Bronx, eight in Long Island; Isle, eight in Staten Island, two upstate, and two in New Jersey; I. Kafko, three in Brooklyn; Kenroe, five in Long Island; Ben Knobel, one in Manhattan, one in Bronx, one in Brooklyn, four upstate.

A. Litovi, three in Brooklyn; Leff-Myers, one in Manhattan, nine in Bronx; Loew's, 22 in Manhattan, 19 in Brooklyn; 12 in Bronx, eight in Long Island, four upstate, three in New Jersey; Netco, 11 upstate; Newbury, eight in New Jersey; Prudential, 23 in Long Island; three upstate; RKO, 16 in Manhattan, 10 in Brooklyn, five in Bronx, six in Long Island, five upstate, 12 in New Jersey; Randforce, 39 in Brooklyn, six in Long Island; Rapf, Ruden & Lederer, three in Manhattan, one in Brooklyn, one in Long Island, five in New Jersey; Reade, two in Manhattan, two upstate, 17 in New Jersey, and three under construction; Rosen Bros., three in Brooklyn; Rosenblatt-Welt, three in Brooklyn, five in Staten Island, five in New Jersey; Moe Rosenberg, three in Bronx, one in New Jersey; Roth, four in New Jersey; Rugoff & Becker, one in Manhattan, nine in Brooklyn, three in Long Island.

Skouras, five in Manhattan, four in Bronx, 21 in Long Island, nine upstate, 18 in New Jersey; Snaper, five in New Jersey; Springer, 10 in Manhattan, four in Brooklyn; Springer-Cocalis, six in Manhattan, 13 in Bronx, one in New Jersey; Stamatus, seven in Brooklyn; Stanley-Mark Strand, one in Brooklyn, one in Manhattan; H. Sussman, four upstate; Warners, 48 in New Jersey; Windsor, three in Brooklyn; William Yoost, five in Manhattan.

How One Theatre Does It


First New York Showing
BLACK LEGION
OATH
In the name of heaven and hell by the powers of light and darkness I pledge my heart, my brain, my body and my limbs to executing the orders of my superiors. I will show no mercy and will submit to all the tortures men can inflict and suffer the most horrible death rather than reveal a single word of this, my oath.
Begins SAT. JAN. 16th
N.Y. STRAND
A Fistful of DYNAMITE about BLACK LEGION

Reproduction of Motion Picture Daily reviews for use in theatre exploitation is not new. The latest, illustrated above, demonstrates how Warners are using a two-page advertising layout, 40 by 50 inches on a 6-foot-high easel, in the lobby of the Strand. This display and two others like it in other parts of the theatre went up a week in advance of the opening Saturday morning and will remain there during the run.

Four Plays Close

Four stage plays called it off Saturday. "Swing Your Lady," which opened at the Forty-Sixth St. Oct. 18 and thereafter moved to the Booth, closed after 101 performances. "Johnny Johnson," which opened at the 44th St. Theatre Nov. 19, left after 68 performances.

"Aged 26," as noted, stole away from the Lyceum after 32 performances. "A House in the Country," which opened at the Vanderbilt Monday night, quit Saturday afternoon after seven performances.

Two Managers Shifted

Lincoln, Jan. 11.—Leland Mischnick has been transferred from the Kiva here to the Colorado, at Pueblo, Col., and has been replaced here by Harry Bretzer. Both are Westland Theatres houses.

Suits Against AT&T And W. E. Dismissed

(Continued from page 1)

the "quality" clause and the "repair and replacement" clause on talking film equipment were originally legal but are not now. In view of the fact, however, that at the time the hearings in the case took place, the clauses were practically abandoned by Erpi, the court declared he will issue no injunction.

The plaintiffs had asked that the defendants be enjoined from enforcing the provisions of its equipment licenses "insofar as they restrict or limit producers in the distribution of talking films." In his opinion Judge Nields said that the holding of the court "should advise the trade that no damage or threatened injury can arise therefrom in the future."

He said the court will retain jurisdiction "for the purpose of taking such other action for adding to its decree such relief as may become necessary should any attempt be made by Erpi to enforce such clauses."

Stop Auto Film Shows

Omaha, Jan. 17.—Here's an angle on the General Motors plant strike that may be new to many. The operators' union has called out members who have been running machines showing an advertising film for local auto dealers in sympathy with the sitdown strikers.

Rebuild 20th-Fox Branch

Kansas City, Jan. 17.—Twentieth Century-Fox has revamped its exchange here, consolidating the business department and shifting the office of Ward Scott, district manager, to the front. The exchange is being redecorated throughout.

Radio

(Continued from page 10)

has returned to WOR. . . . Oscar Bradley, bandleader on the Phil Baker program, celebrates a birthday Jan. 24. . . . Josef Hofmann will be the guest soloist on the Ford Sunday Evening Hour Jan. 24. . . . Lum and Abner and Elinor Harriott arrive in Hollywood today. . . . Peggy Allenby and Hanley Stafford will do the leads on the "Court of Human Relations" broadcast Jan. 22. . . . CBS will feed the inauguration to WNEW. . . . Jimmy Braddock will be Earl Harper's first guest on the sports commentators opening program tonight at 7:15 P. M. on WNEW.

In and Around WBT

Trade news and chatter from WBT, Charlotte, N. C. affiliate of CBS:

Albert Mills Groceries of Cincinnati this week begins a nightly 15-minute transcribed program, placed through Matteson, Fogarty and Jordan, Chicago agency.

Cheney's Cough Syrup has placed an order for 26 spot announcements through Groves-Keen, Inc., of Atlanta.

Empire Plow Co., Cleveland, resumes its weather reports during station breaks. The contract runs indefinitely.

General Foods begins a half-hour weekly transcribed program, in behalf of Log Cabin Syrup. The program is heard Thursdays at 6:30 P. M., and will run for 13-weeks.

Philco "Morning Melodies" begins a stay on the air from WBT Jan. 18, from 8:15 to 8:30 A. M. Philco Radio is sponsoring.

Texaco-Presidential Tie

The Texaco Co., sponsors of Eddie Cantor, are donating part of their program time Jan. 24 to promote the President's Birthday Ball, which is held annually throughout the country Jan. 30. Midway through the show Cantor will take several minutes to pay tribute to the work being done for crippled children with the funds so raised, then the air will be switched to the 76 individual stations carrying the program for talks by local speakers who will outline plans for the Ball in their own cities.

"Joyce Jordan" Over WHN

"Joyce Jordan—Girl Interne" is the title of a new program which will be broadcast Mondays through Fridays from 1:15 to 1:30 P. M., E.S.T. over WHN starting Feb. 1. Additionally, the series will be piped to three stations of the Yankee Network, WNAC, Boston; WTIC, Hartford; and WTAG, Worcester. McKesson & Robbins is sponsoring for Calox Tooth Powder. Brown & Tarcher, Inc., is the agency.

Heinz Adds 6 Stations

The H. J. Heinz Co., sponsors of the "Magazine of the Air" program, heard Mondays, Wednesdays and Fridays at 11 A. M., E.S.T. over CBS, adds six stations beginning with the next broadcast. The additions are WADC, Akron; WPG, Atlantic City; WHP, Harrisburg; WMAS, Springfield; KFH, Wichita; and WMBG, Richmond, which will make a total of 57 stations carrying the program. Maxon, Inc., is the agency.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 15 | NEW YORK, TUESDAY, JANUARY 19, 1937 | TEN CENTS

No 20th-Fox, G.B. Friction Lee Tells Men

"Sensational News" Is Promised Staff

Despite reports to the contrary, here are no differences between G.B. and 20th Century-Fox, Arthur Lee, American head for G.B., states in a message to the sales force. "We will proceed just as we have for the past wo and a half years," he says.

"We have sold 24 pictures this season and we have that many to distribute," Lee adds. "In contacting exhibitors just remember that it is pictures you are selling and not rumors.

"Before the season is finished you will hear some sensational news—news of such a nature as to make you glad you stuck by your guns and let the rumors take care of themselves. When the news will come, I cannot say right now. But I do know, and I want to assure you of the fact, that you, by your work in the field and by your selling of G.B. product, can hasten the day on which the news will be made known to the motion picture

(Continued on page 13)

Appoint 3 to Head Metro-British Unit

LONDON, Jan. 18.—S. C. Balcon, former production manager of Gaumont British, will be associate producer; Harold Boxall, former general manager of G. B. production, will be production manager, and Angus MacPhail, former story supervisor of G. B., will be scenario editor of M-G-M's British production unit.

All of the new appointees will work under the general supervision of Michael Balcon, former G. B. production chief, who will be in charge of Metro British productions.

Supreme Court Halts Action in Fox Case

By CLARENCE LINZ

WASHINGTON, Jan. 18.—A stay of proceedings in the Eastern Pennsylvania District Court today was ordered by the U. S. Supreme Court pending its decision on the petition for review filed last week by Hiram Steelman, trustee in bankruptcy in the William Fox case.

The court granted Steelman's petition for a temporary restraining order and injunction against further proceedings in the suit brought by the All-Continent Corp. as a creditor of

(Continued on page 7)

Film Business In Cleveland Good in 1936

Grosses Reflected Gain in All Activities

CLEVELAND, Jan. 18.—Cleveland affiliated and independent theatre owners, opposed in many issues, are agreed that business in the Greater Cleveland area was good in 1936. Col. Harry E. Long, Loew division manager, states that the first run down town business in his Cleveland circuit was up approximately 20 per cent over the previous year.

Other affiliated circuit heads, while not giving out definite figures, freely admit there was a very substantial increase in both attendance and gross receipts over 1935.

Independent circuit owners however, report that their 1936 business held to the 1935 level without materially increasing it. Myer Fine of Associated

(Continued on page 13)

Buys Frisco Theatre From United Artists

SAN FRANCISCO, Jan. 18.—Following Lou Anger's recent visit here, Herman Cohen, operator of the United Artists Theatre, revealed completion of a deal with the Joseph Schenck interests whereby the local man takes over the other 50 per cent interest in the Market St. first run. Some $75,000 was involved in the transfer,

(Continued on page 7)

Buys Game Preserve

Spokane, Jan. 18.—Wallace Beery has purchased 157 acres of choice hunting ground in Idaho County, Idaho, about 75 miles from here. The film star hunted in this district last fall.

There'll be room on it for a flock of homing pigeons.

Patent Pool Talks Set for Next Month

Negotiation of a new royalty agreement and discussions of an extension beyond 1945 of the international patents pool of American companies and Tobis Klangfilm will be undertaken here late next month with the arrival from Europe of Tobis officials.

The last conference of principals in the patents pool was held in Zurich, Switzerland, last summer, but resulted in no agreement on an extension of the current pooling agreement beyond the 1945 expiration date. Western Electric, RCA and American companies distributing in the Germanic

(Continued on page 2)

U.S. Firms Seeking Austrian Quota End

Suggestions that the Hays office make efforts to have the Austrian Government abolish the "kontigent" and abandon plans for increasing its quota restrictions have been made by the Paris offices of American companies. The cabled protests charge

(Continued on page 13)

Untapped Film Players on Air Less Than Three Dozen

The second installment of an exclusive survey into the radio-film equation, demonstrating with facts and figures the extent to which broadcasting has forayed into Hollywood to bolster the air waves.

By JAMES P. CUNNINGHAM

The roster of picture players on the air from July 1 to Dec. 31 reads like *Motion Picture Almanac's* "who's who" on the screen. The only first-grade star names not making air appearances in the six months included Richard Arlen, George Arliss, Reginald Denny, Marlene Dietrich, Richard Dix, Louise Dressler, Ann Dvorak, Sally Eilers, Leon Errol, Louise Fazenda, W. C. Fields, Wallace Ford, Greta Garbo, Janet Gaynor, Ann Harding, Laurel and Hardy, Shirley Temple, Mae West, Raymond Hatton, Katharine Hepburn, Jack Holt, Miriam Hopkins, Sybil Jason, Victor Jory, Ian Keith, Victor McLaglen and Fredric March. It is to be noted that Shirley Temple, without any radio appearances, was the exhibitors' choice as money-making star of 1936 as well

(Continued on page 14)

More radio developments — Page 14

Para.'s "B" Film Policy Not Yet Set

Definite Plan Seen With Arival of Zukor

Paramount's "B" picture production policy for the balance of the season has not been definitely worked out yet, although some changes as a result of the objections to this type of product voiced by the company's theatre operating partners at the studio recently are almost certain to be made, it was stated here yesterday following the arrival from the coast of Barney Balaban, Paramount president; Stanton Griffis, chairman of the executive committee, and Neil Agnew, general sales manager.

Indications are that a definite policy may be decided upon this week following the arrival here of Adolph Zukor tomorrow. With 10 pictures said to be in work now, the studio is at its greatest stage of activity in the past several years, and whatever realignment of "B" product may be made would not be reflected in releases for some time to come, it was stated here. For that reason, no substantial change in production policy is regarded as likely in advance of the new season.

A special deal for Zukor involving a percentage of profits, which has been discussed by directors of the company, will have to be submitted to and approved by Paramount stockholders before being placed in effect. For this reason, and due to the fact that the annual meeting of stockholders is not

(Continued on page 7)

Kent Gets Data for Warner-F. & M. Deal

Sidney R. Kent is gathering documentary essentials to aid him in the determination of film rental and clearance between the Warners on one hand and F. and M. on the other under the court stipulation which brought to an end the St. Louis litigation of many months ago and which named him the arbitrator.

The settlement included a 10-year

(Continued on page 7)

U. A. to Have First Drive for Executive

For the first time in its history, United Artists will stage a sales drive for one of its executives. A. W. Smith, Jr., general sales manager, and a number of home office executives yesterday decided to set aside Jan. 24 to May 1 as the George J. Schaefer

(Continued on page 7)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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JAMES A. CRON, *Advertising Manager*

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Monogram Has Seven Franchise Deals Set

Seven franchise deals have been set by Monogram, according to W. Ray Johnston, president. A number of other territories are now being worked out by Johnston and Edward Golden, general sales manager, and are expected to be announced very shortly.

MITCHELL MAY, Jr.
CO., INC.
•
INSURANCE
Specialists To
The Motion Picture
Industry
75 Maiden Lane, N. Y. City
510 W. 6th St., Los Angeles, Cal.

Boleslawski Funeral Will Be Held Today

HOLLYWOOD, Jan. 18.—Funeral services for Richard Boleslawski, M-G-M director, who died at his home here yesterday, will be held Tuesday at 10 A. M. in St. Augustine's Chapel, Culver City. Only the family and intimate friends will attend the burial at Forest Lawn. Father John O'Donnell will officiate.

Pallbearers are: Basil Rathbone, Robert Montgomery, Gilbert Emery, Al Birmingham, Dr. Serg Bertensson and Marcus Goodrich.

Russian memorial services will be held next Sunday.

George Fitzmaurice will succeed Boleslawski as director of "The Last Mrs. Cheyney."

Boleslawski was born in Warsaw, Poland, and received his education in Odessa. While attending the Moscow University in 1906, he became an actor in the Moscow Art Theatre, studying under Stanislawsky. Shortly thereafter he abandoned acting for directing and staging.

He arrived in Hollywood in 1929. His first assignment was "Treasure Girl" for Pathe. He was an assistant director on "Paris Bound" and "This Thing Called Love." In 1930 he did "The Last of the Lone Wolf" for Columbia. In 1932 he published "Way of a Lancer," the first book of a trilogy dealing with his war experiences.

Following the publication of his first book, he returned to the coast to direct "Rasputin and the Empress," for M-G-M, and for the same company "Storm at Daybreak," "Beauty for Sale," "Men in White," "The Painted Veil," "Clive of India" and "Les Miserables." Among his latest pictures were "Theodora Goes Wild" and "The Garden of Allah."

Howard White Dead

Howard White, pianist member of Landt Trio and White, radio act, died at his home early Sunday morning of a heart attack. White is survived by his wife, Madeline. Funeral services were held last night at his home. Burial will be today at Teckville, Pa.

Patent Pool Talks Set for Next Month

(*Continued from page* 1)

countries will participate in the conferences next month.

The distributors will tender a statement on royalties due Tobis for 1936 to Milton Diamond, American representative of the company, today, which offers $75,000 in settlement of royalties for the accounting year ended last Dec. 30. The offer provides for payment of the royalties in dollars for every country except Germany, the sums due from German distribution to be paid in marks.

American distributors are seeking an arrangement with Tobis under which the European royalties may be paid in the currency of the country in which they originate, rather than in dollars, and this subject is expected to be thrashed out at the February conference.

Miss Fields to 20th-Fox

LONDON, Jan. 18.—Gracie Fields, English actress, will make four pictures in two years for 20th Century-Fox in Hollywood, it was revealed here today.

Crosby Returns It

Kansas City, Jan. 18.—"Thank you very much for the $10 check," Bing Crosby wired City Manager H. F. McElroy. "And delighted you liked my slogan. I am returning $10. I wish to donate a cup for grand prize in your safety driving slogan contest."

Crosby last week submitted a slogan in Kansas City's current safety slogan contest, and was awarded one of the prizes given for the best five per week.

"Million" at Roxy May Pull $155,000

"One in a Million" is heading for a $155,000 gross for its three-weeks run at the Roxy. For the first three days of the third and last week, the picture garnered $24,000 and is expected to wind up the week with $33,500. The first week's take was $78,000, the second $43,500.

"After the Thin Man" at the Capitol tallied about $35,000 in the third week. The current and last week is running close to this figure, according to Loew executives. "Camille" will open Friday.

"God's Country and the Woman" took in about $17,500 at the Strand. The current picture, "Black Legion," in the first two days did better than $12,000. "Beloved Enemy" ended its third week at the Rivoli with approximately $16,000.

Allied, Consolidated Sued by Credit Assn.

LOS ANGELES, Jan. 18.—M. P. Industry Credit Assn., through its attorneys, Goldstone & Berger, today filed suit against Allied Pictures Corp. and Consolidated Film Industries asking an accounting and seeking recovery of proceeds from the releasing of films amounting to approximately $80,000. The plaintiffs also seek the recovery of negatives.

Prior to January 29, 1934, the credit association asserts, Allied assigned negatives and the contracts for the leasing of these negatives to Consolidated to apply on a debt. Plaintiff alleges on January 29, 1934, Allied consigned these same negatives and contracts to M. P. Industry Credit Assn.

I. A. Men Coming East

HOLLYWOOD, Jan. 18.—Fred Dempsey and Louis Krouse of I.A.T.S.E. home office leave the coast Tuesday. Others departing are: Traveling Representatives William C. Scanlon, Ed. Tinney, Richard Walsh, also the Detroit business manager of union operators, Roger Kennedy, and the Philadelphia contingent, Abe Friedman, William Freeman and George Brayfield.

George Browne will remain throughout the week.

Ben Rosenberg Improves

LOS ANGELES, Jan. 18.—Ben Rosenberg is past a crisis and convalescing at his home in his battle with pneumonia. Rosenberg recently resigned from National Screen.

Delay Press Meeting On Col. London Plan

By BRUCE ALLAN

LONDON, Jan. 18.—Paul Soskin today cancelled the press reception scheduled for tomorrow when he was to reveal details of Columbia's production plans here. The delay is believed to be due to the lack of confirmation so far on M-G-M's intention to use the Amalgamated Studio.

It is understood, however, that Columbia will occupy the Amalgamated plant, and exercise direct supervision of the Soskin features to be made for Columbia release. Robert Riskin will approve all scripts and William Perlberg will be in charge of casting. The directors from Hollywood who will be loaned are understood to include Ed Ludwig, Richard Wallace, Elliott Nugent, Eddie Buzzell, Harry Lachman and possibly Tay Garnett and Howard Hawks. Writers will include Barlett McMormack and Nat Perrin, and players, Jean Arthur, Melvyn Douglas, Walter Connolly, and possibly Miriam Hopkins, Irene Dunne, Charles Boyer and Edward Arnold.

First Columbia Film Set

The first Columbia picture, "Isn't Life Beautiful?" will be the first from the Amalgamated Studio and will go into work March 15. Perrin did the script and Wallace or Buzzell will direct. Soskin is seeking Jack Oakie, Ann Sothern and Connolly. He also wants James Cagney for "Shadow on the Wall," and Miss Dunne for the Lili Langtry role in two supers planned for August production. Columbia's eight pictures for next season's release are expected to cost £500,000. They are planned for world distribution.

At the home office of Columbia yesterday, it was said it had not yet been determined whether or not the eight films will be released on Columbia's American schedule next season. It was indicated that the decision probably will depend largely on the suitability of the productions for this market when they are completed.

Extend Authority of FTC by New Measure

By BERTRAM F. LINZ

WASHINGTON, Jan. 18.—Legislation giving the Federal Trade Commission authority to proceed against business concerns practicing unfair methods, even though no competitor may be injured, was introduced into the House of Representatives today by Congressman Lea of California, chairman of the Interstate and Foreign Commerce Committee.

Pointing out that the Commission's power to prevent dishonest methods in commerce unless they affect competitors is doubtful under the present law, Lea would give it the authority to move against such practices on its own initiative, even though the practices assailed might be used by an entire industry.

Levine Quits Republic

HOLLYWOOD, Jan. 18.—Abe Levine, who has been handling talent trades with other studios for Republic, has resigned his post. Barney Cohen has also resigned from the studio staff.

Herbert J. Yates is expected here next week to institute a reorganization of the production personnel.

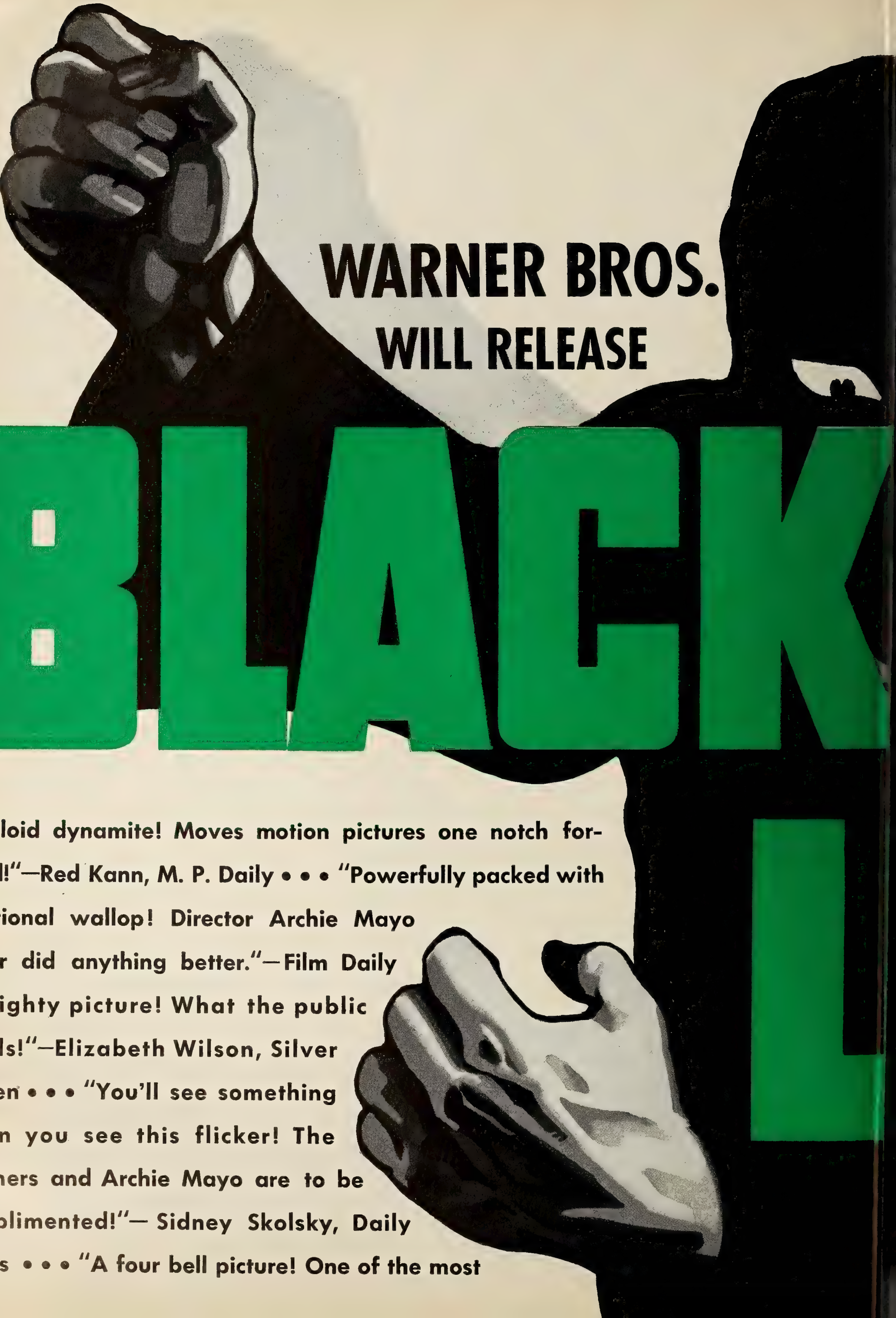
FLASHED

To 'Mr. and Mrs. America and All the Ships at Sea' Over 49 Major Stations by

WALTER WINCHELL

"One of the better motion picture documents will be released within the fortnight. It is called 'BLACK LEGION'! . . . It is one of the most fearless exposes to come out of Hollywood yet!...It's a Warner Bros. production, skillfully directed by Archie Mayo with fine performances by Humphrey Bogart, Erin O'Brien-Moore, and Dick Foran...By all means go see this T-N-Tainment!"

Thanks W. W. for the tremendous tip-off that's started everybody flashing the great news everywhere!



WARNER BROS.
WILL RELEASE

BLACK
L

"Celluloid dynamite! Moves motion pictures one notch forward!"—Red Kann, M. P. Daily • • • "Powerfully packed with emotional wallop! Director Archie Mayo never did anything better."—Film Daily "A mighty picture! What the public needs!"—Elizabeth Wilson, Silver Screen • • • "You'll see something when you see this flicker! The Warners and Archie Mayo are to be complimented!"— Sidney Skolsky, Daily News • • • "A four bell picture! One of the most tense, gripping photoplays of its kind ever produced—to be classed with 'I Am a Fugitive'! For a thrilling evening, I advise, for your 'must see' list—'Black Legion'!"—Jimmie Fiddler • • • "Divine! Should be seen by everyone!—Sara Hamilton, Photoplay • • • "A picture everyone should see! Splendid entertainment!"—Ed Smithson, Fawcett Pubs. • • • "Swell! Sends Humphrey Bogart rocketing into star brackets."—Ted Magee, Screen Book • • • "One powerful picture! An inspired job!"—John Schwartzkoff, Motion Picture Magazine • • • "Dandy, powerful picture."—Harold Hefferman, Detroit News • • • "A New Year present exhibitors can be thankful for!"—Film Curb • • • "A swell picture! Best in long time."—Leo Townsend, Modern Screen Magazine • • • "One of the outstanding pictures of the year!"—Hitchcock, Showmen's Trade Review • • • "Should mean SRO signs! A box office natural!"—Jay Emanuel Pubs.

EGION

ON JANUARY 30th

But The Raves Are Released Already!

"NO MISTAKE ABOUT IT.. IT'S FLAMING CELLULOID!"

—*Liberty* Magazine said it, and awarded the show its critic's highest and rarest rating!

SEARS DRIVE
Dec. 20 to
April 4

The Kind of Dramatic Dynamite Only WARNER BROS. Can Make!

"BLACK LEGION"

with

HUMPHREY BOGART

Dick Foran • Erin O'Brien-Moore • Ann Sheridan
Robert Barrat • Helen Flint • Joseph Sawyer • Eddie Acuff • Addison Richards • Directed by ARCHIE MAYO

Para.'s "B" Film Policy Not Yet Set

(Continued from page 1)

held until June, the arrangement probably would not become effective until next season, it was said.

Zukor will preside at a meeting of the Paramount board on Thursday, which has been advanced from Jan. 28 in order that it may be held while Zukor is here. He plans to leave for Washington Thursday night to attend the opening there of "Champagne Waltz" the following night. He will return to New York thereafter and spend several days here before leaving for the coast about the middle of next week.

Para. Stock Converted

Approximately $5,500,000 of Paramount's first preferred $100 par stock has been converted into common, representing more than 21 per cent of the total number of shares of first preferred which was issued for claims allowed in the company's reorganization proceedings.

The first preferred is convertible at the rate of one share for seven of common, resulting in an increase of approximately 385,000 shares in the common stock outstanding, or a total of 1,995,000 shares of common. The second preferred is convertible at the rate of 10 shares for nine shares of common, and hence conversion of this issue has little effect on the total number of shares outstanding. There are 4,500,000 shares of common authorized, 2,300,000 of which was set aside for conversion purposes; 1,610,000 was originally outstanding, and the remainder is in the company treasury.

Paramount's fourth quarter financial statement is expected about Feb. 20.

Paramount Wins Suit

Los Angeles, Jan. 18. — Judge Yankwich in U. S. District Court here today dismissed the copyright infringement suit of Hortense Hirsch against Paramount, in which damages of $500,000 were asked, and assessed the plaintiff $1,500 attorneys' fees. The court ruled the plaintiff's song lacked originality.

Capital Spot Quits Films

Washington, Jan. 18. — The Belasco, for nearly two years operated by Radin and Leavine of New York for films has reverted to Messrs. Shubert with L. Stoddard Taylor again becoming actively their representative here.

Future of the house is undecided but possibility of stock company is mentioned as the most likely development.

Plan New Village House

University Place Theatre Corp. has leased property on University Place between Waverly Place and 8th St. for construction of a theatre. Buildings at present on the site will be demolished.

Close Brooklyn Manor

The Century circuit has closed the Manor, Brooklyn, for alterations and will reopen the theatre shortly under the name of Vogue.

Supreme Court Halts Action in Fox Case

(Continued from page 1)

Fox, until a decision is reached on the petition for review.

Bringing the case to Washington a week ago, Steelman sought immediate action from Associate Justice Cardozo, who, however, felt the matter was one for the consideration of the entire court and refused to act.

Reade Sues on New Ban at Toms River

Atlantic City, Jan. 18.—Walter Reade, well known North Jersey operator, and his new American Community Theatres Corp., have appealed to New Jersey Supreme Court here against an alleged attempt to shut him out of Toms River, N. J.

His counsel told Justice Joseph B. Perskie that Dover Township, Ocean County, granted a building permit last fall for a site about 100 feet from the grade school building in Toms River, and that Reade's organization has gone ahead with the foundation for a $40,000 house.

Then on Nov. 27 the township enacted an ordinance forbidding theatres within 300 feet of churches, schools or hospitals. Reade's counsel complained that this specifically exempts the Traco, a home-owned theatre established for some 17 years and less than 200 feet from the school.

Adding to the allegedly suspicious looks of the whole thing, he declared that Dover Township never has used the rest of its regulatory powers by zoning such things as garages, several of which are close to the school, gasoline stations or the like.

Justice Perskie granted a writ of certiorari calling for Part 2 of the State Supreme Court to review the legality of the ordinance on Feb. 5 in Trenton. "If ever a case merited a thorough airing," he remarked, "this does."

Sale of Television Shares Is Enjoined

N. Y. Supreme Court Justice Richard P. Lydon yesterday granted a motion made by the Attorney General's office for the naming of a temporary receiver in the case of the Television Corp. of America and also granting a temporary injunction to restrain the defendants from selling, advertising or promoting any of its stock.

Named as defendants also are Oliver C. Harriman, president and principal stockholder; Jack M. Oppenheim, director, and Hamilton Hoge, Robert F. Collins, William H. Milne, Fred Knapp and Louis G. Duell who were engaged in promoting and selling the stock.

The company has 6,000,000 shares of common stock at a par value of $1.00, and was incorporated in Maryland. The complaint asserts that the defendants failed to register their capacity as dealers in securities in accordance with the laws of New York, that they had no bank account from Nov. 1, 1934, to April 24, 1936, nor did the corporation keep any corporate books or records.

Ryan to Momand Trial

Boston, Jan. 18.—George S. Ryan, film attorney of Boston, has left for Oklaloma, where he will act as prosecutor in the $5,000,000 anti-trust suit of A. B. Momand.

Allied Neutral in Detroit Game Fight

Detroit, Jan. 18.—Following a mass meeting of exhibitors in the organization's offices, Allied of Michigan, through H. M. Richey, general manager, has declared it will maintain a neutral stand in Detroit's war on cash prize games.

Richey said the decision was reached because the opinion of exhibitors as to the use of the games was about evenly divided and also because it would be unfair to discriminate against theatres when it seemed impossible to obtain a general ban on them which would include the many churches, clubs and societies using them now.

Allied heretofore has been active in the drive against the games. George W. Trendle, president of United Detroit Theatres and opposed to the games, is expected to continue his fight against them, possibly through the courts. A survey of the local situation shows more than 60 houses in the metropolitan area using either Bank Night, Screeno or some other such game. Exhibitors employing them say they have been important in building weekly grosses.

Church Protests Bank Night

Omaha, Jan. 18.—The City Council has received a letter from the Omaha Lutheran Ministerial Ass'n, signed by the Rev. John F. Streng, president, asking the council to "give thoughtful consideration to the demoralizing effects upon the people" of the weekly Bank Night operated cooperatively by 26 theatres here.

The protest said that during Lent, starting Feb. 10, Bank Night will hinder attendance at the Wednesday night services of Lutheran churches.

Orders Details in Suits on Electrics

A motion to require plaintiffs in an action for treble damages of $3.000,000 against A. T. & T., Western Electric and Erpi to file complete bills of particulars was granted yesterday by Federal Judge John C. Knox on motion by counsel for the electrics.

The court order applies to five of 22 complainants who filed actions in 1934 and 1935 alleging violation of the anti-trust laws through the enforcement of Erpi's reproduction license agreements. The complainants are Milton C . Weisman as receiver for Fox Theatres Corp., William Fox Isis Investment Co., Winchester Amusement Co., Harrison Amusement Co. and Stillwell Theatres, Inc. The motions for bills of particulars were opposed by the complainants.

End Trans-Lux Stay

The U. S. Circuit Court of Appeals yesterday reversed a ruling of U. S. District Judge Robert C. Inch in granting a temporary injunction against Torr & Co., brokerage firm, preventing the firm from allegedly violating an order of the Securities and Exchange Commission in selling Trans-Lux Daylight Pictures securities.

The reversal hinged on an interpretation of the constitutionality of the act creating the commission.

Phillipson Returning

London, Jan. 18.—Percy Phillipson, head of General Register Corp. of New York, sails Thursday on the *Aquitania* for America.

Kent Gets Data for Warner, F. & M. Deal

(Continued from page 1)

Warner franchise for F. and M. in St. Louis, but neither rentals nor clearance were set up at the time. These factors were left for determination by a pre-determined date at which time were to be fixed the terms for the 1936-37 season. An initial meeting, it was learned yesterday, was held in Kent's office at 20th Century-Fox on Saturday. Present were Gradwell L. Sears and I. Levinson for Warners and Harry Arthur and Irving Lesser for F. and M.

St. Louis, Jan. 18.—Harry C. Arthur and Mike Marco arrived here Sunday from New York.

Buys Frisco Theatre From United Artists

(Continued from page 1)

which gives Cohen complete ownership of the 1,200-seat house.

In addition to the theatre deal, Cohen recently arranged a five-year exclusive franchise on all U. A. product. George Schaefer, United Artists distribution executive, arranged the new contract. Cohen, who also operates the Strand, and the Embassy, in which RKO has an interest, bought into the U. A. in 1930, and has managed it ever since.

U. A. to Have First Drive for Executive

(Continued from page 1)

Sales Drive. Schaefer is vice-president and general manager.

L. Jack Schlaifer, western division sales head, and Harry Gold, eastern division manager, will be the sales captains with the three major prizes to be divided as follows: first to the leading branch manager in the east, second to the leading branch manager in the west, and third to the division manager showing the best results. Six other prizes will be awarded to leading salesmen.

The Walt Disney cartoons will be included in the drive. There will be six pictures released during the 14 weeks. The films and release dates are: "Men Are Not Gods," Jan. 22; "You Live Only Once," Jan. 29; "Fire Over England," Feb. 19; "Man Who Could Work Miracles," Feb. 26; "History Is Made at Night," March 5; "A Star Is Born," April 3.

Schaefer yesterday announced the promotion of Sidney Lehman from the Washington sales force to the managership of the Buffalo exchange. No successor to Lehman has been chosen.

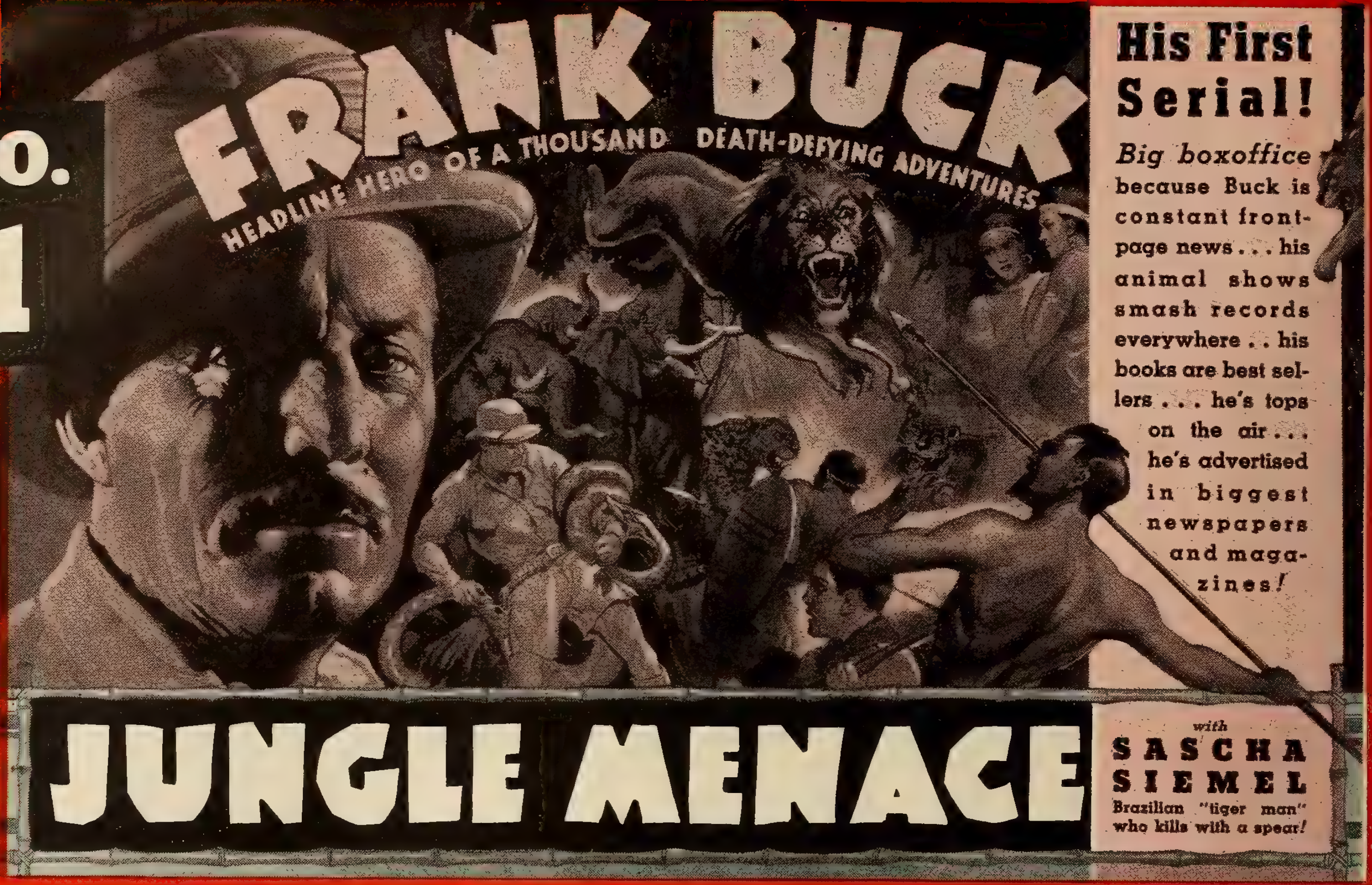
Harding, Janssen Wed

London, Jan. 18.—Ann Harding and Werner Janssen, symphony orchestra conductor, were married Sunday at the Registrar's office. Attendants at the wedding were Clive and Mrs. Brook, Sir Banville Bantock and Jane Harding, seven-year-old daughter of the bride, among others. There will be no wedding trip. Miss Harding will appear in G. B. Shaw's "Candida" at Brighton today.

Allwyn, Kent Married

Hollywood, Jan. 18.—Astrid Allwyn and Robert Kent were married last Sunday in Tiajuana, it was revealed here over the weekend.

NO. 1



FRANK BUCK

HEADLINE HERO OF A THOUSAND DEATH-DEFYING ADVENTURES

His First Serial!

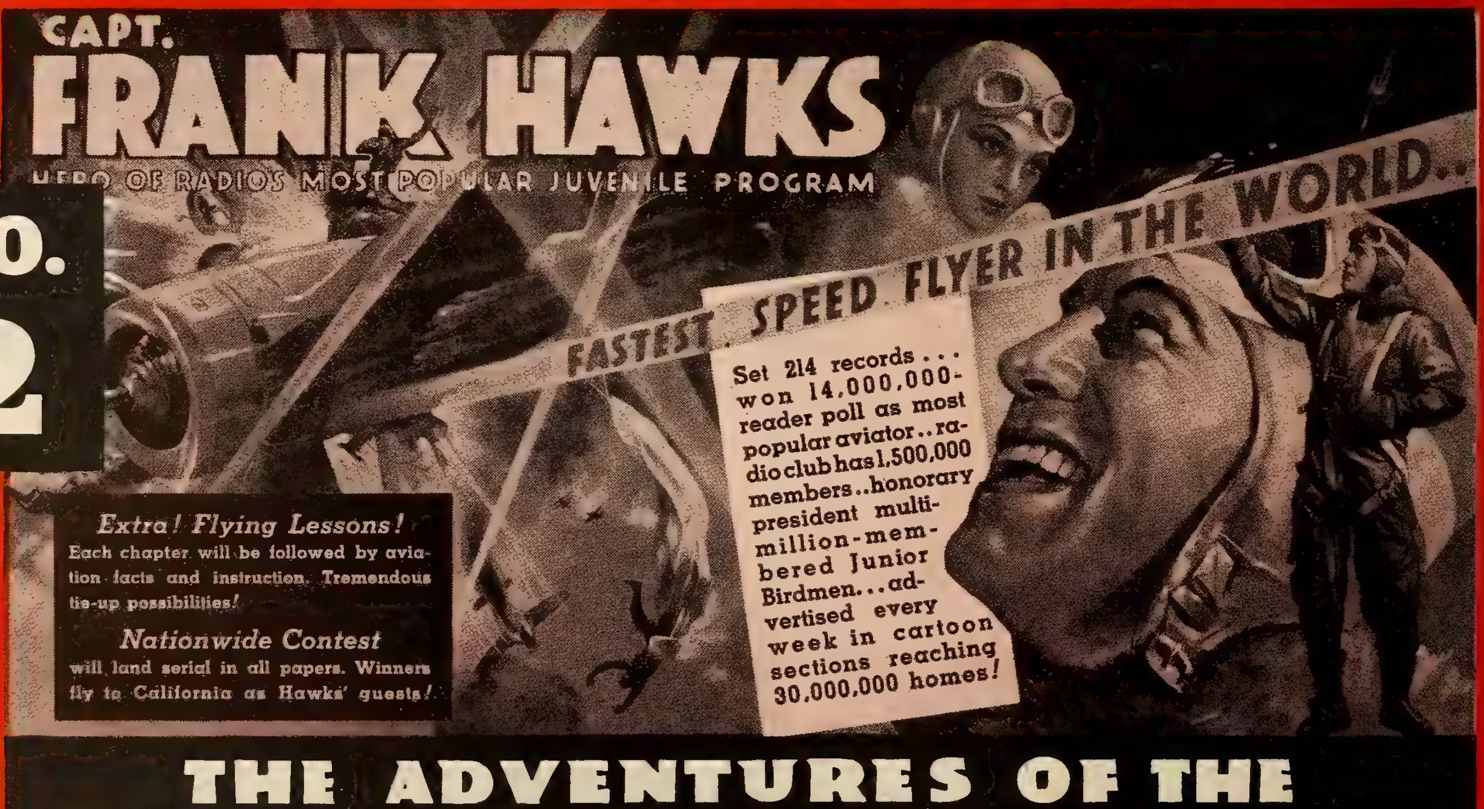
Big boxoffice because Buck is constant front-page news . . . his animal shows smash records everywhere . . his books are best sellers . . . he's tops on the air . . . he's advertised in biggest newspapers and magazines!

JUNGLE MENACE

with
SASCHA SIEMEL
Brazilian "tiger man" who kills with a spear!

COLUMBIA'S FOUR

NO. 2



CAPT.
FRANK HAWKS

HERO OF RADIO'S MOST POPULAR JUVENILE PROGRAM

FASTEST SPEED FLYER IN THE WORLD..

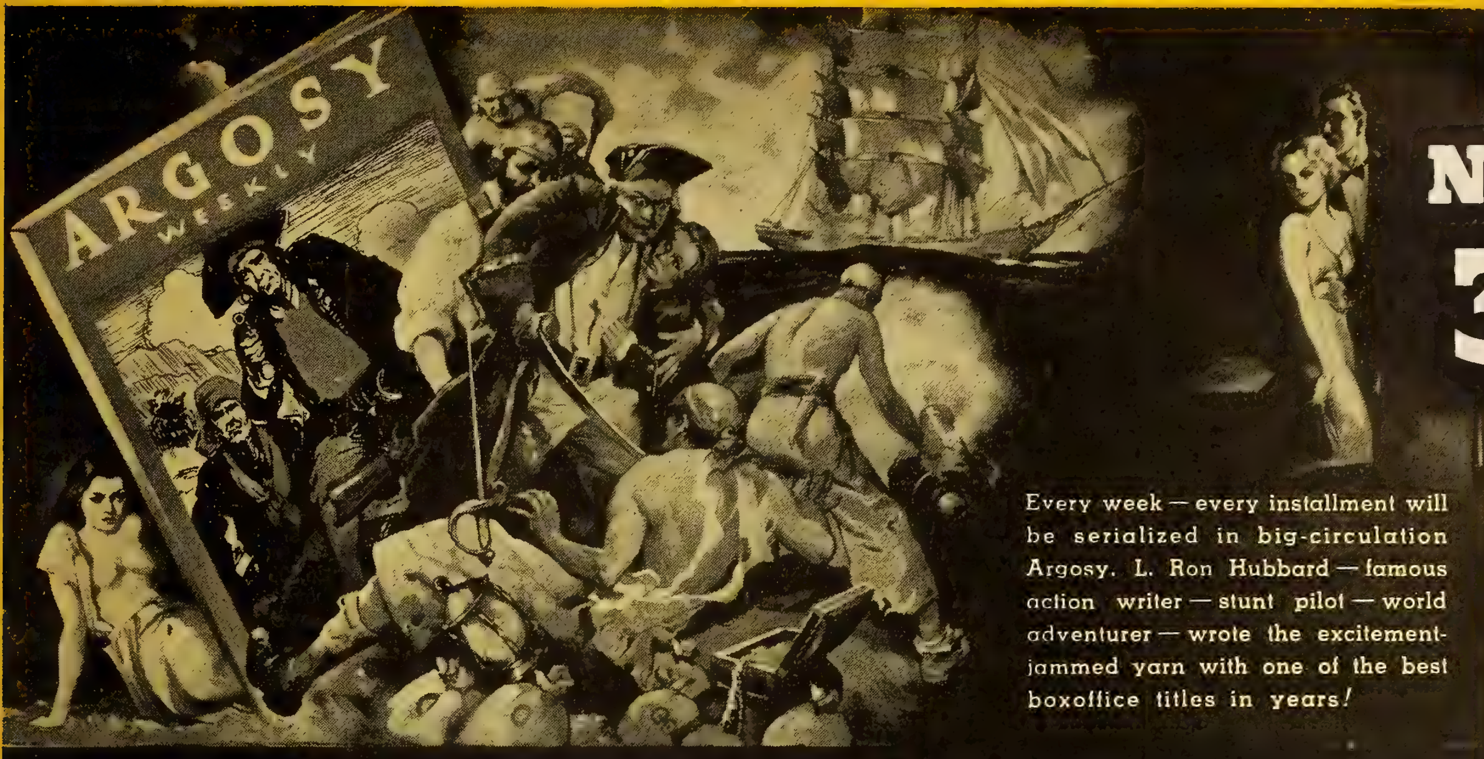
Set 214 records . . . won 14,000,000-reader poll as most popular aviator . . radio club has 1,500,000 members . . honorary president multi-million-membered Junior Birdmen . . . advertised every week in cartoon sections reaching 30,000,000 homes!

Extra! Flying Lessons!
Each chapter will be followed by aviation facts and instruction. Tremendous tie-up possibilities!

Nationwide Contest
will land serial in all papers. Winners fly to California as Hawks' guests!

THE ADVENTURES OF THE MYSTERIOUS PILOT

For Audiences Of Adults And Juveniles

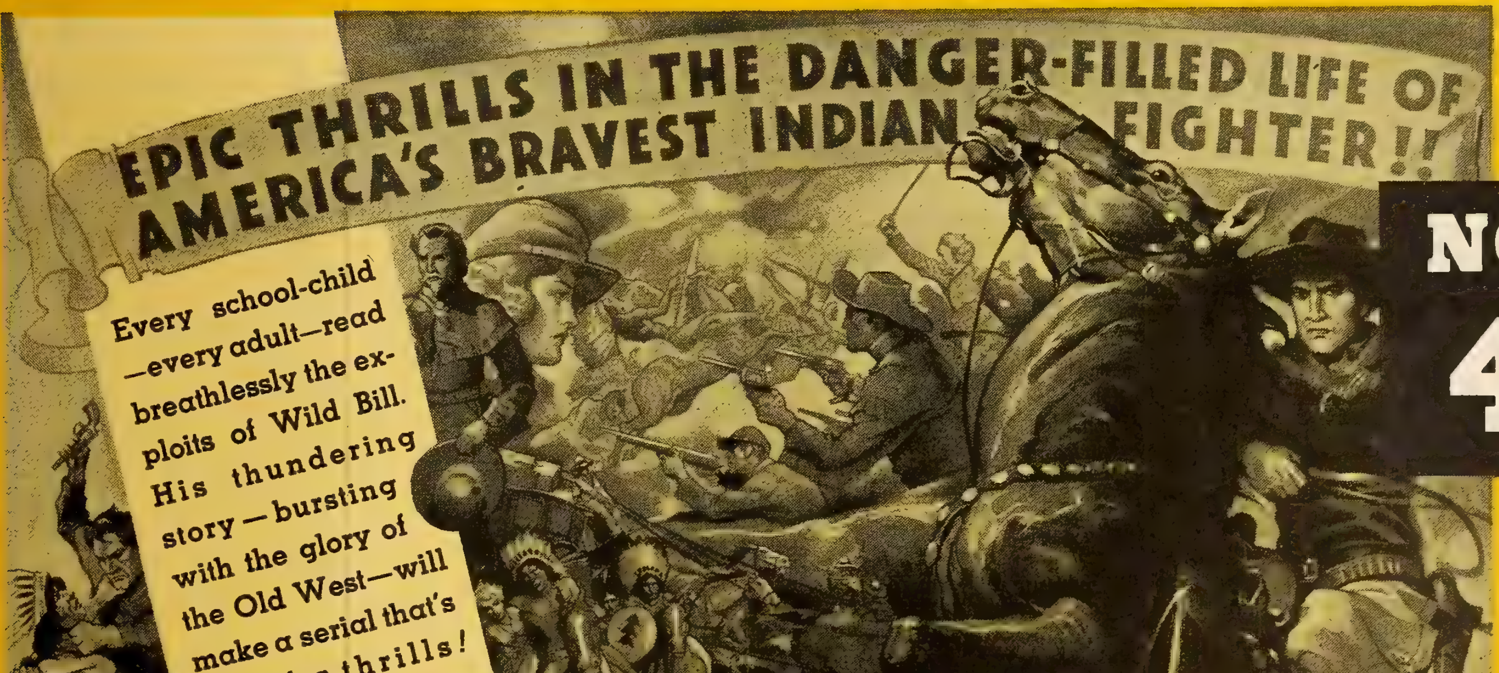

ARGOSY
WEEKLY

NO. 3

Every week — every installment will be serialized in big-circulation Argosy. L. Ron Hubbard — famous action writer — stunt pilot — world adventurer — wrote the excitement-jammed yarn with one of the best boxoffice titles in years!

THE SECRET OF
TREASURE ISLAND

NEW-STYLE SERIALS!


EPIC THRILLS IN THE DANGER-FILLED LIFE OF AMERICA'S BRAVEST INDIAN FIGHTER!!

NO. 4

Every school-child —every adult—read breathlessly the exploits of Wild Bill. His thundering story—bursting with the glory of the Old West—will make a serial that's tops for thrills!

THE GREAT ADVENTURES OF
WILD BILL HICKOK

For Any Theatre—Any Day Of The Week!

"Thin Man" at $24,000, 2nd Week on Loop

CHICAGO, Jan. 18.—Bad weather throughout the week hurt business somewhat, but "After the Thin Man" continued to do very well at the United Artists and was the leader with a big $24,000 for the second week.

Hotels packed with convention delegates helped swell the evening trade in the Loop houses.

"Lloyds of London" got off to a good start and did $18,800 which is excellent for the Roosevelt. "Pennies from Heaven," after opening in a neighborhood house the week previous, did well to get $8,000 at the Garrick. The Oriental and State-Lake felt the loss of the give-away games and grosses were slightly better than average.

"The Plainsman" finished a strong two weeks at the Chicago and was moved to the Apollo for a third loop week.

Total first run business was $142,800. Average is $115,000.

Estimated takings:

Week Ending Jan. 12:

"AFTER THE THIN MAN" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $24,000. (Average, $15,000)

Week Ending Jan. 14:

"THAT GIRL FROM PARIS" (Radio)
PALACE—(2,509), 35c-55c-75c, 7 days, 2nd week. Stage: "Riviera Follies." **Gross:** $20,000. (Average, $19,000)

"THE PLAINSMAN" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days, 2nd week. Stage: "Magazines Revue." **Gross:** $33,000. (Average, $32,000)

"HIDEAWAY GIRL" (Para.)
ORIENTAL—(3,490), 35c-55c, 7 days. Stage: Sophie Tucker and Revue. **Gross:** $17,500. (Average, $15,000)

"LLOYDS OF LONDON" (20th-Fox)
ROOSEVELT—(1,591), 35c-55c-75c, 7 days. **Gross:** $18,800. (Average, $11,000)

"BANJO ON MY KNEE" (20th-Fox)
APOLLO—(1,400), 35c-55c-75c, 7 days, 2nd week. **Gross:** $5,000. (Average, $5,500)

"PENNIES FROM HEAVEN" (Col.)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $8,000. (Average, $5,500)

Week Ending Jan. 15:

"MISSING GIRLS" (Chesterfield)
STATE-LAKE—(2,776), 25c-35c-40c, 7 days. Stage: Don Zelaya and Revue. **Gross:** $16,500. (Average, $13,000)

Ohio's Censors See 756 Reels; 42 Cuts

COLUMBUS, Jan. 18.—Ohio censors reviewed a total of 756 reels in December from which 42 eliminations were ordered. This compares with 504 reels in November and 22 eliminations.

For 1936 a total of 6,807 reels was reviewed, and 342 eliminations ordered. The greatest number of reels and eliminations during any one month was 768 reels in October, with 49 eliminations. The smallest number was in June, with 390 reels reviewed and 15 eliminations ordered.

Oppose Unlicensed Agent

BOSTON, Jan. 18.—Lewis Frey and Leslie Kreidberg of the Massachusetts Theatrical Agents' Protective Ass'n, have lodged a protest with the Attorney General against the operation of unlicensed booking agents in this state. The office assured the association's president and counsel that the law would be enforced.

"Smart Girls" Big In K. C. Despite Snow

KANSAS CITY, Jan. 18.—"Three Smart Girls" outwitted the snow, sleet and icy weather at the Mainstreet by pulling $10,400, over by $2,400 in only a fair week for first runs. "The Plainsman" held up strongly in its second week at the Uptown, and after grossing $5,500, $1,500 over average for the house, was held an additional three days.

Other houses felt the effects of bad weather and the competition of the Katz brothers (drugs) free municipal orchestra concert at the Municipal Auditorium. "Great Guy" was shy $100 of a $7,000 average at the Newman.

Total first run business was $38,500. Average is $37,500.

Estimated takings:

Week Ending Jan. 14:

"THREE SMART GIRLS" (Univ.)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $10,400. (Average, $8,000)

"GARDEN OF ALLAH" (U.A.)
"SINNER TAKE ALL" (M-G-M)
MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $10,200. (Average, $11,500)

"GREAT GUY" (G.N.)
NEWMAN — (1,900), 25c-40c, 7 days. **Gross:** $6,900. (Average, $7,000)

"CHARLIE CHAN AT THE OPERA" (20th-Fox)
TOWER—(2,200), 25c-35c, 7 days. Stage: Irene Vermillion & Co., with Carr Brothers & Betty, Naida & Ernie Perez, Ted Cook, and Rice & Shafer. **Gross:** $5,500. (Average, $7,000)

"THE PLAINSMAN" (Para.)
UPTOWN—(2,000), 25c-40c, 7 days, 2nd week. **Gross:** $5,500. (Average, $4,000)

"Million" a Smash Hit in Providence

PROVIDENCE, Jan. 18.—Sonja Henie's twinkling skates brought a sweet $11,500 to the Majestic, topping all grosses and exceeding the house par by $4,500. Next in line was "The Plainsman" which garnered $11,000 for the Strand, also over by $4,500. It was held.

"Smart Blonde" and five acts of vaudeville at Fay's were good for $7,400, up by $400 and the RKO Albee did a par $7,000 with "That Girl From Paris" on a dual with "The Mysterious Crossing." In its second week at Loew's State, "Camille" picked up $6,800.

Competition was provided by minor sport attractions. The weather was clear and unprecedentedly warm.

Total first run business was $43,700. Average is $39,500.

Estimated takings for the week ending Jan. 14:

"THE PLAINSMAN" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $11,000. (Average, $6,500)

"ONE IN A MILLION" (20th-Fox)
MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $11,500. (Average, $7,000)

"THAT GIRL FROM PARIS" (Radio)
"THE MYSTERIOUS CROSSING" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"CAMILLE" (M-G-M)
LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $6,800. (Average, $12,000)

"SMART BLONDE" (20th-Fox)
FAY'S—(1,600), 15c-40c, 7 days. Stage: Five acts of vaudeville. **Gross:** $7,400. (Average, $7,000)

"Camille" $8,800 New Haven Leader

NEW HAVEN, Jan. 18.—"Camille," on the Poli dual with "Mad Holiday," took the lead with an $8,800 gross, up by $1,800. The bill was held at the College.

"After the Thin Man," at the College, made a fine second week showing in a town where holdovers are usually poor, taking $4,500, at the 10c-15c higher admission, as against the $2,800 normal. "The Plainsman," also a holdover, brought Paramount receipts to $4,900, just average. The Roger Sherman, with "The Garden of Allah" and "Smart Blonde," grossed $5,000, over the line by $300.

A sellout Woolsey Hall concert by Lotta Lehman, and crowded Arena sports events all week dug into attendance, as did fog and uncertain driving conditions.

Total first run business was $23,200. Average is $19,400.

Estimated takings for the week ending Jan. 16:

"AFTER THE THIN MAN" (M-G-M)
"COME CLOSER, FOLKS" (Col.)
COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $4,500. (Average, $2,800)

"THE PLAINSMAN" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days, 2nd week. **Gross:** $4,900. (Average, $4,900)

"CAMILLE" (M-G-M)
"MAD HOLIDAY" (M-G-M)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $8,800. (Average, $7,000)

"THE GARDEN OF ALLAH" (U.A.)
"SMART BLONDE" (W.B.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $5,000. (Average, $4,700)

"Plainsman" Pulls $6,000, Louisville

LOUISVILLE, Jan. 18.—"The Plainsman" at the Rialto was top first run draw, taking $6,000, above par by $1,500.

"Rainbow on the River," coupled with "Make Way for A Lady," wound up the week $400 above the normal $3,500 take for the house.

Two holdovers, "College Holiday" at the Brown and "After the Thin Man" at Loew's State, took slightly less than average business.

The weather was mild and rainfall was excessive. Opposition was furnished by basketball, both professional and high school, and boxing and wrestling shows.

Total first run business was $23,000. Average is $22,400.

Estimated takings for the week ending Jan. 14:

"COLLEGE HOLIDAY" (Para.)
MARCH OF TIME
BROWN—(1,500), 15c-25c-40c, 7 days, 2nd downtown week. **Gross:** $2,400. (Average, $2,500)

"ANTHONY ADVERSE" (W.B.)
"DIMPLES" (20th-Fox)
"WEDDING PRESENT" (Para.)
KENTUCKY—(900), 15c-25c, 7 days, split week. **Gross:** $2,100. (Average, $1,700)

"AFTER THE THIN MAN" (M-G-M)
LOEW'S STATE—(3,000), 15c-25c-40c, 7 days, 2nd week. **Gross:** $5,000. (Average, $5,500)

"SING ME A LOVE SONG" (W.B.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days. **Gross:** $2,700. (Average, $3,500)

"SHIPMATES FOREVER" (F.N.)
"I COVER THE WATERFRONT" (U.A.)
"CYNARA" (U.A.)
"LADDIE" (Radio)
OHIO—(900), 15c, 7 days, split week. **Gross:** $900. (Average, $1,200)

"THE PLAINSMAN" (Para.)
RIALTO—(3,000), 15c-25c-40c, 7 days. **Gross:** $6,000. (Average, $4,500)

"RAINBOW ON THE RIVER" (Radio)
"MAKE WAY FOR A LADY" (Radio)
STRAND—(1,500), 15c-25c-40c, 7 days. **Gross:** $3,900. (Average, $3,500)

"Pennies" and Show Detroit Wow, $33,500

DETROIT, Jan. 18.—"Pennies from Heaven," with a stage show headed by Olsen and Johnson, was sensational at the Fox. The take went up to $33,500, over par by $13,500.

At the same time "Sing Me a Love Song," also with a show, led a general upturn in business by getting $26,500 at the Michigan. This was above average by $6,500.

"LOVE LETTERS OF A STAR" (Univ.)
"STOWAWAY" (20th-Fox)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $5,400. (Average, $5,000)

"PENNIES FROM HEAVEN" (Col.)
FOX—(5,100), 15c-75c, 7 days. Stage: Olsen & Johnson, Ray Cummings, Hector & His Pals, Jimmy Alvin, Ruth Faber, Ole Olsen, Jr., Ardis May. **Gross:** $33,500. (Average, $20,000)

"SING ME A LOVE SONG" (W.B.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: "American Pageant of Youth," Lucille Page, Pinky Mitchell, Dottie Mathews, Ginger Snap, Billy Pape, Sandy Douglas, The 4 Bars, Cy Boford & Margaret McLarnen, Francis Ligarta, Ethel Shepherd, Three Wiles, Frankie Brown. **Gross:** $26,500. (Average, $20,000)

"COLLEGE HOLIDAY" (Para.)
"GENERAL SPANKY" (M-G-M)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $5,600. (Average, $5,000)

"THE PLAINSMAN" (Para.)
UNITED ARTISTS—(2,070), 15c-65c, 7 days, 2nd week. **Gross:** $10,200. (Average, $10,000)

"WINTERSET" (Radio)
MADISON — (2,000), 15c-65c, 7 days. **Gross:** $10,000. (Average, $10,000)

"FOUR ACES" (Warfilm)
"LOVE & KISSES" (Ambassador)
DOWNTOWN—(2,950), 10c-35c, 7 days. **Gross:** $4,200.

"Hideaway," Show $14,500 Omaha Hit

OMAHA, Jan. 18.—"Hideaway Girl" and a stage show, the "Yacht Club" revue with Fifi Dorsay and Gus Van, grossed $14,500 at the Orpheum, nearly double par of $7,500.

The Brandeis also had a banner week, getting $5,200, or $1,200 more than average for "Gold Diggers of 1937" and "The Captain's Kid." "The Jungle Princess" and "Mad Holiday" ran six days at the Omaha, grossing $4,800. Seven day par is $5,500.

Brought back to the Paramount, "After the Thin Man" and "The Accusing Finger" failed to stand up to the first run business.

Business at all the houses was injured in the early part of the week by the heaviest snow of the winter and temperatures which dipped to 18 below one day.

Total first run business was $31,500. Average is $26,300.

Estimated takings:

Week Ending Jan. 13:

"GOLD DIGGERS OF 1937" (F.N.)
"THE CAPTAIN'S KID" (F.N.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $5,200. (Average, $4,000)

"THE JUNGLE PRINCESS" (Para.)
"MAD HOLIDAY" (M-G-M)
OMAHA—(2,200), 25c-40c, 6 days. **Gross:** $4,800. (Average, $5,500)

"AFTER THE THIN MAN" (M-G-M)
"THE ACCUSING FINGER" (Para.)
PARAMOUNT — (2,900), 25c-35c-55c, 7 days, 2nd week. **Gross:** $7,000. (Average, $9,300)

Week Ending Jan. 14:

"HIDEAWAY GIRL" (Para.)
ORPHEUM — (3,000), 35c-55c, 7 days. Stage: "Yacht Club" Revue with Fifi Dorsay and Gus Van. **Gross:** $14,500. (Average, $7,500)

ONE OF THE "11 BEST" IN 10 YEARS!

"ONE IN A MILLION" IS THE 11th PICTURE (out of 450) IN 10 YEARS TO BE HELD FOR 3 WEEKS AT THE ROXY, N.Y.

And 9 out of those 11 were made by the makers of "One in a Million"

●

—AND THAT'S THE KIND OF BUSINESS IT'S DOING EVERYWHERE!

For instance in Newark, where its first week topped the all-time house record by 40%— its second week equalled "Sing, Baby's" tremendous first week — and this against crushing, steam-roller opposition. For instance in Seattle, where it played three sensational weeks. For instance in its amazing hold-over record —78% of all situations played. THAT, gentlemen, is a HIT!

Hark to this nifty from
Mark Hellinger
(N. Y. Sunday American)
"SONJA HENIE (pronounced SUCHA HONEY!)"

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

Production Gains; 41 Features Going

Hollywood, Jan. 18.—Studio activity was on the upward trend again last week following a general slowing down in the various company production departments during the past three weeks. Ten new films went before cameras and eight finished to register a total of 41 features in work. Three shorts were shooting. The preceding week's checkup showed 39 features and no shorts working. Twenty-eight features and six shorts will move to the sound stages for shooting within two weeks, according to studio schedules. The cutting rooms held 54 features and 14 one and two-reelers.

The new films to go into work during the week were "Racing Luck," Columbia; "The Years Are So Long," Paramount; "Wings of Mercy," Radio; "Fifty Roads to Town," "Wake Up and Live," "That I May Live," "On the Avenue" and "Dead Yesterday," 20th Century-Fox; "The Stones Cry Out," Universal, and "Dance, Charlie, Dance," Warners.

Paramount and 20th Century-Fox held the heaviest production with eight films each before cameras.

Columbia had four features shooting, four in preparation and three in the cutting rooms. M-G-M had six, one and seven; Paramount, eight, four and seven; Republic, one, two and three; Radio, five, two and five; Roach, zero, zero and three; Selznick International, zero, zero and one; 20th Century-Fox, eight, three and seven; Universal, four, three and one; Walter Wanger, zero, zero and two; Warners five, seven and eight; independents, zero, two and two.

Short subject product also tilted upward. Columbia had none shooting, two preparing and three editing; M-G-M, one, two and eight; Radio, one, one and one; Roach, zero, one and one; Warners, one, zero and one.

Approve Sunday Film Measure in Alabama

Montgomery, Ala., Jan. 18.—A measure introduced by Rep. John D. Chichester of Jefferson and intended to legalize Sunday films in all municipalities in Jefferson County has passed both legislative houses and has been placed on Governor Graves' desk for signature.

The bill will permit operation of theatre houses in Leeds and Tarrant. Birmingham, also in the county, already has Sunday films.

Repeal Sunday Ban

Arnold, Neb., Jan. 18.—Acceding to a petition signed by 200 citizens, the Town Council has repealed the law prohibiting Sunday films.

Two Join Phil Selznick

Canton, O., Jan. 18.—Max Young and H. H. Reinhart, operators of the Mozart, State and McKinley, here, have entered production with Phil Selznick and Sol Meltzer. Young has gone to Hollywood to complete arrangements.

C. E. Mosher to Sac City

Sac City, Ia., Jan. 18.—C. E. Mosher is the new manager of the Casino and Chieftan at Sac City. He was located at Rockford for the last year.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Man of the People"

(M-G-M)

Hollywood, Jan. 18.—Featured by the performances of Joseph Calleia and Thomas Mitchell, this political drama stacks up as an interesting but average, attraction. A soundly prepared and well-directed story is given the benefit of better-than-usual production support which combines romance, comedy and suspense with a basic quality which moves speedily to balance action and dialogue.

Calleia, a fledgling lawyer, is convinced that the best way to obtain justice for common folk is through political influence. He ties up with Boss Mitchell and soon becomes a power in his district organization as deputy district attorney. Romance is well worked in as Calleia falls in love with Florence Rice, an aristocrat.

Promised election as district attorney, only to be sidetracked when he wants to prosecute a shady stock deal perpetrated by Jonathan Hale, Edward Nugent and Miss Rice's mother, Catherine Doucet, Calleia becomes involved in dramatic conflict when he runs for office on an independent ticket, but loses.

Appointed a special prosecutor by the Governor, he exposes the plot to mulct the public. Returning to his old Italian neighborhood, he is joined by Miss Rice, who is now convinced that he was right all along.

Built for mass consumption, the film is composed of elements naturally appealing to average audiences. Calleia's work is understandable and convincing, as is that of Mitchell. Miss Rice handles the romantic contrast well, with Ted Healy accounting for the necessary comedy which is pepped up by Miss Doucet's flighty contributions. The balance of the cast—Hale, Nugent, Jane Barnes, Noel Madison and William Ricciardi—is up to standard.

Frank Dolan's original was directed by Edwin L. Marin to give Calleia the best opportunity for convincing, dramatic work.

No production code seal. Running time, 85 minutes. "G."

"Step Lively, Jeeves"

(20th Century-Fox)

Hollywood, Jan. 18.—The unsuccessful efforts of a pair of European crooks to sell the fake heir of Sir Francis Drake to the American public are here concocted into a light and entertaining comedy which should go well as a program attraction for all types of audiences.

Frank Fenton and Lyon Root have done a good job of adapting Frances Hyland's original, based on the character of Jeeves created by P. G. Wodehouse. Alan Dinehart and George Givot conceive the idea of creating an heir to the Drake estate and unsuspecting Arthur Treacher is elected as the Earl of Braddock.

The trio embarks for New York, where it falls into the hands of a wealthy racketeer, John Harrington, who insists upon becoming a partner in the deal which he believes is on the up and up. The suspicions of a reporter, Patricia Ellis, and her fiance, Robert Kent, are aroused as to the authenticity of the earl. Upon receipt of a cable from London, Kent is able to expose the entire scheme.

The picture ends with Dinehart and Givot trying to sell the crown jewels of Russia to Harrington and Treacher as Kent's valet. Helen Flint as Harrington's socially aspiring wife; George Cooper, Arthur Houseman and Max Wagner, all members of Harrington's gang, and Franklin Pangborn, as a head waiter, give capable performances.

The direction by Eugene Forde and the photography of Daniel B. Clark are good.

No production code seal. Running time, 70 minutes. "G."

Oppose Fee Increase

Milwaukee, Jan. 18.—Opposition to the proposed increase of theatre license fees was voiced before a Common Council judiciary committee hearing by B. J. Miller, representing the circuits, and R. A. Tesch, business manager, for the I.T.P.A. of Wisconsin and Upper Michigan. It was contended that the flat $30 annual fee is sufficient to finance the city film commission.

Color Plant Active

London, Jan. 18.—The British Technicolor plant, now active, claims a capacity of 24,000,000 feet annually.

Hutchinson Sails Jan. 27

London, Jan. 18.—Walter J. Hutchinson, foreign head of 20th Century-Fox, will leave England for New York on the *Berengaria* on Jan. 27, at the conclusion of world tour of company exchanges. He will be accompanied by Francis L. Harley, head of the company in London.

"Thin Man" Portland Hit

Portland, Jan. 18.—"After the Thin Man" is doing the biggest business of the past three years, according to J. J. Parker. It is going into a fourth week at the Broadway.

Variety Club

Detroit

Detroit, Jan. 18.—Variety's 1937 officers and directors were officially installed at a dinner in the Book-Cadillac, with John H. Harris of Pittsburgh, national president, and prominent city and county officials as guests.

The new officers include H. M. Richey, president; William Carlson, first vice-president; Alex Schreiber, second vice-president; David Newman, secretary, and Jack Saxe, treasurer.

The new directors include Frank A. Wetsman, William Flemion, Charles Perry, Frank Downey, Barney Kilbride and Carl Buermele.

Monday luncheons will be resumed at an early date and plans are under way for enlarging the club quarters.

Washington

Washington, Jan. 18.—The first of 1937's luncheons was held with more than 60 barkers and friends attending in the Willard Hotel's Willard Room.

Kings-for-the-day were Fox Movietone News' Arthur A. DeTitta and United Artists' Charles Kranz, who presented as the guest of honor Secretary of Commerce Daniel C. Roper, who spoke in glowing terms of the implied cooperation and the common interests of the groups represented in the Variety Club and of the fine work done in recent years by the industry.

Chief Barker Carter T. Barron announced the following committee assignments, made by the board of governors:

Finance—Samuel A. Galanty, chairman; J. Louis Rome, Joseph P. Morgan.

Executive—A. Julian Brylawski, chairman; John J. Payette, Rudolph Berger, Rome, Galanty.

As chairmen of committees, with power to name their own asociates were named:

House, A. E. Lichtman, with Archie Engel acting in the chairman's absence; Welfare, Rudolph Berger; Social Activities, Charles Kranz; Sports, Samuel A. Galanty; Ways and Means, Sidney B. Lust; Legal, Phil Ershler; Membership, Joseph P. Morgan; Entertainment, John J. Payette.

Recent new members are Gordon Hittenmark and David Frank.

The tent will hold open house for all exhibitors on Jan. 19, 20 and 21. A testimonial buffet supper and smoker will be tendered Sydney Lehman, recently promoted to Buffalo manager from salesman here by United Artists.

306 Agent's Trial Set

Trial of Joseph Kelban, Brooklyn business agent of Local 306, arrested Saturday on the complaint of Paul Weintraub, manager of the Folly in Brooklyn, was set for Jan. 26 yesterday when Kelban was arraigned in Brooklyn Special Sessions. Weintraub caused the arrest of Kelban when the latter allegedly ordered the lights in the theatre turned out when the management of the house, it is claimed, refused to pay $572 in back wages said to be due the projectionists. The arrest was protested yesterday by Joseph D. Basson, president of Local 306.

Film Business In Cleveland Good in 1936

(Continued from page 1)

Theatres; Henry Greenberger of the Community Circuit and M. B. Horwitz of the Washington Circuit state that the big jump in theatre attendance occurred in 1935 and that 1936 saw no advance over the previous year.

Manufacturing and industrial improvement in the Cleveland area is reflected in payment of bonuses at practically every important industrial plant in the city. Abundant money, huge bank deposits, low interest rates for financing enterprises and an upward trend in wholesale and retail prices are predicted by Col. Leonard P. Ayers, Cleveland banker and nationally known economist.

More than $1,000,000 was spent on construction of 13 theatres in this area during the past year, and theatres now under construction will boost that by approximately another $500,000.

The Cleveland trend is toward higher admission prices. An effort to accomplish this by mutual agreement is now under way.

Given good pictures and higher admission prices, Cleveland exhibitors anticipate a good year in 1937.

Columbus Gains General

Columbus, Jan. 18.—Substantial gains in all lines of business in the fourth Federal Reserve district, which embraces Ohio and parts of neighboring states, as indicated in statistics released by the Government, were reflected in general gains enjoyed in this local area during 1936.

An important index was the improvement in retail sales in this city of 12.5 per cent in 1936 as compared with 1935, and theatre business here gathered its share of the upturn. Retail trade for the year in the important cities included in the district ranged from 10 to 20 per cent.

Cincinnati Equals 1929

Cincinnati, Jan. 18.—Figures taken from the business review of the Chamber of Commerce for the first 11 months of 1936 indicate that the 12-month total will equal or surpass the peak year of 1929, since December business showed a decided spurt, with the inclusion of dividends, bonuses and salary increases.

Bank clearings, retail business, building permits, automobile registrations and general employment materially improved. Theatre business has shown excellent gains, approximating 35 to 40 per cent for the year, compared with 1935. Especially in the past few months, grosses have improved considerably. New theatre construction, remodeling and modernization have gone forward at a rapid rate.

Roger W. Babson, noted economist, in a recent study of local conditions, expressed the belief that the 1936 gains would continue throughout 1937. Current business, according to Babson, is 85 per cent above the depression low.

"Good Earth" Feb. 2

"The Good Earth" opens a two-a-day run at the Astor, Feb. 2. The coast premiere is set for the Carthay Circle, Hollywood, Jan. 29.

Looking 'Em Over

"Aces High"

(Commodore)

There is little to "Aces High" to recommend it other than for unimportant spots. A western, it drags throughout with overdone hokum and dreary dramatics. The photography is alternately passable and poor.

Harry Carey drifts into Durango and also into a clash with an old enemy. He soon learns of the death of an old friend and visits his daughter, who spills certain incriminating information. Carey sets out to right the wrong and, after a number of fist fights, hard riding and other necessary business, settles accounts with the mustached and bearded villain. The case includes Gertrude Messinger, "Snowflake," Phil Dunham, Chuck Morrison, Ed Cassity, Ted Lorch and Roy Williams. Harry Fraser directed.

Production Code Seal No. 1,669. Running time, 60 minutes. "G."

Out Hollywood Way

Hollywood, Jan. 18.—The next joint effort of Howard Estabrook and Frank Lloyd at Paramount will be a story built around the career of John Jacob Astor as a fur trader.

Oliver Hinsdell, who resigned recently as M-G-M talent school head, has joined Paramount in a similar job. . . . Busby Berkeley latest on the flu list. . . . Richard Lane in from Toledo to start his radio contract. . . . the Ralph Raingers parents of a daughter. . . . 20th Century-Fox holds Slim Summerville for two years. . . . Margot Grahame replaces Ketti Gallian in "Stepping Toes," next for Ginger Rogers and Fred Astaire at Radio. . . . Douglas Scott first leading man for Shirley Temple. . . . They'll appear in "Wee Willie Winkle," 20th Century-Fox.

Cary Grant to free lance when his Paramount contract expires Feb. 1. . . . George Hirliman will film "Loves Take Flight," his next for Grand National, in black and white instead of Hirlicolor as previously announced. . . . Luli Deste signed to term contract by Columbia. . . . Mervyn LeRoy picks "Great Garrick" as his next.

David Hertz, Goldwyn contract player, has play accepted by Jed Harris.

✚

Casting—Lillian Rich in "The Man in Possession," Janet Beecher in "The Old Soak," M-G-M. . . . Kay Francis gets lead in "Mazurka," Warners. . . . Veda Ann Borg in "Steel Highway," Teddy Hart and Mary Treen in "Talent Scout," same studio. . . . Junior Coughlin in "The Stones Cry Out," Universal. . . . Frank Frink, James Parker in "Without a Net," Republic.

Ray Flynn and Harry Lash in "A Day at the Races," Clarence Wilson in "Parnell," M-G-M. . . . Phil Regan gets singing lead in "The Hit Parade," Republic. . . . Minor Watson, Mary McLaren and Owen Davis, Jr., in "Escadrille," Radio. . . . Josephine Hutchinson in "The Life of Emile Zola," and David Carlyle replacing Gordon Oliver in "The Go-Getter," Warners. . . . Edward Ellis, Robert Wilcox in "The Stones Cry Out," Universal.

✚

Directors—Lewis D. Collins to direct "The Wildcatter," Universal. . . . Nate Watt signed by Harry Sherman to direct "The Round-Up," next Hopalong Cassidy.

✚

Story Buy—Columbia acquires "Right Guy," an original by Richard Wormser.

U. S. Films Gain in China, Report Shows

Washington, Jan. 18.—Notwithstanding the intensified efforts of European producers to improve their position in China, American films have continued to dominate the market, according to a report to the U. S. Dept. of Commerce from its Shanghai office.

Together with the quality of the American product, it is pointed out, this favorable situation has been due to ably directed distribution. Selection of pictures to be shown in China, the report states, is now based on the judgment of local representatives, a system which has enabled American producers to avoid censorship difficulties and the chance of exhibiting unsuitable productions.

In contrast to the gain made by American pictures, British production lost considerable ground in China.

Approximately 65 sound features and 16 silent were produced in Shanghai and Canton studios during 1935, according to the report. While figures for 1936 are not yet available, it is estimated that production in each case showed an appreciable increase.

A significant development in connection with domestically-produced pictures in China last year, the report shows, was a government decree forbidding the use of any dialect but Mandarin, the national Chinese language.

Reich-Made Films Irk France

Washington, Jan. 18.—The increasing number of French language films being produced in German studios is said to be causing concern to the French industry, according to a report to the U.S. Dept. of Commerce from Assistant Trade Commissioner E. C. Taylor in Paris. In such cases, it is pointed out, the producing companies and equipment are German and the principal actors are French.

At present, this class of picture enters the French market free of duty.

No 20th-Fox, G.B. Friction Lee Tells Men

(Continued from page 1)

world. G.B. is going on. Make no mistake about it."

Plans are under way to increase the number of pictures made by G.B. in London with many important Hollywood stars, it was stated yesterday in a company announcement. Jessie Matthews, who has left France for Rio de Janeiro, will sail shortly for New York to attend the American premiere at the Roxy of "Head Over Heels in Love." After a short stay here, Miss Matthews will return to London to begin work on her next production now being written by Lesser Samuels.

U. S. Firms Seeking Austrian Quota End

(Continued from page 1)

discrimination against American companies in favor of German and French producers.

Provisions of a commercial trade treaty between the United States and Austria are now being worked out in Washington, it is said, and unless the Kontigents are removed American companies, which distribute about 150 pictures annually in that country, will be forced to withdraw.

A heavy import assessment has been levied on all American pictures exclusive of the Kontigents, it is said, while German pictures are imported without Kontigents, according to a law passed some time ago, it was stated. France and Austria have a private agreement barring Kontigents, it was said.

Foreign representatives of American companies feel that moves for further increases in the Kontigent are due to pressure brought by the German Government, "which is trying to drive out American firms in as many countries as possible." It is also said "American film companies are carrying the burden for all other American industries doing business with Austria.

"The Kontigent should be done away with or the American Government should put Kontigents or some kind of restrictions on Austrian imports," the foreign sales representatives said.

"Winterset" Best in Foreign Press Poll

"Winterset" was judged the best American picture released in New York in 1936, in a poll of 39 foreign press correspondents here, conducted by Ernest Gunther, New York representative, for *Der Film*, German trade paper, to ascertain the 10 best films of the year. A point system was used.

Following "Winterset," in the order selected, were: "Mr. Deeds Goes to Town," "Modern Times," "Story of Louis Pasteur," "Romeo and Juliet," "Fury," "The Great Ziegfeld," "San Francisco," "These Three" and "The Green Pastures." Honorable mention went to "Dodsworth," "My Man Godfrey," "Lloyds of London," "Anthony Adverse," "Charge of the Light Brigade," "Mary of Scotland."

Last Night On the Air

"Aunt Jenny" Appears

The housewives, particularly those in the hinterlands, will simply love dear old "Aunt Jenny," whose "Real Life Stories" began on the CBS network yesterday at 1:45 P.M., E.S.T. "Aunt Jenny," according to the introductory statement made by the program's announcer, is a motherly sort of individual "with a heart as big as all outdoors" who is interested in all womanly problems.

"Aunt Jenny" proved to be a garrulous individual with an annoying habit of employing all the tried and true colloquialisms such as "land sakes," "I declare," and other similar expressions calculated to prove that she is the real old-fashioned motherly type, but once she got into the dramatization, she proved that she could really spin a yarn.

The opening episode told how a Martha Johnson, who had a "hankering for a home and kiddies," decided to marry a widower with four children, "an old skinflint," he was called by "Aunt Jenny," despite the fact that she had only met him twice. Martha's sister, Jane, thought that this was simply "scandalous" and tried to exact a promise from the town parson that he wouldn't "hitch" them. The parson, of course, refused to do any such thing, and so Martha and John Lewis, the town skinflint, were married.

How that marriage worked out will have to wait until tomorrow, for at this point the program ended. Our bet is that Martha probably will reform the old skinflint and make him the most lovable character in town.

"Aunt Jenny's Real Life Stories" are presented Mondays through Fridays at 1:45 P.M., E.S.T. over the CBS network, and sponsored by Lever Bros. for Spry, a cooking product.

BANNER

Power Shifts Sought For Frisco Stations

SAN FRANCISCO, Jan. 18.—What, what, no watts is a fair description of the local radio picture, with everybody except the two NBC outlets nursing a grudge against KFRC for its 5,000-watt power and choice downtown location of its transmitter on top the Don Lee sales plant.

KSFO, the new CBS outlet, is reported to be shopping strenuously for a site just outside town where it can locate a new transmitter so as to

(Continued on page 16)

Criss-Cross

Probably the first instance of one radio station buying time on another to advertise its competing products takes place this week when KECA presents the first of a weekly half-hour series over KFI. Both stations are in California, and both are owned by Earle C. Anthony, Inc. George McManus, prominent comic artist, is the star of the series.

Untapped Film Players on Air Less Than Three Dozen

(Continued from page 1)

as 1935, in *Motion Picture Herald's* annual canvass.

In addition to players' air performances, 66 appearances were made by non-actors. Film executives on the air, all for single guest performances, included: M. H. Aylesworth, chairman of the board of RKO; Al Altman, M-G-M's eastern talent scout; Fernando Barrionuevo of United Artists' foreign department; Dorothy Bucknall, of the M-G-M studio research department; Lou Diamond, in charge of Paramount's short subject distribution; Walt Disney; Dr. A. H. Giannini, president of United Artists; Louis B. Mayer; Nathaniel Shilkret, in charge of RKO's musical department; Sylvan Simon, Universal's sound test director; Homer G. Tasker, president of the Society of M. P. Engineers; Albert Warner of Warner Bros., and Mrs. Thomas G. Winter of the M. P. Producers' Ass'n on the coast, and the range of motion picture personnel on the air included Bill McDowall, head gate tender of the Paramount studio, and voice counterparts of Mickey Mouse, Minnie Mouse and Donald Duck.

Producers who broadcast included Alexander Korda, Jesse L. Lasky, Mervyn Le Roy, Mary Pickford, Max Reinhardt, and others. Cecil B. DeMille was the paid broadcaster for an entire series, while some of his directorial colleagues on the air included Rouben Mamoulian, Fred Niblo, John Blystone, Frank Borzage, D. W. Griffith and William K. Howard.

The air contributed but a few "big names" to the screen:—Kate Smith, Lanny Ross, Burns and Allen, Joe Penner, Rudy Vallee, Bing Crosby and Nelson Eddy. The performances of radio-film players were recorded as follows:

Film-Radio Players on the Air July 1 to Dec. 31	*No. of Guest Appearances*	*No. of Series Programs*
Jane Frohman	5	..
Donald Novis	2	2
Kate Smith	2	2
Don Ameche	2	1
Phil Regan	2	1
Lanny Ross	2	1
Frances Fay	2	..
Gracie Allen	1	2
Jack Benny	1	2
Bobby Breen	1	2
George Burns	1	2
Ramona	1	2
Benay Venuta	1	2
Bing Crosby	1	1
Deanna Durbin	1	1
Alexander Gray	1	1
Martha Raye	1	1
Virginia Verrill	1	1
Mabel Albertson	..	1
Fred Allen	..	1
Amos 'n' Andy	..	1
Teddy Bergman	..	1
Donn Briggs	..	1
Bob Burns	..	1
Frank Forrest	..	1
Jack Fulton	..	1
Tony Martin	..	1
Jennison Parker	..	1
"Parkyakarkus"		1
Joe Penner	..	1
Pickens Sisters	..	1
James Wallington	..	1

33 players appeared in 28 guest appearances, and 39 series programs; 21 players in single performances.

Grand Totals, Film-Radio Players:
54 players appeared in 49 guest appearances and 39 series programs.

Another class of player to which the motion picture has a strong claim, and to which radio staked a claim equally strong is the so called "stage-and-film" player, whose air performances in the six months totaled as follows:

Film-Stage Players on the Air July 1 to Dec. 31	*No. of Guest Appearances*	*No. of Series Programs*
Leslie Howard	6	1
Bill Robinson	5	..
Francis Lederer	4	..
Irene Bordoni	3	..
George Jessel	3	..
Helen Hayes	2	1
Gladys George	2	..
Walter Huston	2	..
Rex Ingram	2	..
Walter C. Kelly	2	..
Bert Lehr	2	..
Gertrude Lawrence	2	..
Margo	2	..
Eddie Peabody	2	..
Sophie Tucker	2	..
Joe Cook	1	2
Smith and Dale	1	1
Willie Howard	..	1

18 players appeared in 43 guest appearances, and 6 series programs; 28 players appeared in single performances only.

Grand Totals, Film-Stage Players:
46 players appeared in 71 guest appearances, and 6 series programs.

In addition to the previous groups, combination film-stage-and-radio players who performed on the air from July 1 to Dec. 31, include:

Film-Stage-Radio Players on the Air July 1 to Dec. 31	*No. of Guest Appearances*	*No. of Series Programs*
Morton Downey	5	1
Eddie Cantor	3	2
Frank Parker	3	2
Benny Fields	2	3
Al Jolson	2	2
Rudy Vallee	2	1
Ethel Waters	2	..
Dave Rubinoff	1	3
Frank Fay	1	2
Phil Harris	1	1
Jack Pearl	1	1
Ethel Shutta	1	1
Connie Boswell	1	..
Jimmy Durante	1	..
Ruth Etting	1	..
Reis and Dunn	1	..
Lillian Roth	1	..
Blossom Seeley	1	..
Tamara	1	..
Milton Berle	..	2
Ben Bernie	..	2
Gene Austin	..	1
Phil Baker	..	1
Ted Fio Rito	..	1
Vincent Lopez	..	1
Irene Noblette	..	1
Benny Rubin	..	1
Tim Ryan	..	1

28 players appeared in 31 guest appearances and 30 series programs.

Then there is the concert-film-radio performer, all "top-notch," and all singers—operatic and otherwise—who appeared on the air in the past six months as follows:

Film-Concert-Radio Players on the Air July 1 to Dec. 31	*No. of Guest Appearances*	*No. of Series Programs*
Grace Moore	3	1
Lily Pons	3	1
Gladys Swarthout	3	1
James Melton	2	2
Marion Talley	1	3
Paul Robeson	1	..
Nelson Eddy	..	2
Giovanni Martinelli	..	1
Nino Martini	..	1
Lawrence Tibbett	..	1

10 players appeared in 13 guest appearances, and 13 series programs.

Radio Personals

LEE EVERITT, NBC Washington staff announcer, had a bright idea the other morning. He decided that it would be a swell stunt to ride on an artillery caisson during the inaugural parade and describe the proceedings from that vantage point. He also decided that it would be a swell idea if he did it garbed in an army uniform. The officer in charge at Fort Myer, Va., said O. K., and Everitt went out and purchased himself a swell, tailored army uniform. Yesterday, however, he was informed that he'd have to wear what the army gave him, and further, that he'd have to report in at Fort Myer the morning of the inauguration at 6 A. M., to stand regular army inspection.

+

It's supposed to be a surprise, but Carole Lombard and Mitchel Leisen, director, will again appear on "Hollywood Hotel" Friday night to rib Fred MacMurray . . . John R. Kelley, auditor and office manager of WTAM, NBC station in Cleveland, is dead of a heart attack . . . William Shephard, news announcer at WHN has left for Dallas, where he will marry Betsy Bentley . . . Carlton Kelsey has taken over the leadership of the orchestra for the Wrigley "Poetic Melodies" program . . .

+

Merle Jones, sales promotion manager of KMOX, St. Louis, visiting in Chicago for a week . . . Jimmy Brierly and the Symphonettes, a girl trio, will guest appear on "Watch the Fun Go By" tonight . . . WOR will broadcast the proceedings from the National Aviation Show exclusively . . . Czechoslovakia's diplomatic corps in 19 countries will be supplied with all-wave Philco radio receivers . . .

+

Helen Kaplan, radio singer, lost a leg in an automobile accident in Boston yesterday. She still doesn't know that just after the accident a wire was received at her home from Rudy Vallee, informing her that her recent singing audition with his band had been successful and that a contract was waiting for her in New York. Rudy says Helen can still have the contract when she leaves the hospital.

+

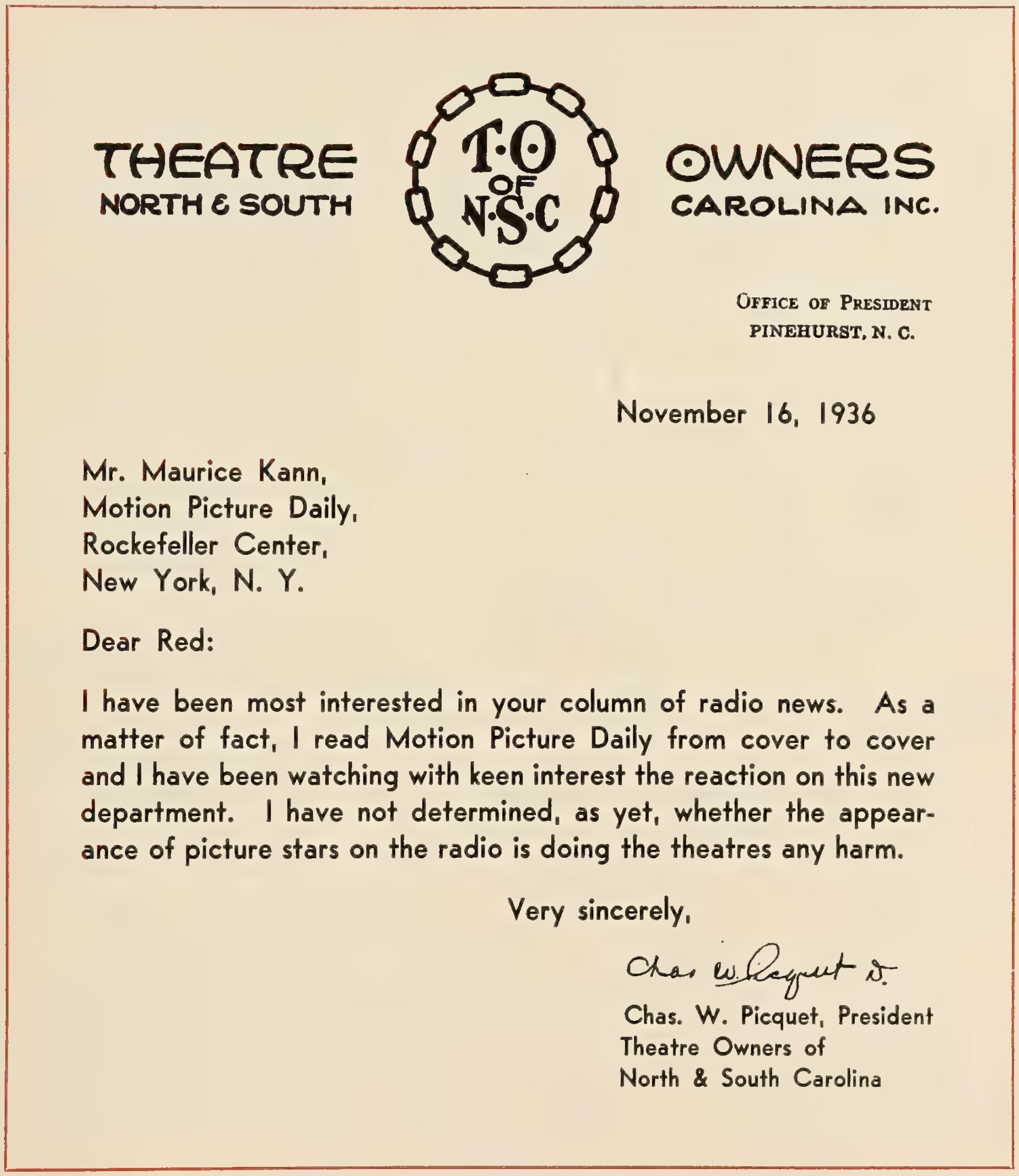
Russ Clancy, WHN chief announcer, is the proud papa of a baby girl . . . Vance Baab, manager of NBC's press division, leaves for Washington tonight . . . Richard Crooks has

(Continued on page 16)

It Clicked

Milwaukee, Jan. 18.—"Tune Furnishers," a "stump me" program conducted over WTMJ by Bob Heise, drew more than 500 letters in its first broadcast, a station record for a quarter hour premiere. Assisting on the program are Lillian Largay and Jack Martin, pianists. Heise attempts to sing songs named by listeners with awards for those fans who stump him.

Radio Acceptance



THEATRE OWNERS
NORTH & SOUTH CAROLINA INC.

OFFICE OF PRESIDENT
PINEHURST, N. C.

November 16, 1936

Mr. Maurice Kann,
Motion Picture Daily,
Rockefeller Center,
New York, N. Y.

Dear Red:

I have been most interested in your column of radio news. As a matter of fact, I read Motion Picture Daily from cover to cover and I have been watching with keen interest the reaction on this new department. I have not determined, as yet, whether the appearance of picture stars on the radio is doing the theatres any harm.

Very sincerely,

Chas W. Picquet

Chas. W. Picquet, President
Theatre Owners of
North & South Carolina

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

Radio

(*Continued from page* 14)

been invited to lunch at the White House . . . Bob Taplinger planed to the coast the other night, to be gone a week . . . Walter Koons, music editor at NBC, has been made an officer of the French Academy in recognition of his work in behalf of French music and artists. French Consul-General Count Charles Ferry de Fontnouvelle so informed Koons yesterday.

Power Shifts Sought For Frisco Stations

(*Continued from page* 14)

reach certain wealthy residential districts, notably Knob Hill, where KFRC is overshadowing all other stations on many sets, and especially KSFO since the two stations are close together on the dial.

KSFO is hoping for word anytime that its application to increase present 1,000-wattage to 5,000 has been granted by the F. C. C. Hearst's KYA recently received permission to effect an identical increase after a long wait.

KYA is having trouble with its new transmitter, which was to have been in operation on the Bay Shore highway Jan. 1. Heavy rains delayed erection of the tower, and the old equipment atop the Whitcomb Hotel is still being used.

Outside San Francisco, two Peninsula stations are understood to be planning to appeal to the F. C. C. for permission to increase power. They are KRE, in Berkeley, and Ralph Brunton's KQW of San Jose, while the Salinas *Daily Index-Journal* has filed application for permission to erect a new station in the lettuce-growing town 100 miles from here.

Bill Would Permit Short-Wave Station

Washington, Jan. 18.—Moving to safeguard the high frequency channels allocated by presidential order for use of Government stations to broadcast programs for Latin-American reception, Congressman Celler of New York will introduce a bill appropriating $750,000 for the construction of a short-wave station, it was learned here today.

Fears have been expressed by members of the Federal Communications Commission and by others interested that if use is not made of these frequencies they may be thrown back into the international pool and seized by some other country. To prevent this, both NBC and CBS have expressed their willingness to construct stations to use one of the frequencies, drawing down upon them the wrath of Commissioner George H. Payne of the Communications Commission, who has charged that a "vicious radio lobby" has nullified all efforts of the Government to build a station and is endeavoring to obtain the frequencies for commercial exploitation.

New S. S. S. Show Today

"Music for the Family" is the program which will replace "Tonic Time" on the Mutual network beginning torow at 8:30 P. M., E.S.T. The sponsor remains unchanged—the S. S. S. Co.

Purely Personal

Joe Hornstein will be given a party tonight in the Tower Room of the Park Central by the Monday Knighters in honor of his 33rd anniversary in the equipment business.

•

Al Finestone, associate editor of *Box Office,* became the father of an eight-pound boy on Saturday at Physicians' Hospital, Jackson Heights. Mother and son, Robert, are doing well.

•

Ken Hodkinson, G.B. home office sales representative, has left for a tour of exchanges, including St. Louis, Kansas City, Denver, Salt Lake City and San Francisco.

•

Harry Gold returned from Buffalo yesterday and left last night for Philadelphia, Pittsburgh, Cleveland, Cincinnati and other U.A. branches.

•

Edward Schnitzer left last night for Pittsburgh and a number of other Republic exchanges. He'll be gone a week.

•

John Shea, first amateur on MacQuarrie's Chase and Sanborn show, has received a long-term Warner contract.

•

Maurice Conn, who planned to leave over the weekend for the coast, now hopes to depart today.

•

J. J. Milstein is making a tour of Republic's southern exchanges, including Dallas, Charlotte and Tampa, Fla.

•

Dave Rosenzweig has opened the Craft, a 600-seat theatre at 232nd St. and Broadway.

•

Gradwell Sears will leave today for New Orleans and a swing of Warner exchanges.

•

Ken O'Brien of the U.A. publicity department yesterday returned to his desk.

•

Leopold Friedman has gone to Miami. Vacation stuff.

•

Milton Blackstone got back from Chicago yesterday.

•

Carl Leserman is back from a Boston trip.

•

Edward L. Alperson, president of Grand National, will leave for the coast Thursday. Accompanying him will be Pan Blumenthal, a personal friend. Alperson plans to be away about three weeks.

•

Frank Downey, Detroit manager for M-G-M, will leave for the automobile city tonight. He reports W. G. Bishop, exploiteer for the company, is rapidly recovering from pneumonia.

•

Howard Dietz returned late last night by plane from Juarez, Mexico, where he wed the former Mrs. Tanis Guinness Montagu of England over the weekend.

•

Dick Watts, drama critic of the *New York Herald-Tribune,* is in Hollywood for a few days. The dearth of new plays this week made it possible.

•

Morris Frantz of Loew's foreign department is handing out the cigars since Stephen Lee made it a threesome last week.

•

James Cagney is still around town and doesn't plan to leave for Hollywood for a few more days.

•

Sonja Henie's next for 20th Century-Fox will be "Hans Brinker and the Silver Skates."

•

Harry Buxbaum will be given a surprise birthday party at his home tonight by his friends.

•

E. T. Dawson of Progress Corp. has returned with his wife from a vacation in Miami.

•

Floyd Odlum arrived from the coast yesterday and leaves for Washington tonight.

•

Harry M. Warner and S. Charles Einfeld are due back from the coast next week.

•

Ed Kuykendall is expected here from Washington on Thursday.

•

Lou Phillips is in New Orleans. Due back in about a week.

NBC's Beam Station To Handle Inaugural

NBC's new directional-beam antenna for South American broadcasts will be placed in operation for the first time tomorrow during NBC's coverage of the inauguration. The broadcast of the ceremonies to South and Central America will start at 12:15 P. M., E.S.T. over W3XAL, NBC's short-wave transmitter at Bound Brook, N. J.

Max Jordan, NBC's European representative, now in the United States, will handle the broadcast. He will speak in Spanish, French and Italian, using the last two languages because the same broadcast is also being sent to Europe.

The new antenna will increase W3XAL's power six-fold. A directive antenna for European broadcasts also is under construction at Bound Brook. It will be completed some time in February.

Eddie Peabody Signed

Los Angeles, Jan. 18.—Eddie Peabody has been signed to an exclusive term contract by Harry Maizlish, manager of KFWB. The contract includes his services for radio, films, stage and as a radio producer and runs for 13 weeks with options over a long period. It will become effective Feb. 15.

Substitutes for Dragonette

Jessica Dragonette is still too ill to broadcast. Consequently Lanny Ross and Ruby Mercer will again substitute for her on the Palmolive "Beauty Box" program tomorrow at 9:30 P.M., E.S.T. on CBS.

Mabelle Jennings Quits CBS

Washington, Jan. 18.—Mabelle Jennings, for over a year affiliated with CBS's WJSV here, today resumed her position as dramatic editor of the Washington *Herald.*

Using Happy Ending In "Beloved Enemy"

United Artists has decided to use the alternative or "happy" ending for "The Beloved Enemy" after catching audience reactions in additional test showings in various sections of the country during which both the "happy" and the original, or "sad" ending, were used, A. W. Smith, Jr., said yesterday.

After initial reaction to the ending, in which Brian Aherne is fatally shot, that ending was continued during the picture's run both here and in Philadelphia. Later reaction, however, prompted a switch to the ending in which Aherne recovers from the shooting, and this now will be standard in the picture wherever released.

To Attend League Meet

Various entertainment unions in New York will be represented at the conference of the American League Against War and Fascism which will be held at Stuyvesant High School and the New School for Social Research, Jan. 29 and 30. Among the union leaders who will attend are Jack Rosenberg, president, and William Feinberg, secretary-treasurer, of Local 802 of the A.F.M.; Albert Hyman of the N. Y. Signwriters' Union, and Vincent Jacoby, business agent of the Stagehands' Protective Assn.

Allied Meeting Plans Made

Cleveland, Jan. 18.—M. B. Horowitz, general manager of the Washington circuit, will join Martin G. Smith of Toledo, president of I.T.O. of Ohio, and P. J. Wood, secretary, at the Allied directors' meeting in Washington this week. All three will remain for the inauguration.

"Promise" Closing

"Promise," stage play which opened at the Little Theatre Dec. 30, closes Saturday night when it will have played 29 performances.

Wall Street

Loew's Hits New Board High

	High	Low	Close	Net Change
Columbia	36¾	36½	36¾	— ⅛
Columbia, pfd.	45	45	45	— ½
Consolidated	5¼	5⅛	5¼	.....
Consolidated, pfd.	18	17½	17½	— ½
Eastman	175	174	174	—1
Gen. T. Equip.	32⅝	31¼	31¼	— ⅞
Loew's, Inc., pfd.	71½	70⅝	71½	+1¼
Paramount	26½	25⅝	26¼	.....
Paramount 1 pfd.	184⅝	184⅝	184⅝	+ ⅜
Paramount 2 pfd.	23⅞	23½	23½	.....
Pathe	10	9¾	9¾	— ⅛
RKO	8¾	8½	8½	— ⅛
20th Century-Fox.	37⅜	36½	36⅝	— ⅜
20th Century, pfd.	46	46	46	— ½
Universal, pfd.	108	102	106	+4
Warner Bros.	17⅜	16⅞	17	— ⅜

Curb Shows Light Upturn

	High	Low	Close	Net Change
Grand National	3⅞	3¼	3¾	+ ⅜
Sonotone	2⅛	2	2⅛	+ ⅛
Technicolor	21½	21¼	21½	+ ¼
Trans-Lux	4⅜	4¼	4¼	— ⅛
Universal Pict.	19	18	18	+1½

Little Bond Activity

	High	Low	Close	Net Change
Loew's 3½s '46	101	100⅝	100⅞	+ ⅛
Paramount B'way 3s '55	74	73¾	73¾	— ¼
Paramount Pict. 6s '55	100½	100⅜	100⅜	.....
RKO 6s '41 pp.	123⅜	122¾	122¾	— ¾
Warner Bros. 6s '39 wd	99⅛	99	99⅛	.....

(Quotations at close of Jan. 18)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 16 NEW YORK, WEDNESDAY, JANUARY 20, 1937 TEN CENTS

London Found Theatre Year Good in 1936

GB Deal, Moyne Report Caused Excitement

Herewith is the first of a series of articles from Motion Picture Daily's *foreign correspondents, reviewing in highlight the industry's status during* 1936, *with forecasts for* 1937.

By BRUCE ALLAN

LONDON, Jan. 11.—The year just closed was one of the best, at the box-office, within recent memory. The bad summer weather helped. With his cheapest seats tax-free, the theatre man really had a chance to make up leeway, and took it.

Complaints of the prevailing scale of film rentals, which on a percentage basis average out at about 40 per cent of gross, are still loud enough, but lost a little of their urgency in the face of the improved profit margin. Exhibitors, as their main grievance of the year, seized on overbuilding. Under its British title, redundancy, it was a leading topic at the C. E. A. summer conference at Eastbourne, has led to various, and variously successful, attempts at control by the

(*Continued on page* 8)

Bill in Indiana Seeks To Outlaw Giveaways

INDIANAPOLIS, Jan. 19.—Aimed directly at Bank Night, a bill to prohibit the operation of lotteries in places where admission is charged was introduced in the House of Representatives here today by Harry Mutler, operator of the State, Anderson. The bill provides a fine of $50 to $100 for violation to which a jail sentence of six months may be added. Mutler stated:

"Syndicates from outside the state

(*Continued on page* 7)

Elman Will Start 3 Capitol Exchanges

Henri Ellman, head of the Capitol Film Exchange in Chicago, will soon open exchanges in Indianapolis, Milwaukee and St. Louis, he stated yesterday. He expects to open the first two within the next month and the St. Louis branch later.

Elman has just closed with Harry H. Thomas for "The New Gulliver" for Chicago, Indianapolis and Milwaukee. He has also completed negotiations with Nat Saland for 25 features

(*Continued on page* 7)

Theatre Total Up 880 To 16,258 During Year

Seats Reach 10,440,632 As Business Picks Up; Circuits Expand

The pronounced business recovery in the nation and the industry during 1936 is reflected in the opening during the year of 880 more theatres than were in operation at the close of 1935, according to the annual tabulation of the Film Boards of Trade, made public yesterday, which shows a total of 16,258 open theatres, or a gain of 5.4 per cent over the preceding year.

The 16,258 theatres now in operation have a total seating capacity of 10,440,632, which compares with a total of 15,378 houses having 10,098,920 seats which were in operation at the end of 1935.

The total number of open and closed theatres in the United States at the end of 1936 was 18,818, or a gain of 310 houses over the 18,508 of the preceding year. Thus while the number of theatres in operation was increased by 880, the total of both open and closed houses increased by only 310, revealing that new theatre construction in the United States accounted for much less of the gain in 1936 than the reopenings of closed theatres. The gain over the preceding year in the total number of houses amounted to 1.6 per cent last year.

The gain in seating capacity of

(*Continued on page* 8)

Grosses Hit 4-Year High, $2,262,950

Another four-year record was broken by New Year grosses which soared to $2,262,950 in 29 key cities with 175 first run theatres reporting.

This figure was $172,806 above the $2,090,144 record established for Labor Day week when the opening of the new season signalized a sensational jump from depression levels.

The record was the second consecutive week over the $2,000,000 mark. For the previous week, ending Jan. 2-3, the total was $2,037,040. This

(*Continued on page* 7)

Loew Checkers Going To 7 More Exchanges

Loew's will install its own checking system in seven more exchanges within the next three weeks. Col. E. A. Schiller, who is supervising the plan, will leave Friday with Alan Cummings for Chicago, the first of the latest group to adopt the system. After a short stay Schiller will head for the coast with Cummings following later.

The other offices which will inaugurate the plan are San Francisco,

(*Continued on page* 4)

Program Set for Meeting of Allied

BALTIMORE, Jan. 19.—Seven committees and the program for the two-day national board of directors meeting of Allied, which will get under way here at the Emerson Thursday, were disclosed today.

The committees are:

Special Defense: W. A. Steffes, chairman; S. E. Samuelson and H. A. Cole, active members; Nathan Yamins and Abram F. Myers, ex-officio members; and James C. Ritter, treasurer, and H. M. Richey, secretary.

Nominating: Yamins, chairman; Steffes, Ritter, and Samuelson.

Finance: Herman A. Blum, chair-

(*Continued on page* 4)

Todd Is Elected to Grand Nat'l Board

Kirk W. Todd of K. W. Todd Co., Pittsburgh investment firm, yesterday was named to the Grand National board succeeding Robert W. Atkins, who resigned some time ago. Todd

(*Continued on page* 4)

"Plainsman" Pulls $60,000 First Week

"The Plainsman" at the Paramount last night wound up its first week with a strong $60,000. Ray Noble and his band are on the stage. "Hideaway

(*Continued on page* 4)

Radio Using Film Players To Sell Gum, Coal, Tin, Ice

Radio's biggest advertisers and how they use film talent are discussed in this, the third installment, of a survey into both fields.

By JAMES P. CUNNINGHAM

Radio's advertisers today are using the popularity of picture stars to sell everything from canned beans and laxatives to chewing gum and electrical appliances, coal, tin cans, ice, dandruff removers, patented medicines and body-odor antidotes. Thus while the film industry is spending some $80,000,000 a year to advertise and publicize the glamour of its stars, radio uses them—for a price, of course—to dispense Kraft Cheese, Campbell's Soup, Fleischmann's Yeast, Feenamint Laxative, and whatnot.

Time Magazine, Inc., is the only paying advertiser on the air promoting the business of a motion picture—The March of Time, newsreel magazine releasing through RKO. The Capitol and Radio City's Music Hall are the only two theatres broadcasting on a

(*Continued on page* 6)

Additional Radio News—Page 6

Expect $2,000,000 Warner Quarter Net

Warners first quarterly report for the current fiscal year will be ready the end of the week, it was learned yesterday. The report will show earnings up to Nov. 28, last, of slightly over $2,000,000, as indicated at the annual stockholders meeting in Wilmington last month.

Due to the absence of Harry M. Warner, president, and Albert Warner, the regular board meeting has been adjourned until next month. Harry Warner is due back from the coast on Feb. 1, following which the board meeting will be held.

Fox Theatres to Pay 5 Per Cent Dividend

Federal Judge Martin T. Manton yesterday authorized the payment of a five per cent dividend to all holders of allowed claims against the Fox

(*Continued on page* 7)

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JAMES A. CRON, *Advertising Manager*

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Connecticut MPTO In National Group

New Haven, Jan. 19.—The M. P. T. O. of Connecticut today voted unanimously to affiliate with M. P. T. O. A. Arthur H. Lockwood of Middletown was elected to represent the local organization on the directorate of the national body.

The delegate to the coming convention at Miami will be Irving C. Jacobs, Jr., of Branford.

Zukor Lauds Employes

Chicago, Jan. 19.—Adolph Zukor missed a luncheon with newspaper reporters today to visit personal friends at the Paramount exchange where he paid tribute to Herman Bush, Louis Goldberg and William Hamm, veteran employes of the company.

John Balaban substituted for Zukor at the luncheon, telling the assemblage of his recent trip to the studios.

It is understood that Zukor is here for conferences with local bankers. The producer could not be reached for confirmation.

Insiders' Outlook

By RED KANN

NICE of the boys to continue making columning easier. For instance, yesterday ushered in the debut of the eight-page house organ of the Independent Theatre Owners' Association, Inc., the New York organization headed by Harry Brandt. *The Independent* is its name. The contents included Brandt at the mike again about the need—the immediate need, mind you—of a new national theatre alliance to combat industry evils. Also an editorial about the necessity for the elimination of score charges. And a sort of blast about producer-exhibitors who give away "as much as $1,500 in one night at their theatres which makes the small exhibitor look silly with the amounts he can afford to spend." Motion Picture Daily appeared as well. . . .

Now the quotes which help us to drop office cares earlier:

> A few weeks ago Motion Picture Daily became a trifle impatient at the manner in which the ITOA held its meetings, and went in for a bit of wrist-slapping in its news columns.
>
> In a front-page story with a two-column head at the top of the page, the publication bemoaned the fact that while the ITOA has many important matters under consideration, it hasn't done anything about them. How it arrived at that conclusion is easily guessed: the ITOA just hasn't told anybody what it is doing. Motion Picture Daily is so modest that it believes what it doesn't know just doesn't exist. A good strategist never tips his hand; the police never give out any news until a case is cracked, and the ITOA is not giving out any information until it wants to. Not even if Motion Picture Daily is hard up for news.
>
> The paper was peeved that the ITOA had taken no action against Fire Commissioner McElligott's threat to introduce an ordinance to ban smoking in theatres. When the time comes, the ITOA will look after the matter in its own way without the unsolicited advice of Motion Picture Daily.
>
> The story went on to say that "there is a remote possibility" that the organization will remind itself to talk about score charges in future meetings. We agree wholeheartedly with that statement. Not only will it remind itself about score charges, but action on score charges is now going on, and has been for some time. At the present, however, the ITOA does not feel like revealing its plans to the press, least of all Motion Picture Daily. And believe it or not, there is nothing Motion Picture Daily can do about it.
>
> This is written more in sorrow than in anger. Sorrow at the mean and petty stand of a daily paper and its small regard for the action of its constituents.
>
> We might end up by saying that it is a fortunate thing that Motion Picture Daily carries advertising, for otherwise there would be nothing to read. But we won't.

▼

Only advertising and nothing to read is it! The editor of *The Independent* apparently found something to his interest. . . .

▼ ▼

The annual Film Board figures, discussed in detail elsewhere in this edition, command attention for the story they impart. As the new year dawned, to pick out highlights here, operating theatres ran to 16,258 or 880 more than had their caps in the ring at the end of 1935. In percentages, if you like it that way, the increase of 1936 over its predecessor is 5.4. Of particular significance because of the trend indicated is the bracket on chain houses. In 1936, affiliated theatres gained 205 with bulked seats of 31,844 to an aggregate of 2,397 houses and 2,940,070 seats—a natural increase if you bear in mind that good times are no longer talked about, but actually have arrived. Your attention now for what follows: Unaffiliated circuits jumped 446 houses and 238,233 seats, making their national total last year 3,910 houses with 3,005,039 seats. . . .

▼

The bigger and the better theatres are in the hands of the affiliates; no news in that. And, while the actual number may be less, little speculation revolves around their massed power. Indicating the manner, if not the speed, with which single operators are either giving up the ghost, forced by competition into affiliated or unaffiliated circuit alliances or spreading out into chains of their own is the data on solo theatres. In 1936, as in several years preceding, their trend was down stream to a final year-end total of 12,511 houses seating 5,525,790. The period reflected a loss of 341 houses and 107,219 seats in individual operation. . . .

▼

The development in unaffiliated circuits causes us to recall that, when yells are let loose in this business, the war whoops swirl around the heads of the big theatre operators. Their record, as a group, is not by any means free of blots, the blots spread about by unreasonable clearance demands, in particular. But and while much has been charged and published on this score, too little has been said over the years about the same sort of tactics, practiced in the same way by the unaffiliated circuit man who is exactly like his brother except for the producer affiliation. For the inequities which come with power appear to be inherent in both classifications and not peculiar to one or the other. . . .

▼ ▼

Gypsy Rose Lee either has signed, or will sign, a contract carrying her from burlesque and strip teasing to Hollywood and a contract in one jump. Twentieth Century-Fox which went unusual by tying her up on an option for a test is now prepared to follow the option with the usual, which is a contract. Up and down, as well as across the country, now goes the Associated Press dispatch from Hollywood quoting that studio with a "deal is practically closed" statement and adds on its own, which is the truth, thus ends "spirited bidding for Miss Lee's talents by virtually all of the major film companies." No contract may have been signatured as yet, but the signs are positive that one will be by Twentieth Century-Fox or some other of the major lots. This department has had its say not once, but on several occasions, on how it regards the entrance of not Miss Lee, for Miss Lee's sake, but of Miss Lee, the strip teaser dancer, into the film fraternity. By this time, the attitude ought to be pretty clearly established. There is no reason to change its mind or its point of view or the deploring shaking of the head with which the about-to-be news is greeted. . . .

▼ ▼

Flipping the pages of the past and, in this case, the bound volumes makes for fun and an interesting pastime. Only yesterday there showed up for no particular reason the issue of January 18, 1935 with a London dispatch declaring Gaumont British may distribute B.I.P. in the United States. It took two years for this to come about. Elsewhere the word would be hailed as a scoop. All in the day's work in these parts. . . .

▼ ▼

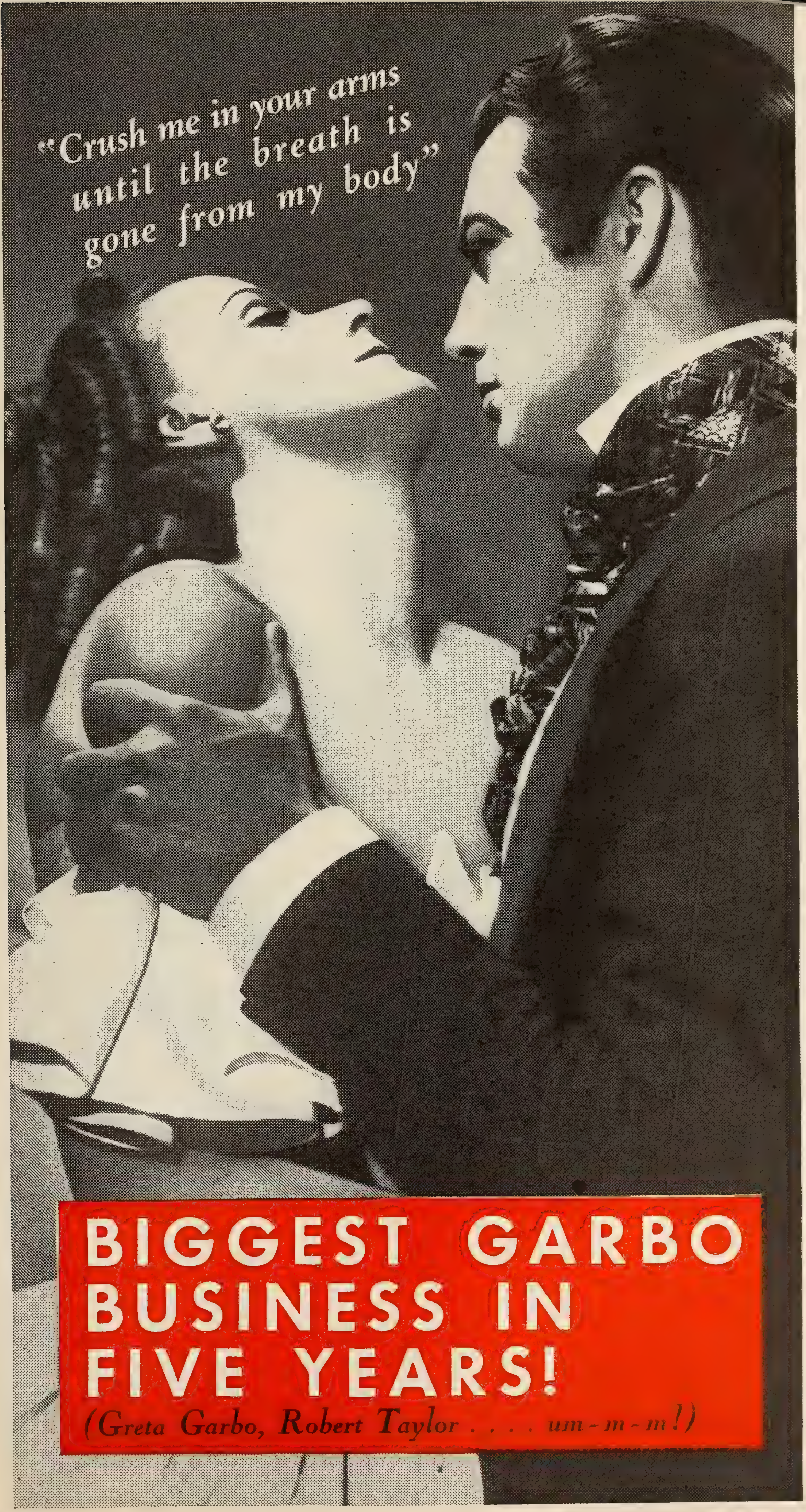
Doug Fairbanks, Jr., in the annual number of *The Daily Film Renter* of London:

> There are something like 200,000 foreigners connected with films in Hollywood (of which over 12,000 are British).

Proof conclusive that actors should stick to acting. . . .

Ascap Hears W. B. Plea

Warners' request for reclassification of the availability ratings given to Harms, Inc., and Witmark, its music publishing subsidiaries, will be considered further at a meeting of the board of Ascap tomorrow, it was stated yesterday following a special board meeting called to consider the Warner representations.


"Crush me in your arms until the breath is gone from my body"
BIGGEST GARBO BUSINESS IN FIVE YEARS!
(Greta Garbo, Robert Taylor . . . . um-m-m!)

2ND WEEK!

Houston
Portland
New Haven
Pittsburgh
Washington
Providence
Philadelphia
and watch for more!

GARBO
ves
TAYLOR
in
ILLE"
Barrymore,
Allan, Jessie
nry Daniell,
Ulric, Laura
. Directed by
or. A Metro-
Mayer-Picture

◂ Purely Personal ▸

LOU K. SIDNEY, head of WHN, has returned from the coast where he visited his son, George, a tester at the M-G-M studios, and 10 days at Palm Springs at Lucien Hubbard's ranch. He came back on the same train with Edgar Selwyn and Benny Thau, the latter assistant to Edward J. Mannix. Thau will sail today for London on the *Berengaria* on an assignment by Louis B. Mayer.

●

Al Sachson, sales department executive at Warners, was made an admiral of the "American Flagship" yesterday by Grad Sears. Sachson made his first flight to Chicago recently.

●

Milton Berle yesterday was awarded the *Mirror*-Ted Friend Gold Medal for the outstanding performance of the year in the night club field. Then he left for the coast to start work in Radio's "New Faces of 1937."

●

Joe Hornstein was given an onyx and silver desk set last night by the Monday Knighters which tendered him a party at the Park Central in honor of his 33 years in the equipment business.

●

William Morris, Jr., and Mrs. Morris left for Washington last night to attend the inauguration as guests of Jack Lait, of the *Daily News*.

●

Leo and Mrs. Justin will board a Miami train tomorrow. After a few days in Florida, they will head for Mexico City.

●

Harry Buxbaum's force gave him a birthday party at the 20th Century-Fox exchange yesterday as a surprise.

●

Eddie Garr left for the coast yesterday where he will shortly start work at the Universal studios.

●

Arthur A. Lee, G.B. vice-president, left yesterday for a quick business trip to Philadelphia.

●

Gradwell L. Sears left for New Orleans and other southern Warner exchanges yesterday.

Flash Previews

"Dangerous Number" — Comedy — every kind from ancient slapstick to moderately good—this is a program picture of average quality.

"Park Avenue Logger" — George O'Brien in an amusing story of an easterner thrown suddenly among logging camp gangs.

"Don't Pull Your Punches"—Plenty of fighting, making a good film for those who like the two-fisted stuff.

These films will be reviewed in full in a coming issue of Motion Picture Daily.

Hughes Sets Another

Flying at an average speed of 332 miles per hour, Howard Hughes set a new trans-continental flying record yesterday when he put his plane down at the Newark Airport seven hours, 28 minutes and 27 seconds after he had left Los Angeles. The distance traversed was 2,490 miles.

Universal Sued by Los Angeles Bank

Los Angeles, Jan. 19.—Union Bank and Trust Company today filed suit in Superior Court here against Universal Pictures Corp. for $35,256.99, basing its claim on a judgment secured ten years ago in Germany by Joe May, film director. The judgment was awarded May at the time on the ground that Universal breached a contract with him to direct German films.

May recently assigned the judgment to the local bank which filed suit through Ellis R. Hirshfield. The amount involved represents value of judgment plus accrued interest and court costs.

Momand Appeal Case Opens

Oklahoma City, Jan. 19.—The appeal of A. B. Momand, Shawnee operator, in a $4,000,000 suit charging conspiracy with intent to form a monopoly was begun late today in the U. S. Circuit Court of Appeals.

The case appears on the docket as A. B. Momand, appellant, vs. Paramount Publix Corp., et al. Eighteen other film companies are listed as appellees. They include: Publix Theatres, United Artists, RKO, Pathe Exchange, Inc., Warner Bros., Vitagraph, Inc., Vitaphone Corp., Warner Bros. Theatres, First National Pictures, Fox Film, Columbia Pictures, M-G-M, Universal, Griffith Amusement Co., Consolidated Amusement Co., Consolidated Theatres, Educational Film Exchange and John B. Terry.

The appeal is being heard by Circuit Judges R. E. Phillips, Sam G. Bretton and District Judge Tilman G. Johnson.

Author Sues Liberty

A suit for $120,000 has been filed by Eleanor Gates against Liberty Pictures Corp. and M. H. Hoffman. Miss Gates charges "Once to Every Bachelor," produced in 1934, was based on her story, "The Search for Spring," and further alleges that the picture was inferior and without literary merit and that she cannot dispose of "The Search for Spring" as a result.

The defendants claim they purchased "The Search for Spring" from J. Dacey, who claimed to have full rights to the story. A bill of particulars and examination before trial will be asked this morning before N. Y. Supreme Court Justice Richard P. Lydon.

"Plainsman" Pulls $60,000 First Week

(Continued from page 1)

Girl" at the Rialto garnered $8,000, while the second week of "Great Guy" at the Criterion ended with slightly less than $19,000.

As expected, the Music Hall will hold "Lloyds of London" for a second week, starting tomorrow.

Loew Checkers Going To 7 More Exchanges

(Continued from page 1)

Los Angeles, Seattle, Portland, Milwaukee and Indianapolis. Schiller and Cummings plan to return in about a month. With these seven exchanges, Loew's will have the system in 17 of 32 branches.

Program Set for Meeting of Allied

(Continued from page 1)

man; Martin G. Smith, Fred DeLodder, Aaron Saperstein, Lew W. Newbury, M. A. Rosenberg, C. H. Olive, and R. R. Bair.

State Legislation: Maurice Rubin, chairman; A. Bendslev, Samuelson, Fred J. Herrington, P. J. Wood, Cole, and E. F. Maertz.

National Legislation: W. B. Littlefield, chairman; J. B. Fishman, John Griffin, M. B. Horwitz, E. L. Peaslee, I. R. Holycross, and R. A. Tesch.

Convention: H. M. Richey, chairman; Edward Ansin, A. E. Lichtman, Fred J. Herrington, Wood, and such others as the chairman may see fit to designate.

Maryland Committee on Arrangements: Arthur B. Price, chairman; Blum, L. C. Garman, Sam Soltz, Jack Whittle, and such others the chairman may add.

The program for Thursday morning calls for a report by Yamins, a report by Myers, a canvass of opinion on the activities to be emphasized during the ensuing year, and adoption of a schedule for subsequent meetings and designation of such additional committees as may be needed.

A luncheon will be tendered to the visiting directors by the M. P. T. O. of Maryland at the Emerson.

The afternoon session will resume at 3 P. M., for a discussion of Allied's plans and objectives with emphasis on legislation and trade practices and the hearing of such committee reports, if any, that are ready.

Dinner Scheduled

At night a dinner will be given by the National Allied organization which will be formal, following which there will be a meeting of the special defense committee in Steffes' room. Mayor Jackson of Baltimore and other city and state officials are slated to attend the dinner.

On Friday the first business of the day will be resumption of deliberations and the hearing of reports with time allotted for consideration of public liability insurance and independent production.

Again the visitors will be guests of the local unit at luncheon. The final business session will be reserved primarily for reports of the finance and nominating committees and adoption of a schedule of dues and election of officers.

Directors and alternates who will be on hand include Ansin, Bair, Bendslev, Blum, Cole, DeLodder, Fishman, Garman, Griffin, J. H. Hiser, Herrington, William Hicks, Holycross, Arthur K. Howard, Horwitz, Lichtman, Littlefield, Maertz, Myers, Newbury, Olive, Peaslee, Price, Richey, Ritter, Rosenberg, Rubin, Samuelson, Saperstein, Maurice Shulman, Smith, Soltz, Steffes, Tesch, Wood and Yamins.

A number of members from various units also are expected to attend. Yamins is scheduled to be replaced as head of the organization by a man who has never held the post before. This is in line with Allied's plan to rotate the presidency.

Name N. E. Delegates

Boston, Jan. 19.—Nathan Yamins, president of Allied, Walter B. Littlefield, Arthur K. Howard and A. Bendslev, who will represent the Independent Exhibitors, Inc., at the two-day convention of Allied's national directors in Baltimore, will leave tomorrow for the Emerson Hotel where the sessions get under way Thursday.

Todd Is Elected to Grand Nat'l Board

(Continued from page 1)

represents a group of bankers and investors who have acquired a large block of Grand National stock including the holdings of Pathe.

In addition to heading his own company, Todd is chairman of Central Ohio Steel Products and Jeannette Glass Co.

Edward L. Alperson, president of Grand National, leaves tomorrow for a three-week visit to the coast.

Five Loew Theatres To Open Thursdays

Starting tomorrow, five Loew theatres will change opening days from Friday to Thursday. The theatres are the Lexington, Ziegfeld, 175th St., 72nd St., and 83rd St. In succeeding weeks other houses in the circuit will make the shift until the entire Greater New York group will be on a Thursday change basis, including the State and Capitol on Broadway.

Dreher Is Chairman For Academy Awards

Hollywood, Jan. 19.—Carl Dreher has been appointed for his fifth term as chairman of the board of judges for the Academy's scientific or technical award, it was stated here today by Nathan Levinson.

The rules governing the award have been amended this year to provide for the naming of sub-committees of representatives from various professional fields in which nominations have been made to appraise the nomination and assist the board in arriving at its decision. Members of these sub-committees will be named by the chairman of the board of judges Feb. 11.

See Radio A Film Jump

Hollywood, Jan. 19.—With the completion of the second day of the RKO product conference here the belief prevails that the company has decided on a definite increase in the number of A pictures, the increase of budgets and a reduction in the production of the lower priced films.

No official statement has been issued by the executives attending the conference.

Brulatour Luncheon Host

Jules E. Brulatour was host yesterday at a luncheon given in the Crane Room of the Waldorf-Astoria in honor of E. E. Blake, managing director of Kodak, Ltd., London, and Harry Shilton, managing director of Kodak-Pathe Co. of Paris.

About 20 industry leaders attended.

Yates on Coast

Hollywood, Jan. 19.—Herbert J. Yates arrived here today for conferences which are expected to lead to a shakeup in the production personnel at Republic.

Newbury, Samuelson Leaving

Allied of New Jersey held an informal meeting at its headquarters at the Lincoln yesterday. Lee Newbury, president, and Sidney E. Samuelson, will leave today for Baltimore for the Allied board meetings.

Smith to Pittsburgh For Schaefer Drive

A. W. Smith, Jr., general sales manager of U. A., left for Pittsburgh yesterday to confer with Harry Gold, eastern sales manager; Haskell Masters, Canadian sales manager, and Bert Stearn, district manager, in connection with the George J. Schaefer sales drive which will get under way Jan. 24 and continue for 14 weeks.

After the Pittsburgh session, Smith will go to Chicago where he will discuss details of the drive with L. Jack Schlaifer, western sales head; Ben Fish and Jack Goldhar, district managers. Smith is due back Friday to approve final plans on the drive. He is in charge of the drive with Schlaifer handling the west; Gold, the east, and Masters, Canada.

Dysart Heads Company

St. Louis, Jan. 19.—Thomas N. Dysart was elected president of the St. Louis Amusement Co. for the year at a meeting of stockholders here today. Other officers named were: William T. Nardin and Harry C. Arthur, Jr., vice-presidents; Frederick H. Kreismann, secretary; Clarence M. Turley, treasurer. The five also were elected to the board. The annual report of the officers indicated excellent business in 1936.

Radnor Denies Interest

London, Jan. 19.—Lord Radnor denied here today that he had any connection with the newly formed British National of America or any other film interests.

Ohio Floods Delay Delivery of Film

Cincinnati, Jan. 19. — Flooded roads in this area have caused delays of from eight to 10 hours in truck deliveries of film to Portsmouth, Marietta, Charleston, Point Pleasant, W. Va., Ashland, Ky., and many other points.

The Ohio River, now at 57 feet, is rising rapidly and is expected to reach the 60-foot flood level. Railroad transportation probably will be abandoned if the rise continues.

The Opera House at New Richmond, O., has shut its doors because of high water. No other situations are closed at the moment, but are preparing to do so in the event of flood.

Farewell for Schlaifer

Omaha, Jan. 19.—Charles Schlaifer, who has resigned as Tri-States publicity and advertising director in Omaha to become advertising manager of the San Francisco United Artists theatre, was given a farewell luncheon by Variety club.

Chief Barker Ted Mendenhall, Tri-States District Manager E. R. Cummings and Manager Bill Miskell of the Orpheum, a Tri-State house, spoke. The club presented him a traveling bag, and Tri-States gave him a brief case.

Boleslawski Buried

Hollywood, Jan. 19.—The funeral of Richard Boleslawski, held here today, was attended by M-G-M executives and friends. Burial took place in Calvary Cemetery instead of Forest Lawn as previously announced.

Paramount and Loew Issues at New Highs

All three Paramount issues and Loew's common yesterday soared to new highs on the stock exchange with bulk lots being traded throughout the day. The Paramount issues closed at top prices while Loew's, which touched 74, finished the day at 73⅜ for a profit of 1⅞ points on a turnover of 6,600 shares.

The Paramount common closed at 27⅝ for a gain of 1⅜, with 72,000 shares changing hands; the first preferred closed at 192½ for a plus 7⅞ on a turnover of 3,800 shares; the second preferred ended at 24⅞ with a plus 1⅜ with 5,600 shares traded.

Activity on these stocks within the past few weeks has led all other film issues.

Griffis Buys 20,000 Shares

Stanton Griffis, chairman of the executive committee of Paramount, reported the acquisition of an additional 20,000 shares of Madison Square Garden stock, which, with the 20,000 shares previously owned, makes him the largest individual stockholder of the Garden. Griffis is chairman of the Garden Corp. and a partner in Hemphill, Noyes & Co.

The addition to his holdings was acquired from Atlas Corp. at an indicated price of $250,000. Atlas still holds 18,000 shares of Garden stock.

English Film Unit Moves

London, Jan. 19.—The Films Branch of the Board of Trade has moved its offices to Horseferry House, Horseferry Road, S.W.I.

Wall Street

Marked Gains on Board

	High	Low	Close	Net Change
Columbia	37½	36	37½	+ ¾
Columbia, pfd.....	45½	45⅛	45½	+ ½
Consolidated	5¼	5⅛	5⅛	— ⅛
Consolidated, pfd..	17½	17½	17½	.....
Eastman Kodak ...	174	174	174	.....
Eastman, pfd. ...	161½	160½	161½	+1½
Gen. T. Equip.....	32	31¼	31⅜	+ ⅛
Loew's, Inc.	74	71½	73⅜	+1⅞
Paramount	27⅝	25¾	27⅝	+1⅜
Paramount 1 pfd..	192½	183¾	192½	+7⅞
Paramount 2 pfd..	24⅞	23½	24⅞	+1⅜
Pathe Film	10⅛	9¾	9⅞	+ ⅛
RKO	8¾	8½	8¾	+ ¼
20th Century-Fox.	37⅜	36¼	37	+ ⅜
20th Century, pfd..	44½	44½	44½	—1½
Warner Bros.	17¼	16⅝	17	.....
Warner, pfd.	65½	65½	65½	— ¾

Curb Continues Upward

	High	Low	Close	Net Change
Grand National ..	4⅛	3¾	4	+ ¼
Sonotone	2⅜	2¼	2¼	+ ⅛
Technicolor	22⅝	21¼	22½	+1
Trans-Lux	4⅜	4¼	4¼	.....
Universal Pict. ..	18⅜	18	18	.....

Bonds Move Fractionally

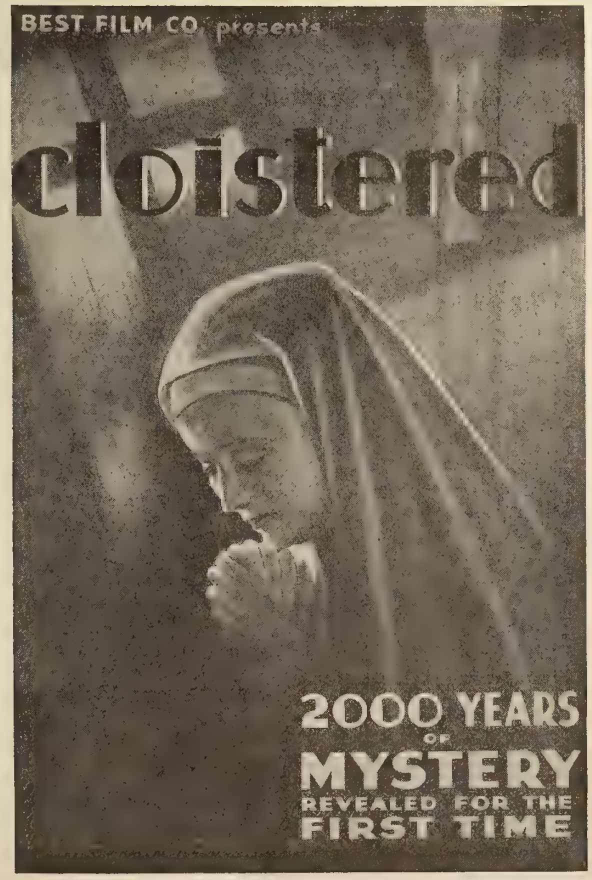
	High	Low	Close	Net Change
Keith B. F. 6s '46	98	97⅝	97⅝	— ⅞
Loew's 3½s '46....	101	100¾	101	+ ⅛
Paramount Pict. 6s '55	100⅜	100⅜	100⅜	.....
RKO 6s '41	122½	122½	122½	— ¼
Warner Bros. 6s '39 wd	99⅜	99	99⅜	+ ¼

(Quotations at close of Jan. 19)

Dictograph-SEC to Meet

The executive committee of Dictograph Products, Inc., has been authorized by stockholders to meet with the Securities and Exchange Commission to settle differences between them, according to Frederick E. Moskovics, chairman of the committee.

THE MOST BEAUTIFUL AND UNIQUE FILM EVER MADE!!



★ ★ ★ ★

ALL ENGLISH TALKING WITH SUBLIME MUSIC

★ ★ ★ ★

NOW BOOKED

AT THE FOLLOWING

R.K.O. THEATRES

- R.K.O. Kenmore Theatre, Brooklyn, N. Y.—Jan. 26-27-28
- R.K.O. Prospect Theatre, Brooklyn, N. Y.—Jan. 26-27-28
- R.K.O. Greenpoint Theatre, Brooklyn, N. Y.—Jan. 26-27-28
- R.K.O. Bushwick Theatre, Brooklyn, N. Y.—Jan. 26-27-28
- R.K.O. Tilyou Theatre, Brooklyn, N. Y.—Jan. 26-27-28
- R.K.O. Madison Theatre, Brooklyn, N. Y.—Jan. 26-27-28
- R.K.O. Keith's, Richmond Hill, L. I.—Jan. 26-27-28
- R.K.O. Orpheum Theatre, Brooklyn, N. Y.—Jan. 26-27-28
- R.K.O. 86th St. Theatre, New York City—Feb. 2-3-4
- R.K.O. Regent Theatre, New York City—Feb. 2-3-4
- R.K.O. Hamilton Theatre, New York City—Feb. 2-3-4
- R.K.O. Coliseum Theatre, New York City—Feb. 2-3-4
- R.K.O. Fordham Theatre, New York City—Feb. 2-3-4
- R.K.O. Keith's White Plains, N. Y.—Feb. 2-3-4
- R.K.O. Colonial Theatre, New York City—Feb. 2-3-4
- R.K.O. Royal Theatre, N. Y. City—Feb. 2-3-4
- R.K.O. Proctor's, Mt. Vernon, N. Y.—Feb. 2-3-4
- R.K.O. Proctor's, New Rochelle, N. Y.—Feb. 2-3-4
- R.K.O. Proctor's 23rd St., New York City—Feb. 2-3-4
- R.K.O. Alhambra Theatre, New York City—Feb. 9-10-11

BEST FILM CO., INC. 723 Seventh Ave., N. Y. City

New Shows On the Air

Fels-Naptha Show Pleasant

"15 Minutes of Song and Sunshine" is a pleasant little program which should find a ready welcome with the script-weary afternoon listeners. The series features the baritone vocals of Jack Berch and the orchestra of Mark Warnow, and is sponsored by Fels-Naptha in behalf of its soap and chip products.

Berch delivers his songs with an easy informality and achieves a similar effect on his commercial readings. His numbers yesterday included "South Sea Island Magic," "The Man Who Sells Insurance," "Did I Remember" and "There's Something in the Air."

Aside from accompanying Berch, Warnow's band had little or nothing to do. It is a big-time radio unit and, in view of the meagre duties assigned it, one wonders why the sponsor bothered to sign it at all.

Losing no time in determining the mail-pulling qualities of the program, the sponsor led off with an offer of a free handkerchief to the listeners. The inevitable box top, of course, must accompany the application.

The program will be presented Tuesdays and Thursdays from 1 to 1:15 P. M., E.S.T. over CBS.

BANNER

High Honor for Disney

The presentation of the Distinguished Service Award of the U. S. Junior Chamber of Commerce to Walt Disney will be broadcast from Hollywood Friday, Jan. 22 at 10 P. M., E.S.T. over the NBC-Blue. The Hollywood Junior Chamber of Commerce is in charge of the broadcast. Walter Holman, national president of the Junior C. of C.; Conrad Nagel, and possibly Irvin S. Cobb and Mary Pickford will participate in the program.

Approve Fidler Protest

HOLLYWOOD, Jan. 19.—The Screen Actors' Guild board has placed official approval on the Jimmy Fidler protest which is to restrain Fidler from attacking the Guild or its members in the future on the air. It will be dispatched immediately to the F. C. C. and also N. B. C., Ludens, and KFI, through Lawrence W. Beilenson, attorney.

Sign New Soloist

Vivian Della Chiesa yesterday was signed as the featured soloist on the Carnation "Contented" program, heard Mondays from 10 to 10:30 P. M., E.S.T. on the NBC-Red. Miss Della Chiesa joins the program Feb. 1. Erwin, Wasey & Co., Ltd., is the agency.

Batsel, Kreuzer on Coast

HOLLYWOOD, Jan. 19.—Max Batsel, manager of RCA Photophone engineering division and Barton Kreuzer of the RCA home office, arrived here today for a routine survey of three weeks.

Gilman Addresses Convention

SALT LAKE CITY, Jan. 19.—Don E. Gilman, vice-president of NBC's western division, addressed the Advertising Convention here today.

NBC, RCA Testing Television Method

It became known yesterday that the first tests of high definition television using the new standards which have been recommended by the radio industry to the F. C. C. are now being conducted by NBC and RCA engineers, with much improved results.

Images scanned by the RCA Iconoscope, the image pickup tube, at the new rate of 441 lines per frame have been transmitted from the NBC experimental station in the Empire State Bldg. tower and have been successfully received by the RCA-NBC engineers and technicians. The pictures of 441-line definition are reported much clearer and a vast improvement over those of 343 lines, the definition used in previous tests.

Brazil Getting the Opera

Brazil will carry the RCA commercials during the Metropolitan Opera broadcasts beginning Saturday. The commercials will be delivered in Brazil in Portuguese by local announcers. A similar commercial deal with Argentina was evolved some weeks ago by RCA and NBC.

Whether RCA is paying for the commercial plugs, or the service is being granted gratis in appreciation for the short-waved programs NBC is sending regularly to South and Central America, is not known at the moment.

Lohr to Make Tour For NBC Expansion

It was authoritatively learned yesterday that Lenox R. Lohr, NBC president, will leave New York some time next week on an extended cross-country trip with stopovers in principal cities en route. While no word was forthcoming from NBC, it is reported that Lohr's trip is for the purpose of surveying independent stations with a view toward bringing as many as possible into the NBC fold.

Four More Film Names

George Brent and Beverly Roberts will appear in a radioized version of their forthcoming picture, "God's Country and the Woman" on "Hollywood Hotel" Jan. 22 at 9 P. M., E.S.T.

Additionally, Anita Louise and Errol Flynn have been set for "Hollywood Hotel" Jan. 29. They will do "The Green Light."

Enjoin Television Corp.

Further sales of stock of Television Corp. of America were ordered stopped yesterday by N. Y. Supreme Court Justice B. P. Lydon. The court also named Charles Martin, attorney, as receiver.

The action was started Dec. 9 by Attorney General Bennett and a preliminary injunction was issued by Justice Cotillo.

WLW's Power Permit Extended Six Months

WASHINGTON, Jan. 19.—The nation's highest powered station, WLW, at Cincinnati, today was granted authority by the Federal Communications Commission to continue to operate with 500,000 watts power for another six months.

Simultaneously, it was made known by Commissioner Eugene O. Sykes that further studies are to be made before the commission undertakes to decide whether to permit the use of equal power by other stations.

Commander T. A. M. Craven, chief engineer of the commission, will make a report of the social and economic data developed at the October hearing, and studies also are to be made of the most advantageous distribution of high powered stations, it was said. At its weekly meeting today, the broadcasting division ordered hearings held on applications for nine new broadcasting stations, two of which propose operation on 1,000 watts power.

The applications are for stations at Pawtucket, R. I., and Ann Arbor, Mich., to use 1,000 watts; Scranton, Pa., Palm Springs, Cal., Vancouver, Wash., and Springfield, O., 250 watts, and Okmulgee, Okla., Hobbs, N. M., and Poplar Bluff, Mo., 100 watts.

Condon Joins Oklahoma Chain

OKLAHOMA CITY, Jan. 19.—Glenn Condon, former editor of *Radio Wave*, magazine published in Tulsa, is now managing director of a newly organized Oklahoma Radio Network.

Member stations of the network are KGFG, Oklahoma City; KGFF, Shawnee; KCRC, Enid; KBIX, Muskogee; WBBZ, Ponca City; KVSO, Ardmore; KADA, Ada, and KASA, Elk City.

Publication of *Radio Wave* has been suspended by the Dexter Publishing Co.

Radio Using Film Players To Sell Gum, Coal, Tin, Ice

(*Continued from page 1*)

national network regularly in the interests of the motion picture box-office.

One of the oldest programs on the airwaves, the weekly broadcasts from the Capitol began in November, 1922—two years after the birth of commercial broadcasting. It was the first radio program to come from any picture theatre. Major Edward Bowes stepped into the picture in July, 1925, created what has since become known the country over as the Capitol "Family," and has reached millions of Sunday listeners ever since.

Radio has had the benefit of the audience appeal of all except Shirley Temple of the 10 biggest money-makers of 1936. Clark Gable, acclaimed the second best picture box-office bet, has made two guest air appearances; Fred Astaire and Ginger Rogers, in third place, as a team, have had, in the case of Astaire, one guest and one series program appearance, and Miss Rogers, two guest appearances; Robert Taylor has appeared six times as air guest in six months; Joe E. Brown, twice; Dick Powell, once as a guest and again in a series of programs; Joan Crawford, three guest appearances, likewise Claudette Colbert, and Jeanette MacDonald and Gary Cooper, ranking ninth and tenth in the *Herald's* box-office poll, each appearing on the air once.

Hollywood's producers likewise have used all but one—Jessica Dragonette—of the Champions of radio, determined in a nationwide poll conducted by ballot among all radio edtiors by Jack Banner, radio editor of MOTION PICTURE DAILY. The nine used in the order of their standing in the poll, are as follows: Jack Benny, Fred Allen, Rudy Vallee, Helen Hayes, Eddie Cantor, Bob Burns, Fred Astaire, Lanny Ross and Nelson Eddy.

Thirty-six different types of product were widely advertised by programs broadcast from July 1st to December 31st in which motion picture stars appeared, as follows:

Advertised or Sponsored Product Using Film Players	***No. of Players Appearing from July 1 to Dec. 31***
Foodstuffs	207
Soaps	112
Cigarettes	63
Automobiles	55
Gasoline	52
Department Stores	28
Toothpaste	27
Coal	23
Radios	20
Tin Cans	18
Magazines	13
Electric Appliances	9
Cosmetics	8
Medicines	8
Razors	5
Laxatives	4
Motion Pictures (Directly Advertised)	3
Women's Clubs	4
Health	3
Charities	2
Office Furniture	2
Social Service	2
Tires and Rubber Goods	2
Chewing Gum	1
Child Welfare	1
Hosiery	1
Ice	1
Hair Tonic	1
Employment for Unemployed Actors	1
Fire Prevention	1
Shoes	1
Newspapers	1
Religion	1
Watches	1
Travel Tours	1
Social Service	1

Ten programs on the air in the six months between July 1 and Dec. 31 had a total of 412 stars' appearances, guest or otherwise, and 15 others had used 128, as follows:

Name of Program and Number of Appearances from July 1 to Dec. 31

Lux Toilet Soap's Radio Theatre	86
Campbell Soup's Hollywood Hotel	83
Kraft-Phenix Cheese's Music Hall	48
Camel's Cigarettes' Caravan	40
Fleischmann Yeast's Variety Hour	39
Shell Gasoline's Chateau	37
Delaware, Lackawanna Western's Lessons in Hollywood (Electrical Transcription)	33
Radio Corporation's Magic Key of RCA	20
American Can's Ben Bernie Program	18
Sears, Roebuck's Then and Now Program	18
First Ten (76%)	412
NBC's Sustaining Program with Elza Schallert's Hollywood Interviews	16
Packard's Fred Astaire Program	15
Delacorte's (Publications) Radio Court of Honor	11
Mutual Broadcast's Sustaining Morning Matinee Program	10
Texaco's Fire Chief with Eddie Cantor	10
Inter-City network's Buddy Cantor Film City Interviews	9
Kolynos Toothpaste's Hammerstein Music Hall	9
Watkin's Shampoo's Mulsified Oil Program	9
Oldsmobile's Irvin Cobb Plantation	8
Spud Cigarettes Presents Ed Wynn	6
Gillette Safety Razor's Community Sing	5
NBS's 10th Anniversary Program (Sustaining)	5
Pepsodent Toothpaste Presents Amos 'n' Andy	5
Nash Automobile's Speedshow	5
Campbell Soup Presents Burns and Allen	5
Totals (24%)	128
Grand Total	540

◂ Radio Personals ▸

EDDIE BELOIN is Jack Benny's new script writer, assisting Bill Morrow. Eddie's specialty is preparing the ribs in the script aimed at Fred Allen. Benny and Allen have been feuding via the airwaves for the past few weeks. Beloin is doing a swell job in that the Benny barbs about Allen have been much sharper than Allen's about Benny. The laugh of it is that it was Allen who got Beloin the job with Benny! . . .

✚

Martin Starr, WMCA and Inter-City network film commentator will be on the air from Washington today a half-hour before the President's acceptance speech in interviews with film stars. Among those whom Martin expects at the microphone are Jeanette MacDonald, Gene Raymond, Jean Harlow and Robert Taylor.

✚

Norm Siegel, radio editor of the *Cleveland Plain Dealer,* in town for a week's visit. . . . WOR's "Uncle Don" will do his first broadcast in eight years in a studio other than WOR when he broadcasts from Philadelphia tomorrow. . . . Lyn Murray's Saturday ay em spot at CBS will be sponsored by a flour company shortly. . . . Toto, circus clown; Dexter Fellows, famed circus press agent; the Original Memphis Five; Giovanni Benedetto, 12-year-old Metropolitan opera singer, and Harry Foster Welch will be Joe Cook's guest Saturday night. . . .

✚

Edgar Bergen may have to leave the Vallee program for several weeks to fulfill night club commitments made before he "clicked" on the air. . . . Incidentally, the Vallee program tomorrow night will feature Walter C. Kelly and Sydney Franklin, Brooklyn bull fighter, in addition to Bergen. . . . Carlos Salzedo will be guest starred on CBS's "Modern Masters" series this Saturday at 8 P. M., E. S. T. . . .

✚

Clarence Francis, president of General Foods Corp., will deliver a brief address during the intermission of the Philadelphia Orchestra program Friday Jan. 22. . . . Bing Crosby is anxiously awaiting the stork—at his stables. The old bird is expected to deliver eight colts during the month of February. . . . Igor Stravinsky will guest direct the New York Philharmonic Orchestra over CBS this Sunday from 3 to 5 P. M., E. S. T. . . .

✚

Lee Tracy appears as Crosby's guest tomorrow night. . . . Bill Slater begins a new sports comment series tomorrow on the NBC-Red at 6 P. M., E. S. T. . . . "Love and Learn" is the title of a new dramatic series, sustaining, which begins Feb. 8 at 1:30 P. M., E. S. T. on the NBC-Blue. . . . Elizabeth Palmer, wife of Frank Healey, assistant to Wayne Randall at NBC, will be screen tested by several film companies this week. The first test will be made today. . . .

Cantor and Stooge Split

Hollywood, Jan. 19.—Eddie Cantor and Parkyakarkas will terminate their three-year association on Jan. 31 on expiration of a current contract. The latter is now completing plans for a starring radio spot on a national network.

New Year Key Grosses Set 4-Year Mark, $2,262,950

Comparative grosses for the latest available periods:

	Week Ending Jan. 9-10		*Week Ending Jan. 2-3*	
	No. Theatres	*Gross*	*No. Theatres*	*Gross*
Boston	7	$132,500	7	$122,000
Buffalo	5	73,200	5	56,411
Chicago	8	210,400	8	163,500
Cincinnati	8	74,150	8	64,800
Cleveland	5	85,300	5	65,300
Denver	6	50,000	7	33,000
Detroit	7	93,800	7	82,500
Houston	4	37,300	4	29,750
Indianapolis	5	39,900	5	63,200
Kansas City	5	51,100	5	39,500
Lincoln	5	11,350	5	11,950
Los Angeles	10	148,400	10	115,179
Louisville	7	36,500	7	25,600
Milwaukee	5	29,600	5	27,300
Minneapolis	4	30,500	5	32,600
Montreal	5	52,000	5	50,000
New Haven	4	38,900	4	26,600
New York	9	377,200	8	376,000
Oklahoma City	4	15,200	4	18,500
Omaha	4	38,200	4	35,500
Philadelphia	9	127,200	9	121,900
Pittsburgh	5	74,100	5	65,300
Portland	6	36,900	6	39,500
Providence	5	56,800	5	51,200
San Francisco	8	103,300	8	118,400
St. Louis	6	81,250	7	58,600
St. Paul	4	15,900	4	20,500
Seattle	8	41,600	8	45,950
Washington	7	100,400	8	76,500
	175	$2,262,950	178	$2,037,040

Key city grosses from September to the week ending Jan. 9-10:

Sept. 4-5	163	1,747,748
Sept. 11-12	173	2,090,144
Sept. 18-19	176	1,806,350
Sept. 25-26	177	1,744,332
Oct. 2-3	177	1,705,308
Oct. 9-10	175	1,625,287
Oct. 16-17	174	1,780,168
Oct. 23-24	175	1,690,044
Oct. 30-31	177	1,625,216
Nov. 6-7	178	1,629,560
Nov. 13-14	180	1,711,209
Nov. 20-21	180	1,654,312
Nov. 27-28	176	1,568,247
Dec. 4-5	176	1,946,078
Dec. 11-12	172	1,613,087
Dec. 18-19	176	1,568,151
Dec. 25-26	173	1,316,371
Jan. 2-3	178	2,037,040
Jan. 9-10	175	2,262,950

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Elman Will Start 3 Capitol Exchanges

(*Continued from page* 1)

and two serials for the three territories. This group includes eight Tom Tyler westerns, eight Tom Keene westerns, eight Victory Prod., eight Fanchon Royer pictures, "What Becomes of the Children?" "Prison Babies," and "Alcatraz." The serials are "Shadows of Chinatown" and "Blake of Scotland Yard."

McVickers May Dual

Chicago, Jan. 19.—The latest report here is that B. & K. will operate the McVickers on a dual feature policy, playing A product, and will make a deal with Johnny Jones to operate the house. John Balaban is withholding the statement of policy until the lease is signed.

Fox Theatres to Pay 5 Per Cent Dividend

(*Continued from page* 1)

Theatres Corp. The payment, the first to be made to creditors of the company, will total $285,693 on the $5,713,858 of claims which have been allowed to date.

Claims against Fox Theatres which have not yet been determined by the court amount to $6,873,354. The court ordered that $343,667 be set aside to provide for a five per cent dividend for such claims in this group as are finally allowed.

Available funds in the receivership estate were reported at $704,799 as of Dec. 31, last, and $33,453 of ancillary receivership funds. Since that time $155,000 was received by the estate from Skouras Theatres as the purchase price for the Academy of Music on 14th St., Manhattan.

Key City Grosses At Four-Year High

(*Continued from page* 1)

was the week that felt the impact of the after-Christmas rush after the pre-holiday lull when the total fell to $1,316,371.

Bill in Indiana Seeks To Outlaw Giveaways

(*Continued from page* 1)

are operating all kinds of lotteries in Indiana, giving away automobiles, radios and all kinds of merchandise. They take about $50,000 out of the state each week. Furthermore, the state is losing the tax which, rightfully, it should collect.

"My bill is aimed at Bank Night in particular and generally at all enterprises where something is supposed to be given away for nothing."

Order Seattle Halt

Seattle, Jan. 19.—Bank Night and Sweepstakes will be absolutely taboo in local neighborhood houses beginning next week, under orders of Prosecuting Attorney B. Gray Warner, who called them lotteries.

There are less than six smaller houses in King County using these forms of games at the present time, according to a Motion Picture Daily checkup.

Kansas Appeal in May

Kansas City, Jan. 19.—Hearing on the appeal of Jackson County authorities from the Circuit Court in the case of Missouri vs. R. W. McEwan, Bank Night distributor in Missouri and Kansas, has been set by the Supreme Court in the May term.

Judge Marion D. Waltner of the Circuit Court last summer held that while "we have present the offering of a prize and the award of that prize by chance, this court is of the opinion that the third necessary element, to-wit, consideration, is absent."

McEwan was arrested in connection with the sale of Bank Night to the Ashland theatre here.

Houston Threatens Games

Houston, Jan. 19.—City Fire Marshall Coull threatened today to file suit against all theatres holding Bank Night unless they obey the city ordinances against blocking aisles and exits. He also condemned crowding in street entrances as a fire hazard and charged that operators are smoking in booths with the fireproof shutters propped open.

This is believed to be the first move of the new city administration against Bank Night and similar games.

Police Checking Bingo

Providence, Jan. 19.—Bingo, long the bane of exhibitors here, is being checked by the police of practically every Rhode Island community. Only games operated solely for charity will be allowed. Bingo never has been introduced into the theatres but the many parties held each night provide stiff competition for films.

Byrd Showing Films

Ogden, Utah, Jan. 19.—Rear Admiral Richard E. Byrd is exhibiting a number of films here.

London Found Theatre Year Good in 1936

(*Continued from page* 1)

Cinematograph Exhibitors' Ass'n and carries over into 1937, with a definite solution apparently as far away as ever.

The other two big problems of the year were raised by the Gaumont British deal, in its many and various phases, and by the Moyne report on the Films Act. The first offered an obvious threat to independent exhibitors, producers and distributors by an extension of the principle of trusts to lengths previously undreamed of in this country. The second threatened Government control of the industry on a scale which practically all sections of the trade regarded with alarm, and suggested a revision of the quota principle which would very severely penalize American companies and probably increase enormously the exhibitors' difficulties with product.

Foreign Control Resented

What is now known as the "Big Deal" broke into the news in the first instance as the schemed purchase of a holding in Gaumont British, by 20th Century-Fox and M-G-M, which amounted to control of the biggest British circuit by these American interests. The professions of retained British control with which the announcement of the deal, in this form, were accompanied deceived nobody—least of all the British Government. Even so, the dramatic statement that John Maxwell of Associated British Pictures, second British circuit, had stepped in and bought the Ostrer holdings out of the teeth of Joseph M. Schenck and Sidney R. Kent, not to mention A. C. Blumenthal, came as a surprise to London as well as to New York and Hollywood.

The Moyne report temporarily made allies of the C. E. A. and the K. R. S., which is much the same as saying that the lamb and the lion set up house together. The point of agreement was opposition to the suggestion of a Government film commission, to exercise general control of the industry and in particular to operate a quality test for British films. Also to be decided by this body would be the exact quota for each year according to the standard and number of the previous year's British films; this introduction of the principle of a variable quota, with 50 per cent in 10 years as the aim, is one of the most revolutionary of the Moyne Committee's suggestions and, in trade opinion, one of the most absurd things in a document bristling with absurdities.

"Dixey Scheme" Start Set

Early in the new year the Independent Exhibitors' Distribution Co., Ltd., will be floated with a capital of $1,000,000 to operate the scheme of cooperative distribution and production generally known as the "Dixey Scheme," from its sponsor, Capt. A. C. N. Dixey. It is claimed that 300 franchises have been applied for in I. E. D. C., which in constitution is closely akin to the original First National circuit of America.

Television, already a regular feature of broadcasts by the official British Broadcasting Corp. took a step up as a potential rival to the film theatre when Baird-G. B. demonstrated a picture eight feet, six inches by six feet at the Dominion, London, late in the year. On Jan. 4 it became a regular program item at the same theatre; the first in the world to combine television and films.

The other great feature of the year in the British industry has been the enormous increase in the capacity of studios. The London Films plant at Denham and the Pinewood studios at Iver both went into operation. Expert opinion regards them as the equal of anything in Hollywood.

Theatre Total Up 880; Reach 10,440,632

(*Continued from page* 1)

theatres in operation was 341,712, as compared with a gain of 379,383 seats during 1935. The total number of seats in the 18,818 theares, both open and closed, at the end of 1936, was 11,470,899, as compared with 11,308,041 seats in the 18,508 houses reported one year earlier.

On an estimated U. S. population of 129,168,000 for 1937, there is a potential theatre seat for every 11 1/3 persons in the nation, and an actual seat for every 10 1/6 persons.

Drop in Silent Film Spots

The number of silent theatres in the country continued to decrease with a total of only 903 unwired theatres at the end of 1936, as compared with a total of 1,519 one year earlier. Correspondingly, the number of sound theatres increased during the period from 16,989 at the end of 1935 to 17,915 as of Jan. 1, last. Of the 903 silent theatres in the U. S., all but 36 are closed. The Film Board report notes that about 300 formerly silent theatres are now used only occasionally with portable sound equipment. There are no unwired houses, either open or closed, in 10 exchange territories—Atlanta, Denver, Des Moines, Detroit, Memphis, New Haven, Oklahoma City, Philadelphia, Portland and Seattle; while the Charlotte territory has but one; Omaha, two; San Francisco, three; Washington, four, and Chicago, five, all of which are closed. Only two territories, Boston and Salt Lake City, now have more than 100 silent theatres.

Affiliated circuits gained 205 theatres with 31,844 seats during the year, for a total of 2,397 houses and 2,940,070 seats. Unaffiliated circuits gained 446 houses and 238,233 seats, for totals of 3,910 theatres and 3,005,039 seats.

The number of independent theatres in the country continued a decreasing trend during 1936, as they had done for several years preceding. The total number of independent theatres decreased last year to 12,511, or a loss of 341 houses with a total seating capacity of 107,219. The total seating capacity of independent houses is 5,525,790.

New York the Leader

The New York territory maintained its lead as the nation's largest film market by a large margin with 1,164 theatres, having 1,330,547 seats, of which 1,047 theatres with 1,244,617 seats are in operation. Philadelphia's 654,079 seats in 764 theatres in operation is second; Boston, with 613,465 seats in 716 open theatres is third, and Chicago's 597,432 seats in 754 theatres operating, is fourth.

Boston, New York and Cincinnati, in that order, appear to be the stanchest independent exhibitor territories on the basis of seating capacity of theatres in operation. In the Boston and Cincinnati territories, seating capacities of open independent houses exceed by large margins the combined seating capacities of both affiliated and unaffiliated circuits; while in New York they approximate the number of affiliated circuits' seats, but are only slightly more than half of the unaffiliated circuits' seating capacities.

The 16,258 total of open houses on Jan. 1, last, represents a gain of 2,522 theatres in operation over the 1933 low of 13,416 open theatres.

Players to Location

SALT LAKE CITY, Jan. 19.—Claudette Colbert, Robert Young and Wesley Ruggles, stars and director of "I Met Him in Paris," will arrive at Sun Valley, Idaho, this week end, where the picture will be produced at the new $150,000 winter resort. More than 200 are expected there during the filming.

16,258 Theatres Seating 10,440,632 Open

[*Film Board Figures As of Jan. 1, 1937*]

Territory	Total Theatres				Closed Theatres				Theatres in Operation		Circuit Theatres Affiliated		Circuit Theatres Unaffiliated		Independent Theatres	
	Number	Seats	Sound	Silent	Number	Seats	Sound	Silent	Number	Seats	Number	Seats	Number	Seats	Number	Seats
Albany	406	232,844	341	65	119	47,180	60	59	287	185,664	28	48,825	74	62,185	304	121,834
Atlanta	761	398,779	761	0	32	12,448	32	0	729	386,331	159	138,888	238	130,168	364	129,723
Boston	1,101	801,126	919	182	385	187,661	203	182	716	613,465	138	187,301	212	207,083	751	406,742
Buffalo	451	330,182	438	13	129	55,499	116	13	322	274,683	44	72,988	100	90,296	307	166,898
Charlotte	509	231,510	508	1	57	17,637	56	1	452	213,873	81	61,284	65	33,243	363	136,983
Chicago	887	656,576	882	5	133	59,144	128	5	754	597,432	126	202,956	241	205,488	520	248,132
Cincinnati	1,041	496,755	955	86	161	46,667	75	86	880	450,088	66	79,163	145	95,316	830	322,276
Cleveland	546	385,378	523	23	59	27,575	36	23	487	357,803	39	66,759	173	151,553	334	167,066
Dallas	925	464,061	906	19	68	21,668	49	19	857	442,393	187	153,622	213	116,512	525	193,927
Denver	435	195,265	435	0	39	13,919	39	0	396	181,346	66	47,710	78	34,525	291	113,030
Des Moines	398	172,910	398	0	36	8,859	36	0	362	164,051	33	34,681	64	33,602	301	104,627
Detroit	558	388,916	558	0	35	13,523	35	0	523	375,393	108	132,223	68	60,712	382	195,981
Indianapolis	543	291,382	506	37	68	20,656	31	37	475	270,726	4	8,581	133	110,310	406	172,491
Kansas City	784	381,615	704	80	179	56,798	99	80	605	324,817	96	98,252	97	72,543	591	210,820
Los Angeles	603	463,656	559	44	83	34,523	39	44	520	429,133	168	197,490	103	71,042	332	195,124
Memphis	334	160,124	334	0	27	9,843	27	0	307	150,281	32	29,893	77	41,694	225	88,537
Milwaukee	543	291,376	457	86	136	41,910	64	72	407	249,466	78	87,509	25	21,064	440	182,803
Minneapolis	960	382,016	943	17	81	28,270	64	17	879	353,746	89	80,021	99	47,230	772	254,765
New Haven	185	175,573	185	0	13	10,274	13	0	172	165,299	52	81,311	24	21,580	109	72,682
New Orleans	545	240,543	490	55	97	28,775	44	53	448	211,768	58	52,845	111	60,059	376	127,639
New York	1,164	1,330,547	1,144	20	117	85,930	97	20	1,047	1,244,617	183	370,230	528	608,442	453	351,875
Oklahoma City	442	219,122	442	0	13	6,637	13	0	429	212,485	10	11,744	104	67,875	328	139,503
Omaha	464	179,984	462	2	44	12,238	42	2	420	167,746	31	35,180	55	27,968	378	116,836
Philadelphia	798	685,687	798	0	34	31,608	34	0	764	654,079	190	257,814	151	133,108	457	294,765
Pittsburgh	684	391,060	665	19	58	23,398	39	19	626	367,662	75	87,673	146	84,544	463	218.843
Portland	208	109,996	208	0	3	850	3	0	205	109,146	21	27.029	28	14.181	159	68,786
St. Louis	566	322,801	557	9	95	42,472	86	9	471	280,329	33	35,868	159	121,861	374	165,072
Salt Lake City	587	215,410	454	133	161	39,971	42	119	426	175.439	53	44,860	63	23,747	471	146.803
San Francisco	457	358,376	454	3	48	23,163	45	3	409	335.213	51	83,382	126	124.616	280	150,378
Seattle	305	160,130	305	0	14	7,680	14	0	291	152.450	27	35,717	91	50.356	187	74.057
Washington	628	357,199	624	4	36	13,491	32	4	592	343,708	71	88,271	119	82,136	438	186.792
TOTAL	18.818	11,470,899	17,915	903	2,560	1,030,267	1,693	867	16,258	10,440.632	2,397	2,940,070	3,910	3,005,039	12,511	5,525.790
Jan. 1, 1936	18,508	11,308,041	16.989	1.519	3,130	1,209,121	1,638	1,492	15,378	10,098,920	2,192	2.908.226	3,464	2,766,806	12.852	5.633,009
Jan. 1, 1935	18,263	11,132,595	16,325	1,938	3.711	1,413,058	1,824	1,887	14,552	9,719,537	2,073	2,718,701	3,070	2,539,416	13.120	5,874,478
Jan. 1, 1934	18,371	11,028.950	15,652	2.719	4,635	......	1,979	2,656	13,736	......	1,954	2,586,643	2,846	2,493,382	13,571	5,948,925
Jan. 1, 1933	19,311	11,161,193	15,231	4,080	5,895	......	2,170	3,725	13,416	......	2,266	2,937,644	3,189	2,561,726	13.796	5,585,830
Jan. 1, 1932	20,100	10,767,411	14,805	5.295	5,350	......	1,582	3,757	14,750	......	....	......	....	......	....	......

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 17 NEW YORK, THURSDAY, JANUARY 21, 1937 TEN CENTS

Film Names to Jam Air Shows For Ten Days

Programs for Fortnight Have 32 Scheduled

Paraphrasing Bing Crosby's song, the airways for the next fortnight or so will rain screen talent from Hollywood. Beginning tonight and up to and including the evening of Jan. 30, approximately 32 film stars, producers and directors will face microphones on all three national networks and this total does not take into account the regularly programmed stars such as Eddie Cantor, Burns and Allen, Fred Astaire, Charles Butterworth, Jack Benny, Bing Crosby, Jack Oakie, Al Jolson, Martha Raye, Sid Silvers, Nelson Eddy and the other Hollywoodites who are heard on a week-to-week basis. The film guest array about to be recorded is one of the heaviest ever arranged.

This evening's film guests in radio include Lee Tracy on the Kraft "Music Hall" program, and Gloria Swanson on the Maxwell House "Showboat."

Tomorrow night on the Vallee program Roland Young has the featured guest role.

Friday will be a talent-studded evening, with Archie Mayo, Walt Disney, Conrad Nagel, Irvin S. Cobb, Mary Pickford, Carole Lombard,

(*Continued on page 8*)

Kuykendall to Ask For Further Talks

Ed Kuykendall, M.P.T.O.A. president, who arrives here tonight from Washington, will endeavor to confer further with distribution executives on their responses to the M.P.T.O.A. trade practice program in an effort to obtain additional concessions from some of the companies.

Kuykendall may also send recommendations to local exhibitor organizations throughout the country to take

(*Continued on page 7*)

"Lloyds" at $87,000 In First M. H. Week

"Lloyds of London" finished its first week last night at the Music Hall with approximately $87,000. Following its two-week run will be "The Plough and the Stars," then "On the Avenue," "When You're in Love" and "Wings of the Morning."

Tomorrow, the Paramount in Brooklyn will open "The Plainsman"

(*Continued on page 7*)

Hollywood Stars Preferred By Largest Users of Radio

By JAMES P. CUNNINGHAM

Charged against the principal large users of screen talent are substantial sums of radio advertisers' air budgets. Some 15 NBC clients spent $16,017,206 with the RCA subsidiary for all air advertising for the first 11 months of 1936. Combined, these 15 advertisers have accounted for 51.78 per cent of the $30,935,248 thus far expended at NBC. Every one of the group at one time or another has used picture personalities on its programs, several of them, including Standard Brands, Shell Eastern Petroleum, Bristol-Myers, General Foods and Sterling Products being the principal employers of film players. The 15 largest spenders for advertising on NBC's networks in the

(*Continued on page 8*)

The Fourth

This is the fourth instalment of a series dealing with the penetration of radio into Hollywood for air talent.

Additional developments in radio on page 8, today.

Official Aid Given Reels at Inaugural

WASHINGTON, Jan. 20.—Unprecedented cooperation was given newsreels by the Government today in covering the inaugural ceremonies. Platforms large enough to accommodate all five reels were erected all along the line of march. On the capitol plaza the reels were allowed to erect a 25-foot steel tower to get camera crews above the crowds and on a level with the speakers' stand.

On the eve of today's ceremonies

(*Continued on page 6*)

Independents Refuse Offer to End Games

With the RKO and Loew circuits agreeing to abolish giveaways provided independents in the local territory do likewise, members of the I. T. O. A., at a meeting at the Astor yesterday, rejected the offer unless the affiliated theatres increase prices, it was stated following the session.

The contention of the independents is that smaller theatres cannot compete with the larger houses under the present scale of prices.

N. J. Court Action Is Taken on Games

NEWARK, Jan. 20.—Action has been taken in the county courts in Hudson, Essex, Union and Passaic counties by Roy H. Decker through his attorney, Max J. Berlin, against 20 theatres, churches, societies and political organizations playing Bank Night and Bingo.

Among the theatres involved are the

(*Continued on page 6*)

Para. to Have Film a Week, States Zukor

Paramount will have a minimum of one feature a week for 1937-38 and perhaps more, declared Adolph Zukor yesterday. At a press luncheon at the Astor, he declared 22 of the more important pictures planned for next season already are set.

In heralding thus far in advance of the advent of the new year the array of vehicles, it was explained this "marked the first time in recent film history that Paramount's schedule of its top product has been definitely set so early in the season."

In connection with the 22, stars have been selected and studio machinery is under way for actual production, Zukor stated. Many of the

(*Continued on page 7*)

Midwest Floods Hit Theatre Attendance

ST. LOUIS, Jan. 20.—Theatre attendance throughout southeastern Missouri, as well as in large areas of Arkansas, Illinois and Indiana, is seriously affected by floods caused by the rising of the Ohio, Wabash, Kaskaskia, Black, White and St. Francis Rivers.

The towns which are hardest hit

(*Continued on page 7*)

Judge Dies; Momand Appeal Is Postponed

OKLAHOMA CITY, Jan. 20.—The sudden death last night of U. S. Circuit Court Judge George T. McDermott cut short the hearing of the appeal of A. M. Momand, theatre operator of Shawnee, Okla., against Paramount Publix Corp., et al., in U. S. Circuit Court of Appeals. Judge Tilman D. Johnson was on the bench

(*Continued on page 7*)

Ostrer Wants U.S. Subsidy For British

Suggests Spending Part Of Revenue There

By BRUCE ALLAN

LONDON, Jan. 20.—The only way to put British production on a sound basis, declared Isidore Ostrer upon his return from America today, is to force American distributors to spend part of their British revenue on British films.

The quota is a failure, he declared.

Gaumont British is considering the possibility of suspending production, he said. A decision will be made by the end of March.

Unless a much greater revenue can be obtained from America, he went on, the company must discontinue big pictures for the international market. Gaumont had pioneered in America, he said, but had found considerable resistance and had obtained only $4,000,000 or $5,000,000 in three years.

Americans are getting £7,000,000 to £10,000,000 yearly from England and England is getting only £200,000 from America, he declared.

Ostrer again asserted that there had been no change in control of Gaumont British.

Maurice Ostrer stated before leaving New York last week that he had completed tentative deals with independent producers for distribution of

(*Continued on page 7*)

Negotiations Begun On Warner Finance

Negotiations are under way, and are expected to be completed within the next week or 10 days, with Hayden, Stone & Co. for the issuance of new Warner common shares to the stockholders under terms of a recapitalization plan.

Several banking houses are to be

(*Continued on page 7*)

Golden Will Speak At Allied Meeting

BALTIMORE, Jan. 20.—Edward Golden, general sales manager of Monogram, will discuss the company's new setup and product lined up so far to Allied directors tomorrow afternoon. He is the only outsider listed as speaker.

Golden will arrive tomorrow morning from New York. Later on in the

(*Continued on page 7*)

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No UTMPW Conflict With IA, Says Casey

HOLLYWOOD, Jan. 20.—Following notice of instant reprisals from I.A.T.S.E. if studios or theatres negotiate with John Lewis and the United Theatrical and M. P. Workers union, Pat Casey today stated, "Studio crafts are in absolutely harmonious accord with the I.A.T.S.E. stand. Producers hold contracts with I.A.T.S.E. which would prohibit contacts with other unions."

The union's notice to Casey followed the report that U.T.M.P.W. planned to invade the theatrical field in an alliance with the Lewis industrial organization committee. I.A.T.S.E. plans to thwart immediately any action in this direction in any part of the country.

Rufus LeMaire Re-signed

HOLLYWOOD, Jan. 20.—Rufus LeMaire today signed a new Universal contract prior to the expiration of his old pact. The new arrangement calls for his services as associate producer in addition to his activities as executive assistant to Charles R. Rogers.

Insiders' Outlook

By RED KANN

THE old Zukor is around. In from Hollywood where, for eight months, production has been his job with Paramount, the Adolph of another and earlier day made his appearance at an informal Astor press luncheon yesterday looking better, feeling better and reflecting more vigor in his carriage and in his views than we have seen in him for some time. Since the days when his company, which is also his life-long work, furrowed the ground and ran into the bankruptcy courts. Good news, we view it, for Paramount, for the industry and for the legion of friends and admirers to which this aggressive survivor of a thousand celluloid crises can lay claim without dispute. . . .

▼

Whiter at the temples, true. Perhaps, a trifle more portly, we thought. But undoubtedly full of verve in his approach to matters of production and exhibition and never hesitant about the explosion of a cuss word where it seemed to emphasize his point. Zukor, after twenty-five years in production and thirty-four in exhibition, today leaves his own headway for reasonable doubt and, like the wise and scarred veteran of many campaigns, leavens his positiveness with an "I may be wrong, you understand." A just-in-case proviso, understandable but never seriously affecting the observation he is getting over. . . .

▼

On double features: Bank Night and other games:

I don't worry about duals. Neither do I worry about games, such as Bank Night. They are like an epidemic of the flu or the grippe. These things come and go and, as usual, the public will decide. On double bills, when that point is reached where more of the public call up to find out when the main attraction goes on and start to walk when the second goes on, you will find duals will begin to go.

On B pictures:

I'm against them. What do B pictures mean? I know of instances where lesser attractions costing as little as $200,000 or $250,000 have shown a loss of $80,000. The sales department may have an argument for B pictures [this in answer to a query if Paramount, in view of the manner in which its sales machinery is geared must not handle a minimum of fifty pictures a year, some obviously B in view of the double feature market]. There is no argument from the studio angle. This is why we are setting out to make pictures based on merit of story, casts and treatment as best we know how. Some of them, obviously, will end up as B product. At least, it is our intention not to start out that way. On the pictures to be made with a smaller budget, and this goes for all, I do not propose to allow them to enter production unless I am convinced there are values at the outset—story, cast, treatment and director.

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On color:

I cannot see color on its own, but only where it enhances the story. The story must have something in common with color. If a detective story has the villain and the police running all over the house, what has the roof photographed in red to do with it? You tell me. [That loud cheer belongs to this department.]

On timeliness in releases:

Four to eight pictures a year properly geared as to release would do wonders. The question of timely releases, therefore, is an important one. "College Holiday," for instance, would be no good if sent out at Lent. Released around the Christmas holidays, the story becomes a different one. You'll get the point when I tell you that Altman's would not put on a sale of winter underwear in July.

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More specifically on Paramount:

I'm getting the kick of my life out of this studio job. Certainly, I make mistakes. You may not see the same vehicle through my eyes and that's where difference of opinion comes in. I do repeat, however, that I am not letting any story into production unless I am convinced it has merit. Already I have thrown out more stories than some other studios have used this year. I did it because I did not believe in them.

The policy is working apparently and reflecting itself in improved product. I haven't the exact figures with me, but you may be interested in learning that our film rental the first week of this January ran forty per cent ahead of the same period last year.

"Fifty per cent, Mr. Zukor," volunteered Al Wilkie, always publicity conscious, at this juncture. . . .

▼

Zukor anticipates no important personnel changes at the studio. "There will be additions, however," he remarked. Further, he expects to get a $30,000,000 budget or "more if I can" from the financial moguls and, in true filmatic style, is ready to settle at $25,000,000 if this has to be. On doping out grosses, he cited a mental calculation which he always sets up after looking at the product. "How does it work?" was what he let himself in for. "It does," came his reply. "I haven't gone wrong by as much as five per cent in a good many years. You know, it is a sort of standing rule around our place that I'll take on any wagers that I don't go off the estimate by more than ten per cent. Any takers here?"

At this point, the press boys pursued their interview along different lines. . . .

▼

On rising costs:

Certainly costs are going up. Yet they are not going up because a given player may be getting more money this season over last. They are going up principally because of the precision and the preparation which go into new pictures and the desire embracing all of Hollywood and all studios to get new angles and to avoid the old. This constant drive for better and better product goes up and down the line and I don't except even the technicians. You know, today anybody on the coast can turn out a technically fine picture. That, however, is not enough.

This swung Zukor over to another topic:

Showmanship is what counts today. This industry is not in the hands of the bankers [a trifle more than ordinarily emphatic and maybe a wee bit grim at this point] and it is not in the hands of exhibitors. It is in the hands of showmen. Intangible, subscribing no set rules but leaning a little on precedent, perhaps, but showmen and showmanship. You find this reflected throughout Hollywood. I have been making pictures for twenty-five years and I have been an exhibitor for thirty-four and I tell you the outlook never has been brighter nor the need for showmanship greater. You can't learn it in college and an ability to write poetry does not mean you can make showmanship pictures.

"Have you any poets on the Paramount lot?" Zukor was asked.

"Plenty of them," he replied promptly. . . .

▼

On musicals:

On the coast, they are learning all the time about the drama. But nobody there knows anything about musicals. In the old days, it was Percy Williams who took variety and moved it up into the vaudeville that attracted the better class of audiences by hitting on the eight-act formula which was varied enough to provide entertainment for all groups in an audience. The musical in films, I think, must subscribe to that formula and the story in it must be written around the personalities who are to play it. I predict for you that musicals such as you have never dreamt of will come through from Hollywood in the next three years.

On television:

I don't know, but I know I am not worried. Years ago when equipment men controlled the projection machine, a trust resulted. But patents did not stop the men

(*Continued on page 7*)

This space was reserved for Universal's "Top Of The Town." The most sensational things we could say proved so inadequate to describe this picture that we decided to say nothing.

ADV.

TIME
The Weekly Newsmagazine
© Harris & Ewing
Number 2
NEBRASKA'S NORRIS
His eyebrow has never grown weary
(See NATIONAL AFFAIRS)
Volume XXIX

will tell!

SYLVIA

"YOU

WITH BARTON Mac

"Sets a

1937 m

to beat

Directed by FRITZ LANG who gave you "FURY" Original

First of the big WALTER WANGER s

ND TIME DOES!

Walter Wanger's

PRODUCTION OF

DNEY HENRY FONDA

IN

NLY LIVE ONCE"

• JEAN DIXON • WILLIAM GARGAN • CHAS. (Chic) SALE

ce which

find hard

says TIME

GENE TOWNE and GRAHAM BAKER

ials released thru UNITED ARTISTS

Official Aid Given Reels at Inaugural

(*Continued from page* 1)

President Roosevelt "toed a line" on the speaker's stand for the purpose of giving the cameramen a chance to focus on him and to remind him that so long as he kept within these boundaries the pictures would be satisfactory.

Thirty camera crews representing Fox Movietone, Pathe, Paramount, Hearst and Universal were here last night. These totaled about 100 men. Al Richards, Paramount editor, went into action at 6 o'clock this morning, aided by Bob Denton, head of the Washington Bureau; Merrill Johnson and Harry Cuthbertson of the home office with 13 crews. Each was given a rehearsal along the line of march. Only two of the 13 crews had roving commissions. Arthur Menken was in a blimp for air views and another detail was on a truck to keep the President in view.

Because of the rain last night and the prospect of bad flying weather arrangements also were made to have either air or train shipments made.

N. J. Court Action Is Taken on Games

(*Continued from page* 1)

Bayonne Opera House of Bayonne, and the Temple, Union City. The suits demand penalities of $2,000 for each alleged violation of the lottery laws.

Several exhibitors who have signed for games have postponed putting them into theatres until a decision is handed down. Decker is said to represent a group of business men and is declared to have instituted the actions under the common informer's act which entitles the informer to one per cent of any amount recovered. It is estimated that 200 organizations, churches and theatres are featuring games, taking in approximately $300,000 weekly.

Madison Ave. Theatre Wins

ALBANY, Jan. 20.—The Court of Appeals has affirmed a ruling of Supreme Court Justice Carew ordering License Commissioner Paul Moss of New York to grant a license for a film theatre at Madison Ave. and 62nd St. Moss had appealed from the lower court ruling on the ground that a theatre would be detrimental to the neighborhood.

Fuller Case Resumes Next Week

NEW ORLEANS, Jan. 20.—Trial in the case of George Fuller who charges conspiracy against major distributors here as a result of his failure to get desired product, has been put over until early next week by Federal Judge Borah.

Plans Park Ave. House

With the Court of Appeals in Albany handing down a decision in favor of the Henry Phipps estate for the erection of a theatre at Madison Ave. and 62 St., Walter Goelet is now mapping plans for the construction of a theatre at Park Ave., between 53rd and 54th streets.

Booking Bill in Calif.

SACRAMENTO, Jan. 20.—Assemblyman Voigt of Los Angeles today introduced a bill prohibiting block booking of films.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Dangerous Number"

(*M-G-M*)

HOLLYWOOD, Jan. 20.—The writers injected every stunt and gag in the book, including flashbacks to Keystone slapstick, in this comedy farce. Whether the situations made sense was evidently not considered to gain laughs. The outcome is mediocre program fare designed and fitted for the neighborhood trade. The characterizations and direction rise above the story with the cast names—Robert Young, Ann Sothern and Reginald Owen—designating the only exhibitor cue for box-office recognition. Yet despite its weakness, the film has many chuckles and will serve as lightweight material for a dual bill.

Young has a certain weakness for Ann Sothern, a red-headed thespian, as the story goes. Deserting his lucrative silk mills and shifting the bulk of his work on Owen, his cousin, Young ultimately marries Miss Sothern. Then the fight is on. The remainder of the picture features Young's futile search for quiet home life and business concentration while Miss Sothern's vaudeville friends, who include magicians, acrobats, etc., float about the house creating general chaos. The windup of all this features a frameup on Young by Miss Sothern wherein there is shooting, acrobatic fights and a jail finish. Miss Sothern finally clears herself of having two husbands and all ends well.

The performances are topnotch, including Cora Witherspoon, as the gushing mother; Dean Jagger and Marla Shelton. Carey Wilson did the screenplay from Leona Dalrymple's original. Leonard Smith's photography is good.

Production Code Seal No. 3,004. Running time, 71 minutes. "HG."

"Breezing Home"

(*Universal*)

HOLLYWOOD, Jan. 20.—A treatise in the interest of cleanliness in the sport of horse racing and a hoisting of the flag for lovers of good horses, this picture surrounds its worthy preachment with an entertaining and active yarn, with its quota of romance and bookmaking trickery which is foiled in the end, and a pair of exciting races.

William Gargan is the horse trainer and horse lover who is forced to sell a beautiful horse to a bookmaker to settle a debt of his deceased partner. The gambler gives title to the animal to Wendy Barrie, night club entertainer, to enable him to race the horse. When the gambler attempts to fix a race, Gargan's resentment turns on Miss Barrie. The horse is thrown through a fence and injured. The love of horses comes to Miss Barrie and she takes the horse to California.

Gargan goes to work for Binnie Barnes, who is in love with him. Raymond Walburn provides comedy as the owner of the small farm to which Miss Barrie takes her horse, and who knows nothing about them. When Gargan learns of her devotion to the horse, his interest in Miss Barrie takes a turn, and with his help and after another attempt on the part of the gambler to fix the race is halted, the fight is won and the romance concluded.

Milton Carruth directed from a screenplay by Charles Grayson.

Production Code Seal No. 2,987. Running time, 64 minutes. "G."

"Don't Tell the Wife"

(*Radio*)

HOLLYWOOD, Jan. 20.—An amusing set of characters makes this a good comedy despite the plot which is more or less familiar.

Thurston Hall, a confidence man, rounds up a gang of his former associates upon his release from prison to promote the sale of stock in a mine won in a poker game. Needing capital, they persuade Lynne Overman, a former confederate who has retired to respectable married life with Una Merkel, to join their scheme. As a front for their operations they employ Guy Kibbee. Complications start when Kibbee uses the mails to help with the stock selling which brings the Federal authorities into the picture. The mine later proves to be valuable property and Kibbee outwits the swindlers.

Speed is the essence of Christy Cabanne's direction. The Nat Perrin screenplay from the George Holland play adds good dialogue to the situations and laughs. Guinn Williams, Lucille Ball, Bradley Page and William Demarest stand out in the supporting cast. The Robert Sisk production supplies a good mounting and the photography by Harry Wilde is uniformly even.

As good entertainment the picture should please average audiences.

Previewed without production code seal. Running time, 63 minutes. "G."

Short Subject

"March of Time—No. 6"

(*RKO*)

Perhaps of less immediate significance than many previous issues, and likewise with somewhat less dramatic and emotional appeal, this number of March of Time is nonetheless of genuine interest and is entertainingly presented.

Depicted in this issue are three subjects peculiarly American in origin. First is the manner in which the wealthy, powerful Mormon Church, centering in Salt Lake City, has wisely invested its wealth to make for financial strength, and today provides for its own unemployed with noteworthy results. Here, too, however, is the problem of handling those who would prefer to enjoy the idle income of relief.

An entertaining subject is that on the growing popularity of the winter vacation, no longer for the wealthy, but for Mr. Average Citizen, who finds Florida, southern California, Cuba and like places waiting to receive him at moderate cost and with ample entertainment. Also is shown the ingenious effort of northern railroads to combat the strong competition and the consequent growth of skiing to a national sport.

Finally, and most important, is a graphic picture of the efforts expended in the almost insurmountable task of finding the cause, and developing a cure for cancer, and the harm that is done by quacks who for years have been peddling fraudulent cancer "cures." This portion of the reel especially, merits wide attention.

Previewed without production code seal. Running time, 18 mins. "G."

"Mask" Tops "Carnival"

"The Eternal Mask," which terminated its first week at the Filmarte Tuesday night, did more business than the first week of "Carnival in Flanders," according to Arthur L. Mayer.

Wall Street

Board Gains Continue

	High	Low	Close	Net Change
Columbia	39½	37¾	39⅞	+1⅜
Columbia, pfd. ...	46⅛	46⅛	46⅛	+ ⅝
Consolidated	5¾	5¼	5½	+ ⅜
Consolidated, pfd..	18½	18	18⅛	+ ⅝
Eastman Kodak ..	175	174½	175	+1
Gen. T. Equip....	32⅜	31⅝	31⅝	+ ¼
Loew's, Inc.	76	73¾	75¼	+1⅞
Loew's, pfd.	108¾	108¼	108¾	+2¼
Paramount	28⅜	27⅝	27⅞	+ ¼
Paramount 1 pfd..	198	198½	194¾	+2¼
Paramount 2 pfd..	25¾	25	25¼	+ ⅜
Pathe Film	10½	10	10⅛	+ ¼
RKO	9¼	8¾	9	+ ¼
20th Century-Fox.	38½	37	37⅝	+ ⅝
20th Century, pfd.	47	46½	47	+2½
Warner Bros.	17⅞	16⅞	17¼	+ ¼
Warner, pfd.	66½	66	66½	+1

Curb Maintains Upward Trend

	High	Low	Close	Net Change
Grand National ..	4¼	4	4¼	+ ¼
Sentry Safety	⅞	⅞	⅞	.....
Sonotone	2⅜	2¼	2¼	.....
Technicolor	23⅜	22½	22¾	+ ¼
Trans-Lux	4½	4¼	4⅜	+ ⅛
Universal Pict. ..	17¾	17¾	17¾	— ¼

RKO Best Bond Advance

	High	Low	Close	Net Change
Keith B. F. 6s '46	98½	98½	98½	+ ⅞
Loew's 3½s '46....	101	100⅞	100⅞	— ⅛
Paramount Pict. 6s '55	100⅜	100⅜	100⅜	.....
RKO 6s '41 pp....	124	123	124	+1½
Warner Bros. 6s '39 wd	99½	99⅛	99⅛	— ¼

(Quotations at close of Jan. 20)

Para. to Have Film a Week, States Zukor

(Continued from page 1)

stories are in script form and several have been assigned directors, he disclosed.

The star and leading player roster for this batch which will highlight the program include Claudette Colbert, Mae West, Gary Cooper, Marlene Dietrich, Bing Crosby, Fred MacMurray, Carole Lombard, George Raft, Herbert Marshall, Jack Benny, Burns and Allen, Frances Farmer, Martha Raye, Bob Burns, Harold Lloyd, Sir Guy Standing, Irene Dunne, Gladys Swarthout, Ida Lupino, Randolph Scott, Dorothy Lamour and Ernest Cossart.

New stars will include Franciska Gaal, Continental actress, who also sings. She will appear in "Buccaneer" with Randolph Scott. DeMille will produce.

The directorial battery embraces Cecil B. DeMille, Frank Lloyd, Ernest Lubitsch, Wesley Ruggles, Henry Hathaway, Rouben Mamoulian, Leo McCarey, Edward Sutherland, Mitchell Leisen, Alexander Hall, Frank Tuttle and William Wellman.

Two of next year's lineup are almost finished, Zukor pointed out. These are "Souls at Sea" and "High, Wide and Handsome." "Angel," to star Marlene Dietrich, goes in work shortly, while scripts for five additional are reported ready for shooting. Six or eight for 1937-38 are expected to be completed this summer.

Sees Economies

Zukor, who touched on many matters concerning production at large and the status of exhibition, stated the advance planning is expected to result in marked savings in production costs and in reduction in overhead.

Zukor advocated a rearrangement of all production schedules to reduce to a minimum studio activity from mid-December through February to avoid a break in releases through illness. "The flu situation in Hollywood is usual at this time of the year," he said. "No studio is seriously affected, but there are instances of illness prevailing on all lots and with all companies shooting. Any danger of interruption in the flow of releases, therefore, would be mitigated if the studios could get ahead and curtail activity at this time of the year."

The 22 attractions, as disclosed by Zukor without reference to order of release, follow:

"Spawn of the North," scheduled to be in Technicolor, with Carole Lombard, to be directed by Henry Hathaway.

"Beau Geste," also scheduled to be in Technicolor, with Fred MacMurray, George Raft, Ray Milland and Frances Farmer, Sir Guy Standing, William Frawley and Lynne Overman.

"Buccaneer," to be directed and produced by Cecil B. DeMille, with Franciska Gaal and Randolph Scott.

"Angel," with Marlene Dietrich, Herbert Marshall, Melvin Douglas and Ernest Cossart, to be directed by Ernst Lubitsch.

"I, James Lewis," with Claudette Colbert, to be directed and produced by Frank Lloyd.

"Double or Nothing," with Bing Crosby, Martha Raye and Dorothy Lamour.

"High, Wide and Handsome," with Irene Dunne, Randolph Scott, Dorothy Lamour, Charles Bickford, Elizabeth Patterson, Akim Tamiroff and Raymond Walburn, directed by Rouben Mamoulian.

"The Big Broadcast of 1938," with Jack Benny, Burns and Allen, Leopold Stokowski and his symphony orchestra, Bob Burns and the Yacht Club Boys.

"Bluebeard's Eighth Wife" with Claudette Colbert and Fred MacMurray, to be directed by Ernst Lubitsch.

"Souls at Sea," with Gary Cooper, George Raft, Frances Dee, Henry Wilcoxon, Harry Carey, Robert Barratt, Olympe Bradna, Robert Cummings, Beulah Bondi and Porter Hall, to be directed by Henry Hathaway and produced by Hathaway and Grover Jones.

A Marlene Dietrich picture.

"One More Spring," with Bing Crosby.

"Artists and Models," with Jack Benny.

"Victor Herbert," with Irene Dunne, to be directed by Wesley Ruggles.

"Madame Butterfly," with Gladys Swarthout.

"Caviar for His Excellency," with George Raft, Gail Patrick and Akim Tamiroff.

Harold Lloyd comedy.

"What Ho," with Gary Cooper, to be produced by Major Prods.

Mae West's starring picture for Major Productions.

"Show Business," with Jack Benny and Gladys Swarthout, the script being prepared by Fannie Hurst.

"Gambler's Maxim," with George Raft, Frances Farmer and Ida Lupino.

"Cuckoo College," with Jack Benny, Martha Raye and the Yacht Club Boys, to be produced by Lewis Gensler and directed by Leo McCarey.

Para. Board Meets Today

The January meeting of the Paramount board of directors will be held today instead of Jan. 28, the scheduled date, in order that Adolph Zukor, chairman, who is here from the coast, may attend the session. Zukor, together with Barney Balaban, Paramount president; Stanton Griffis, chairman of the executive committee, and other Paramount executives, will leave for Washington following the board meeting to attend the premiere tomorrow night of "Champagne Waltz."

Over 200 at Zukor Luncheon in London

London, Jan. 20.—More than 200 figures in the industry here attended the Zukor Jubilee luncheon in the Empire Room of the Trocadero with Monty Goldman, general sales manager for Paramount in England, presiding in the absence of John C. Graham.

At the head table were Sir William Jury; Col. A. C. Bromhead, one of the founders of G. B.; Sam Eckman, managing director of M-G-M; John Maxwell, managing director of B.I.P.; Herbert Wilcox of Herbert Wilcox Prod.; Bebe Daniels, and a large number of veterans.

Other well-known men present were Sidney L. Bernstein, managing director of Bernstein Theatres and Denham London Cinemas, Ltd.; Capt. Richard Norton, director of British & Dominions; Sir Albert Clavering, Clavering & Rose; Phil Hyams; Arthur W. Jarratt, director of Provincial Cinematograph Theatres and booking controller for G. B.

The luncheon was an exceptional exhibition of showmanship by Earl St. John. "Queen Elizabeth" was screened during the lunch, and afterwards the walls of the room sank, disclosing a tableau of Paramount's trade mark, with Zukor's photograph surrounded by living figures dressed to typify past big feature successes—"The Sheik," "The Four Horsemen" and others. The climax was the raising of a living nude typifying "Champagne Waltz," which was shown at the Carlton after the lunch.

Sybil Jason Under Knife

Hollywood, Jan. 20.—Sybil Jason, ill with appendicitis, today was removed to a hospital where she will undergo an operation.

Kuykendall to Ask For Further Talks

(Continued from page 1)

action immediately on the setting up of local conciliation boards in their territories. The M.P.T.O.A. will not participate directly in the organizing of the local boards, but is urging distribution companies to take steps which will make it possible for their branch managers to cooperate with exhibitors locally in setting up the boards wherever one has been requested. Several exhibitor organizations have already taken steps which would facilitate the organization of conciliation boards in their territories, such as Philadelphia, Charlotte, St. Louis and Seattle.

While here, Kuykendall will also work on program and other arrangements for the M.P.T.O.A. national convention, to be held in Miami, beginning March 16.

Golden Will Speak At Allied Meeting

(Continued from page 1)

evening he will leave for Chicago and possibly other points west before returning east.

The first two Monogram pictures have been completed and will be released some time in March when the sales organization will actively get under way. They are "Behind Prison Gates" and "Legion of Missing Men."

Considerable interest is being manifested in the elections which will be held Friday afternoon. There are some reports that Lee Newbury, head of the New Jersey organization, may be named president, succeeding Nathan Yamins of Fall River, Mass. Yamins is scheduled to retire under a rotating presidency plan adopted some time ago. Newbury arrived tonight, as did Sidney E. Samuelson, and several of the directors held informal meetings before the first business session starts tomorrow.

Judge Dies; Momand Appeal Is Postponed

(Continued from page 1)

yesterday in Judge McDermott's place. John S. Ryan of Boston, Momand's attorney, appeared before the court yesterday for less than an hour when an adjournment until today was taken.

The appeal was from a ruling of Federal Judge Edgar S. Vaught sustaining the defendants' motion in the original trial that the plaintiff, Momand, make his amended petition more definite. The petition had charged a conspiracy to monopolize the film industry.

The hearing was adjourned immediately after court opened this morning. It is not known when the hearing will be resumed. It is possible it may be carried over to a special term at Denver.

Midwest Floods Hit Theatre Attendance

(Continued from page 1)

include: Glennonville, Rombauer, Holcomb, Poplar Bluff, Kennett, Fisk, Wilhelmina and Senath, in Missouri; Cairo, Colconda, Mt. Carmel, Shawneetown and Lawrenceville, in Illinois, and Princeton and Vincennes in Indiana.

Insiders' Outlook

(Continued from page 2)

who ultimately made the entertainment to play over those machines. Showmen and entertainment brains will take possession of television and the men who control the equipment will get the royalties. It is bound to happen again, as it did before.

Negotiations Begun On Warner Finance

(Continued from page 1)

identified with Hayden, Stone & Co., when the plan is approved by the Warner directorate, which is scheduled to meet shortly after Feb. 1, when Harry M. Warner, president, returns from the coast.

One of the plans now being discussed involves the issuance of 900,000 shares of new common stock at $12.50 a share to stockholders on a basis of one new share for each four now held. If the plan is adopted, a new $5 preferred would be created to replace the present $3.85 cumulative no par preferred on a share for share basis. Accumulations on the preferred senior shares, which amounted to $18.28¾ a share on Dec. 1, last, will be taken care of through the offering of a new preferred.

The $31,491,000 of six per cent debentures due in 1939 will remain untouched for the present, as it is felt that the issue can be refunded with a lower coupon sometime after the plan is adopted. Other bond and note issues and purchase money obligations will not be disturbed under this plan.

"Lloyds" at $87,000 In First M. H. Week

(Continued from page 1)

on a double feature program, day-and-date with the Broadway showing. The second feature will be "Let's Make a Million."

After "Black Legion" bows out of the Strand on Friday night, the theatre will show "Stolen Holiday," followed by "The Great O'Malley" and "Green Light."

Ostrer Wants U. K. Subsidized in U. S.

(Continued from page 1)

20 to 24 films in England by G.B. He said he had made a number of contacts here and would return in two or three months to complete negotiations for talent.

He also said that G.B. would release 24 features in this market this season.

Schlaifer to Chicago

L. Jack Schlaifer, western division sales head of U. A., left for Chicago yesterday to meet A. W. Smith, Jr., and midwest branch managers in connection with the George Schaefer sales drive. Smith left Pittsburgh last night for the Windy City and is due back tomorrow.

Slick West for New Job

Hollywood, Jan. 20.—Stephen Slick of the 20th Century-Fox eastern story department, arrived here today to assume his post as special editor and story scout for the Wurtzel unit. He will work under Julian Johnson.

Film Names to Jam Air Shows For Ten Days

(Continued from page 1)

George Brent and Beverly Roberts facing microphones on CBS, NBC, and WHN. Mayo, director of "The Black Legion," will be the subject of an interview by Radie Harris on WHN from 8 to 9 P. M., E.S.T.; Disney will be awarded a medal as 1936's outstanding young man by the Hollywood Junior Chamber of Commerce in a 10 P. M., E.S.T., program over the NBC-Blue network which will feature, in addition, Nagel, Cobb, and Miss Pickford. "Hollywood Hotel," CBS, 9 to 10 P. M., E.S.T., will present George Brent and Miss Roberts in re-enactments of scenes from "God's Country and the Woman." The same program will offer MacMurray, Miss Lombard, and Mitchell Leisen.

Francis Lederer and Gertrude Lawrence will be the screen's representatives on the air Saturday night on the Sealtest "Saturday Night Party," heard from 8 to 9 P. M., E.S.T., on the NBC-Red.

Full Evening on Sunday

The screen tide will rise to flood proportions Sunday evening at 8 P. M., E.S.T. when a healthy representation of Hollywood's ace artists, directors and producers face NBC-Blue microphones in Hollywood and in New York as guests of the New York Film Critics. The list includes Gary Cooper, Jean Arthur, Walter Huston, Luise Rainer, Miss Pickford, Harry Cohn, president of Columbia Pictures; Rouben Mamoulian, Jesse L. Lasky, and Frank Capra.

The following evening, Jan. 25, will find Jeanette MacDonald emoting and singing for Lux on the CBS "Radio Theatre" program, 9 to 10 P.M., E.S.T., while Guy Kibbee appears as Jackie Cooper's guest on the "Lessons in Hollywood" program, heard over the Mutual chain at 8 P. M., E.S.T.

Decca Asks to Join Crumit Record Suit

A motion filed by Decca Record, Inc., in which it seeks to join an action started sometime ago by Frank Crumit against the Marcus Loew Booking Agency and the Golden Rod Brewing Co., Inc., will be heard this morning before N. Y. Supreme Court Justice Salvatore A. Cotillo.

Last summer the record "The Dashing Marine" was broadcast over WHN on a program sponsored by the Golden Rod Brewing Co. This, Crumit claims, was without his permission. He brought suit for damages and an injunction to restrain the defendants from continuing using the record. The Decca Co. now claims that it, not Crumit, was the aggrieved party. It claims to have a contract with Crumit made in Sept. 1934, to run for a year which gave it sole rights to all records which it made featuring Crumit, including "The Dashing Marine." An injunction is asked to restrain Crumit from bringing any kind of an action without the company's consent for use of records over which it claims sole rights.

Hollywood Stars Preferred By Largest Users of Radio

(Continued from page 1)

11 months to Dec. 1 were as follows, with name of client, agency, and time expenditures:

PROCTOR & GAMBLE, Blacket-Sample & Hummert, Inc., Blackman Adv., Inc., Pedlar & Ryan, Inc., H. W. Kastor Adv. Co., Inc.	$2,904,397
STANDARD BRANDS, INC., J. Walter Thompson	2,076,179
STERLING PRODUCTS, INC., Blackett-Sample & Hummert, Inc.	1,443,379
GENERAL FOODS CORP., Bentor & Bowles, Inc., Young & Rubicam, Inc.	1,280,169
PEPSODENT CO., Lord & Thomas	1,246,356
MILES LABORATORIES, Wade Adv. Agency	1,174,460
GENERAL MOTORS CORP., Campbell-Ewald Co.	911,685
AMERICAN TOBACCO CO., Lord & Thomas	889,513
NATIONAL DAIRY PRODUCTS, J. Walter Thompson Co.	694,420
BRISTOL-MYERS CO., Young & Rubicam, Inc.	665,720
LADY ESTHER CO., Stack-Goble Adv. Co.	609,528
AMERICAN HOME PRODUCTS, Blackett-Sample & Hummert, Inc.	586,835
FORD MOTOR CO., N. W. Ayer & Son, Inc.	519,462
SHELL EASTERN PETROLUM, J. Walter Thompson Co.	507,875
KELLOGG CO., N. W. Ayer & Son, Inc.	507,268
TOTAL:	$16,017,206

CBS's largest advertisers in the same 11 months included the four biggest users of film personalities on the air: Colgate-Palmolive-Peet, Campbell Soup, Lever Brothers and R. J. Reynolds. CBS's first ten advertising sponsors from January to December 1st spent nearly $11,000,000 for radio advertising, as follows:

Client	*Time Expenditure*
Colgate-Palmolive-Peet	$1,536,220
Ford Motor Co.	1,528,026
Campbell Soup Co.	1,314,209
Lever Bros.	1,239,812
Liggett & Meyers Tobacco Co.	1,094,460
Wm. Wrigley, Jr. Co.	1,921,486
R. J. Reynolds	950,749
General Mills	854,046
Philco Radio & Television	717,770
American Home Products	710,172
Total	$10,966,950

There were additionally 71 different programs using straight-film, film-radio or film-stage players during the six months, making a total of 96 programs. Typical of programs using less than five players were Feenamint Laxative's "Amateur Hour," Campana Skin Balm's "First Nighter," Bourjois Cosmetic's "Evening in Paris," the Pet Milk Company's "Saturday Night Serenaders," Vick's Vapo-Rub's "Open House," Wrigley Chewing Gum's "Poetic Melodies," General Shoe's "Portraits of Harmony," Standard Oil's "Flying Red Horse Tavern," Colgate Soap's "Ziegfeld Follies of the Air," Iodent Toothpaste's "Dress Rehearsal," Heinz Pickles' "Magazine of the Air," Swift Ham's "Studio Party," and Radio City's "Music Hall on the Air"—one of the three lone programs specifically selling motion pictures. A complete list of the advertisers and sponsors using less than five straight-film, film-radio, or film-stage players on the air in the six months follows:

Atlantic Refining Co. (gas and oil)
B-C Remedy Co. (headache medicine)
Boston Evening American (newspapers)
Bourjois Co. (cosmetics)
Bristol-Meyers Co. (toothpaste)
Browns-Williams Co. (cigarettes)
California Chain Stores (foodstuffs, groceries)
Campana Sales Co. (skin balm, beautifier)
Chevrolet Motors (automobiles)
Chrysler Corp. (automobiles)
Cities Service (gas and oil)
Cook, Thomas, (travel tours)
Davis, R. B., Co. (health drink)
Elgin Watch Co. (watches)
Federation of Jewish Charities (charities)
Firestone Co. (tires and rubber goods)
Ford Motor Co. (automobiles)
General Baking Co. (foodstuffs)
General Federation of Women's Clubs
General Motors Co. (automobiles)
General Shoe Co. (shoes)
Glame Co. (nail polish)
Great Atlantic and Pacific Co. (foodstuffs, groceries)
Gulf Refining Co. (gas and oil)
Health Products, Inc. (laxative)
Heinz, H. J., Co. (foodstuffs)
Iodent Chemical Co. (toothpaste)
Jergens Woodbury Sales Co. (soaps)
Kellogg Company (foodstuffs)
Lady Esther Co. (cosmetics)
Larue and Bro. (tobacco)
Lehn and Fink Co. (toothpaste)
Ludens, Inc., (candy cough drops medicine)
Liggett-Meyers Co. (cigarettes)
MacFadden Publications (magazines)
Miles, Dr. Laboratory (headache medicine)
Nash Motor Co. (automobiles)
National Council of Women (women's clubs)
National Fire Prevention Week (fire prevention)
New York Tuberculosis and Health Ass'n
Pepsodent Co. (toothpaste)
Pet Milk Sales Co. (foodstuffs)
Phillip Morris Co. (cigarettes)
Plymouth Motors Co. (automobiles)
Procter and Gamble Co. (soaps)
Radio City Music Hall (motion pictures)
Ralston Purina Co. (foodstuffs)
Real Silk Hosiery Mills (hosiery)
Remington-Rand, Inc., (office furniture)
Reynolds, R. J., Co. (cigarettes)
Sealtest Laboratories (foodstuffs)
Socony (gas and oil)
Standard Brands (foodstuffs)
Sterling Products (toothpowder)
Studebaker Co. (automobiles)
Sun Oil Co. (gas and oil)
Swift Packing Co. (meats)
United Ice Dealers (ice)
University of Religious Conference (religion)
Vick Chemical Co. (cold medicines)
Watkins Co. (hair shampoo)
Weco Products, Inc., (toothpaste)
Welfare League of America (child welfare)
Welsh Grape Juice Co. (beverages)
Wm. Wrigley Co. (chewing gum)
Women's Zionist Movement (charities)
WPA Theatre Project (employment for actors)
Young Men's Christian Ass'n. (youth movement—social service)
Young Women's Christian Ass'n. (women's movement)

Purely Personal

LOUIS B. MAYER and HOWARD STRICKLING left for Miami yesterday. After a short visit with NICHOLAS M. SCHENCK, MAYER and STRICKLING will head for Hollywood.

•

JERRY BERGH, who has appeared in stock shows, has been signed by Grand National. She will be tendered a cocktail party this afternoon at the Waldorf and will leave tomorrow for Hollywood. E. L. ALPERSON and PAN BLUMENTHAL will head for the coast this afternoon.

•

JOHN DRINKWATER, author of a biography of CARL LAEMMLE and playwright, will do a series of articles on the coronation of King George.

•

MAURICE CONN was scheduled to leave last night for Columbus where he would board an American Airline plane for the coast.

•

CONSTANCE BENNETT has arrived from the coast. She is stopping at the Waldorf-Astoria.

•

RAOUL WALSH, FANNY WARD, DOROTHY MACKAILL and URSULA JEANS are arriving on the *Europa* today.

•

VLADIMIR SOKOLOFF, European character actor recently signed by Warners, arrives today on the *Champlain*.

•

FRED MEYERS and LEON GOLDBERG are due back this morning from Providence.

•

LEO CARRILLO is here from Hollywood. He is at the Warwick.

A. H. McCAUSLAND, RKO trustee's representative, leaves for the coast today to join in the production conferences under way at the studio between LEO SPITZ, SAM BRISKIN, NED DEPINET and JULES LEVY.

•

LOUIS FRISCH will return Monday from a West Indies cruise. On Jan. 30, his partner, SAM RINZLER, will leave for a Miami vacation.

•

MILTON BERLE is deferring his trip to the coast for work on a new RKO Radio picture until Monday.

•

ABRAHAM LINCOLN SIMON, formerly handling publicity for Loew theatres, is doing the same job now for WHN.

•

JAMES FIELD of the RKO theatre legal staff continues seriously ill after a recent operation.

•

MOE STREIMER is around again after being down two weeks with the flu.

•

LYNN FARNOL due back from the coast today.

RKO Holds Opening Day

Despite Loew's shifting of a number of its theatre openings from Fridays to Thursdays, RKO will maintain its present booking plan and continue Tuesday and Friday openings.

Kelly in South Africa

JOHANNESBURG, Jan. 20.—Arthur W. Kelly of United Artists has arrived from South America.

KSO Aids Newspaper As Sleet Cuts Wires

ST. LOUIS, Jan. 20.—KSO, affiliate of the St. Louis *Post-Dispatch*, came to the rescue of the A. P. and newspapers of southern Illinois and Missouri recently when sleet storms interrupted wire services.

Special news broadcasts were made at 1 P. M. daily and in advance of that time the radio listeners in the affected towns were asked to advise their newspapers to tune in on KSD for the dispatches. About 500 words of news were sent out at 1 P. M. followed by about 300 words at 2 P. M. covering later developments.

Several of the newspapers printed front page stories about this special service by KSD. In addition to the special service for the A. P. the radio station maintained its regular schedule of newscasts.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 18 NEW YORK, FRIDAY, JANUARY 22, 1937 TEN CENTS

Loew's Short Half Cut to Overcome B's

Sets 5-Day "Weekend" to Help Slow Midweek

The entire Loew's metropolitan circuit will be placed on a five-day "weekend" booking basis by the end of February in an effort to overcome declining midweek grosses which are attributed entirely to the weaker or "B" type of product which is played in midweek.

The effect of the policy will be to increase by a day bookings for outstanding product which plays the big half and to cut by one day the short half on bookings of the weaker pictures. Five of first runs inaugurated the policy yesterday by opening new pictures on Thursday instead of Friday, as heretofore. Their next change will be made on Tuesday, when the so-called "B" pictures will be added in for only two, instead of the former three days.

Other Loew's first runs will pick up the policy next week, but it will be deferred in the circuit's subsequent runs for several weeks due to the

(Continued on page 11)

Allied's Meet Starts; Yamins Post Unfilled

By BILL ORNSTEIN

BALTIMORE, Jan. 21.—Efforts to select a candidate for president of Allied to succeed Nathan Yamins, who has refused reelection to the office, were unavailing today as the exhibitor organization completed the first day of its annual convention at the Hotel Emerson.

The presidential post is expected to be filled at a special meeting to be held by the nominating committee. While it is felt that this group will attempt to draft Yamins for another term, the Fall River executive today told MOTION PICTURE DAILY that he would not serve again under any circumstances.

During today's session committees issued their reports and lined up programs for tomorrow's proceedings. Herman Blum of Baltimore, treasurer

(Continued on page 2)

MPTOA Talks Seen Delayed Two Weeks

Conferences with distribution executives on further trade practice concessions in connection with the M.P.T.O.A. proposals probably will not be held for another two or three

(Continued on page 2)

Loew Sets Intercity Wire Hookup for Big Bank Night

An intercity theatre hookup with six master switchboards on the stage of Metropolitan in Brooklyn and operators on the stages of 55 houses in the Loew circuit will move into line to make known the winners of the chain's first two-day, all-day Bank Night on Feb. 10.

It will be the circuit's first such elaborate attempt with $3,500 in cash, the stakes in three prizes—$1,500, the first and $1,000 each for second and third prizes. Contestants are piling up their entry blanks three weeks in advance of the fateful evening. Attendance cards, making it unnecessary for the contestants to be on hand in person at the theatres noting their entry, have been evolved. In other words, three Loew patrons will win and won't even have to hang around the lobby to do so. The theatre will do the notifying.

All but a half dozen or more de luxe Loew houses are in the scheme, the exceptions numbering such theatres as the State, the 72nd St., the 86th St. and the Lexington. The competitive cards are to be selected on the stage of the Metropolitan the night of Feb. 10. Six girls will also control as many

(Continued on page 11)

Ostrer Goes Specific on U.S. Subsidy

By BRUCE ALLAN

LONDON, Jan. 21.—A Government regulation requiring American companies to buy English product to a value representing 25 per cent of the amount of money taken from this country each year by American interests, was suggested here today by Isidore Ostrer, in a press interview supplementing his shipboard statements of yesterday.

Ostrer said in part, "I have a concrete proposal for the Government. They must realize that pictures cannot pay either cultural or cash divi-

(Continued on page 11)

French Film Quality Was Better in '36

This is the second in a series of articles by foreign correspondents of Motion Picture Daily *reviewing the highlights of industry affairs in the year just ended, with forecasts for the future.*

By PIERRE AUTRE

PARIS, Jan. 14.—The outstanding development in the French industry in 1936 was a decided improvement in the quality of product, although the 110 produced were five less than in 1935. All pictures were made by independent producers, averaging only

(Continued on page 11)

Radio Penetration Is Seen Slated to Extend Further

This is the final installment of this series on radio and films.

By JAMES P. CUNNINGHAM

The radio industry, as represented by the two greatest networks, NBC and CBS, today is expressing its claims on Hollywood's talent in the permanent terms of brick and mortar. Both are investing upwards of $1,000,000 each in the building of their largest broadcasting centers outside of their main air plants in New York. Too, room is being provided within the buildings with a view to television, in which venture radio will depend almost entirely on the motion picture's talent supply.

Greater expansion of NBC on the Pacific coast and fuller service to listeners is forecast in contemplated changes in San Francisco and Hollywood, announced by Lenox R. Lohr, president of the NBC. One of the factors in the proposed changes, Lohr

(Continued on page 4)

Additional radio news on page 4

Warners Gain Nearly 100% In 13 Weeks

Net for Quarter Ending Nov. 28 $2,047,936

Warner Bros. Pictures, Inc., and subsidiaries, report a net of $2,047,936.28 for the 13 weeks ending Nov. 28. This is after all charges including amortization and depreciation and Federal income taxes, but before providing for Federal surtaxes on undistributed earnings.

In 1935 the net for the same quarter was $1,031,315.96. The increase is $1,016,620.30, nearly 100 per cent.

The sum of $92,725.18 was credited to deficit account, leaving this account at $8,328,486.89 on Nov. 28.

Net income before deducting $6,206,112.17 representing amortization of film costs, including depreciation of studio properties before other income and general charges, was $4,828,142.25. Net profit from operations carried to deficit account was $2,047,936.28. Discount realized on redemption of bonds of subsidiary companies was $89,770.50. A profit of $2,954.68 was realized on sale of capital assets.

The total amount of optional six per cent convertible debentures, series due in 1939, outstanding Nov. 28, was

(Continued on page 11)

RKO to Up Budgets On Its "B" Product

HOLLYWOOD, Jan. 21.—Budgets on RKO's B pictures will be increased from 25 to 35 per cent in accordance with decisions reached at the company product conferences which closed here today. A special one-hour session will be held tomorrow.

RKO executives wish to elevate the class of B pictures to the point where they can play the A houses as well as the neighborhood spots.

No official statement with regard to the three-day conference was issued.

Morton Van Praag, former general sales manager of National Screen Service, may join RKO in the near future, probably in a sales capacity,

(Continued on page 12)

Corporations Target In Bank Night Cases

CHICAGO, Jan. 21.—Assistant City Corporation Counsel William V. Daly said that he would file complaints tomorrow against corporations operating 122 local theatres whose managers or

(Continued on page 11)

MOTION PICTURE
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Academy to Consider 382 for Its Awards

Hollywood, Jan. 21.—The Academy award selections will be made from 382 features originating in major studios, it was stated today. A special committee of 50 Academy members are currently studying these films to select the best ten, also the five achievements in the other award classifications.

The committee will hold its first meeting January 26 on the producing, acting, directing and writing awards. Nominations will be made by secret ballot within the following ten days. Other award nominations will be referred to special subcommittees with the entire membership casting the final secret ballot.

Alperson to Coast

Edward L. Alperson, president of Grand National, left yesterday on the Century for the coast, where he will engage in production conferences. He is expected to be gone from two to three weeks, and plans no stops en route on his return.

Purely Personal

Harry Goldberg, advertising director for Warner theatres, is holding meetings this week in Philadelphia, Erie and Clarksburg, West Va., on "Black Legion."

•

Y. Frank Freeman, who has been visiting Paramount theatre operators while en route here from the studio, will be at his home in Atlanta for the coming weekend, returning here early next week.

•

Jean Harlow and Robert Taylor will attend the President's Inaugural Ball Jan. 30. Taylor will arrive here Monday, remaining a few days before proceeding to the capital.

•

Gene Towne, co-author of "You Only Live Once," and Fritz Lang, director of the same production, are en route to New York. Lang arrives today, Towne, Monday.

•

Ladislaus Bus-Fekete, Hungarian playwright arrived yesterday on the *Conte di Savoia.* He will join M-G-M's scenario department on the coast.

•

Helen Beatrice Hodes, daughter of Hal Hodes, will be married Sunday afternoon at the Waldorf to Milton Greenspan of Weehawken, N. J.

•

Phyliss Brooks, who appears in "Stage Door," has been signed by 20th Century-Fox and is not due at the studio until June.

•

Herbert J. Ochs, assistant to Gradwell Sears at Warners, leaves today on a tour of the company's western exchanges.

•

Edward L. Klein and Mrs. Klein sail for London on the *Champlain* tomorrow. They have been here since early last fall.

•

Franklin R. Fielding, public relations representative for RKO, is in town for conferences with Leon J. Bamberger.

•

Al O. Bondy, distributor of advertising reels, leaves for Florida tomorrow. By boat to Norfolk, then over the road.

•

Gradwell L. Sears, Warner sales head, is in New Orleans to confer with circuit heads on forthcoming product.

•

Norma Shearer, who has been here on a short vacation, will leave for Hollywood by train on Tuesday, as planned.

•

Estelle and LeRoy, dance team signed for "Walter Wanger's Vogues of 1938," are en route to the studio.

•

Robert M. Gillham, director of Paramount publicity and advertising, is due from the coast tomorrow.

•

Louis Cohen is en route to Hollywood, there to make his permanent headquarters.

•

Robert McIntyre, Goldwyn production manager, is leaving today for the coast.

Hits Korda Plan

London, Jan. 21.—It is understood here on good authority that Maurice Silverstone, head of United Artists, may prevent the completion of the plan of Alexander Korda of London Films to produce "B" pictures for British Lion release. It is understood to be Silverstone's contention that the plan is contrary to Korda's contract and membership in United Artists.

Para. Board Meets With Zukor Present

Only routine business was transacted at a meeting of the Paramount board yesterday, company officials said. The meeting was advanced from Jan. 28, the scheduled date, in order that Adolph Zukor, chairman, might attend.

Zukor, accompanied by Al Wilkie, Paramount publicity representative, and Frank Chapman, husband of Gladys Swarthout, left for Washington following the board meeting to attend the premiere there tonight of "Champagne Waltz." Barney and Mrs. Balaban and Neil and Mrs. Agnew go to Washington today for the premiere. Others from Paramount who will attend include John Hicks, Jr., John Cecil Graham, A. Edward Sutherland and Gladys Swarthout. A luncheon and dinner are on the schedule of events preceding the picture's opening.

The Paramount executives will return here tomorrow. Zukor will spend several days in New York before leaving for the coast about the middle of next week.

Schulberg Names Fisher

Hollywood, Jan. 21.—B. P. Schulberg today signed James B. Fisher as head of his newly organized story department in anticipation of an increase in production activities. Fisher resigned from the R.K.O. story department. He also will act as special contact man between Schulberg and the Hays office.

Voight Has Another Bill

Sacramento, Jan. 21.—Assemblyman Voight, who yesterday introduced a bill which seeks to ban block booking of films, today stated that a second bill calling for the divorcement of production and exhibition is ready for introduction.

Flynn's Father Dead

Cleveland, Jan. 21.—Funeral services will be held here tomorrow for Michael Flynn, father of the M-G-M district manager, Jack Flynn. Also surviving are Mrs. Flynn, two daughters and another son.

Urbach's Mother Dies

Funeral services were held yesterday in Brooklyn for Rose Urbach, mother of Lawrence Urbach, trade paper man on the coast.

To Open People's Cinema

The Bluebird, Saratoga and Livonia Aves., Brooklyn, will reopen Jan. 29 as the People's Cinema. The house will feature Russian and European films.

Allied's Meet Starts; Yamins Post Unfilled

(*Continued from page* 1)

of Allied and chairman of the Finance Committee, stated, "We have a nice balance in the bank." Discussions regarding state and national legislation affecting exhibition were the order of the day, with special emphasis placed upon the compulsory divorcement of production and exhibition together with progress made on the collecting of a fund to expedite the passage of the necessary statutes.

Edward Golden, sales manager of Monogram, addressed the directors this afternoon after which he left for Chicago. All Allied directors, with the exception of Aaron Saperstein, were present. Saperstein is in Miami.

The Pittsburgh and Milwaukee units of Allied have each asked that the next annual convention of the organization be held in its city. A decision will be made at tomorrow's meeting.

Yamins Speaks at Banquet

The assembled delegates were guests this evening at a banquet tendered by the M.P.T.O. of Maryland. Yamins delivered an address, expressing regret that he "could not do a better job for the organization" during his administration and gave as an explanation the many demands on his time. He expressed a wish that he would be succeeded by a man who would do a worthwhile job and added the hope that his successor would do for exhibitors what President Roosevelt is doing for the small man. He closed by saying, "We should dedicate ourselves to the task of making a place in the sun for every exhibitor."

Other speakers included Attorney General Herbert R. O'Connor, Congressman Victor Palmisana of Baltimore who said that he is opposed to the sales tax and hopes that the small fellow will be exempted to as great a degree as possible, Bob Irwin, secretary to Governor Nice, and Abram F. Myers.

Arthur B. Price, head of the Maryland unit, was toastmaster.

Steffes Will Speak

Boston, Jan. 21.—Al Steffes has accepted the invitation of Arthur K. Howard to speak at the annual business meeting of the Independent Exhibitors, Inc., Jan. 26, at the Hotel Bradford here. A private luncheon will be served. Frank Howard's pictures of 30 years ago will be screened. Officers and directors will be elected.

MPTOA Talks Seen Delayed Two Weeks

(*Continued from page* 1)

weeks, Ed Kuykendall, M.P.T.O.A. president, indicated yesterday following his arrival here from Washington.

Kuykendall plans to leave Sunday for Miami to complete arrangements there for the M.P.T.O.A. national convention to be held March 16-18. After several days in Miami he will return to Washington and will come to New York thereafter. The new conferences with distribution executives which he is seeking probably will not be held until then. Mrs. Kuykendall is accompanying the M.P.T.O.A. president on his present trip.

THE RECORD OF A *Champion*

TORONTO—3RD WEEK

MONTREAL—2ND WEEK

CHICAGO—2ND WEEK

and now

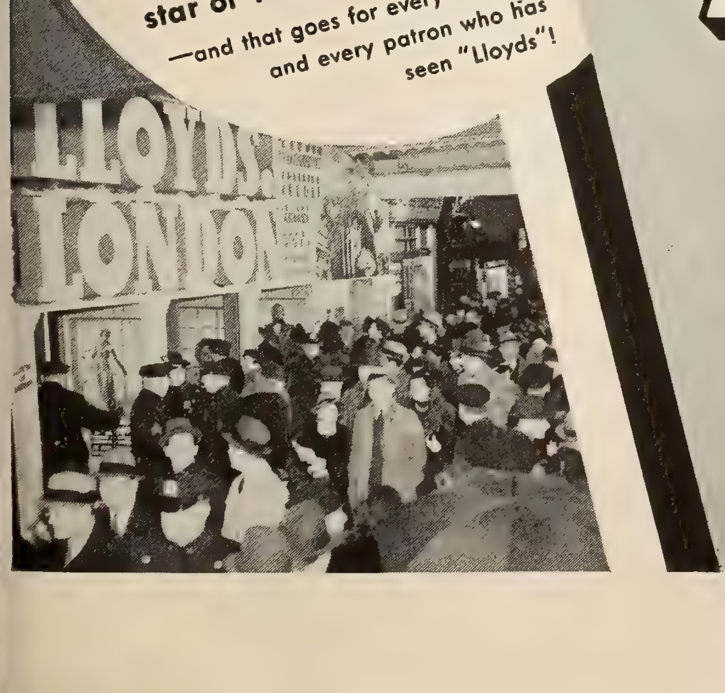
NEW YORK

HOLD OVER set at Radio City Music Hall . . . right on top of its sensational two-a-day run at the Astor Theatre ($2.00 top)!

A prediction by "LIBERTY"

"Almost every year some new young man captures the screen world. Unless I am very much mistaken, Tyrone Power will be the sensational new star of 1937."

—and that goes for every reviewer and every patron who has seen "Lloyds"!



LLOYDS OF LONDON

You'll be holding it over, too!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Radio Personals

HOLLY NOBLE of the CBS press staff has been a distraught young man since Christmas, at which time the boys at the network inserted an ad in a local paper stating that Noble would pay excellent prices for discarded Christmas trees. For days, Holly was plagued by callers who trudged to his doorstep with their trees. Even the Erie railroad fell for the gag by trying to unload several carloads of left-over pines.

Currently, Holly is shooing away callers bearing house keys to which are attached tags notifying the finders to return the keys to Noble for a reward. Seems that the gang, elated over the success of its first gag, pooled together all useless door keys, attached the tags, and dropped them in public parks, refuse receptacles and other likely places. . . .

+

"Beverly Hills," Hollywood gossip columnist for *Liberty,* began a new screen comment series over WNEW Wednesday. No actual cash is involved in the deal, however. *Liberty* is granting plugs to the station in its issues in return for the air time. The series is heard Tuesdays, Thursdays and Saturdays at 9:30 P.M., E.S.T. . . . Andre Kostelanetz will be honored as America's No. 1 air passenger Jan. 26 when, banqueting with aviation heads in a Douglas airliner over New York, he will be presented a medal by Clyde Pangborn. The ceremony will be broadcast from the plane, 2 to 2:15 P.M., E.S.T., over CBS. Kostelanetz amassed the bulk of his mileage planing between New York and Hollywood while he directed the music for the Lily Pons picture, "That Girl from Paris.". . .

+

Margaret Widdemer, noted novelist, starts a new series Feb. 17 on the NBC-Blue, explaining how anyone can write a story. The title will be "Do You Want to Write?" . . . Arthur Peterson, who will have the lead in the new daily serial "Good Samaritan" over NBC this Monday, weds Norma Ransom of Caledonia, Minn., Saturday. . . . Milton Berle has been crowned "king of the night club performers" by the *Daily Mirror.* The judges who made the selection are Grover Whalen, Ferde Grofe, Ann Nichols, Russell Patterson and night club proprietors. . . .

+

Mary Small's Juvenile review will guest star on "Showboat" next Thursday. . . . Ditto Lucille Manners, Lauritz Melchior, Ray Noble and Andre Segovia on the RCA "Magic Key" program Sunday, Jan. 24. . . . Bernice Judis, manager of station WNEW, begins a month's vacation today. Miss Judis will spend her time in Chicago and in Hollywood. . . .

+

Josephine Currier, secretary to E. H. Gager, plant manager of KYW, Philadelphia, and Russell Walker announced their engagement yesterday. Walker is the radio news commentator for the *New York World-Telegram* over WHN. . . . Joseph Schildkraut, currently appearing in "The Garden of Allah," will be Elza Schallert's guest Jan. 29 at 10:45 P. M., E.S.T. over the NBC-Blue. . . .

Radio Penetration Is Seen Slated to Extend Further

(*Continued from page* 1)

declared, is the rapidly increasing number of programs on both networks for coast-to-coast release and the ever-growing hold of Hollywood on the public's interest, as a source for broadcast material and talent. The Hollywood studio facilities and staff will be doubled, he said.

The next move is the "electrical transcription," bringing picture stars to the smaller networks and individual stations. The programs are sponsored by an advertiser.

The basic idea itself is not new, but its relation to Hollywood is. Already deeply engaged is the Delaware, Lackawanna and Western Coal Co., through a series of programs on Mutual. Jackie Cooper is master-of-ceremonies of D. L. and W.'s "Lessons from Hollywood," which already has introduced 23 of Hollywood's well-known players.

Many Use Transcriptions

Typical of the circulation for electrical transcriptions—a term used to take away some of the stigma of recordings—is the 300-station usage given Dave Rubinoff's orchestra. Too, Ed Wynn's series is to be "waxed" for Spuds Cigarettes and issued to several hundreds of small stations. Raleigh and Kool Cigarettes, featuring Jack Pearl, will electrically transcribe its NBC "Blue Network" program for 18 smaller stations.

Signs of the times were seen in the extension of Fanchon and Marco's talent business from stage bookings to include a service for radio advertisers seeking talent especially for electrical transcriptions. For this purpose the agency signed 14 Hollywood players for recordings on the air, as follows: Fred and Paula Stone, Lyda Roberti, Jackie Coogan, Betty Grable, Jack Holt, May Robson, Ann Sothern, Patsy Kelly, Dolores Costello, Ann Shirley, Guy Kibbee, Maureen O'Sullivan and Gloria Swanson.

Stores, Too, from Hollywood

Bethlehem Steel Corp., General Motors, Woodbury's Soap, Ralston Purina Co., Sterling Products, Westinghouse, Dr. Miles Laboratories and American Bosch are new clients for electrical transcription service. Very Hollywood-minded are Woodbury's Soap, Ralston Purina, Sterling Products and Dr. Miles Laboratories.

Hollywood now is not only giving radio a full complement of quality talent but also is answering the broadcasters' prayers for literary material—the story-well of radio showing signs of drying. And thus is explained, partially, at least, the number of dramatic playlets with film stars on the air.

Generally the radio advertisers compensate the film stars in proportion to their average scale of payments under their film contract. Air payments go from $350 to $5,000 per guest appearance, but the average payment for the screen "top-liner" is $3,500, for a few minutes on the air.

Many stars have appeared as "guest" performers on the air without any charge to the advertiser or broadcaster. On the Lux Radio Theatre which is conducted by Cecil DeMille, most of the players now appear gratis. But "a little token" of $350 to $500 is usually made by DeMille's sponsors.

The Hollywood talent market for radio has something of a scale of prices for various classes of players, from $350 up. For instance, the "asking" price for a single radio performance is $3,500 for Joan Crawford, Claudette Colbert, Jeanette MacDonald, Lily Pons, Frances Langford and Ginger Rogers. About $2,500 is asked for Jack Oakie, Lionel Barrymore, George Raft, Edward Arnold and Herbert Marshall. Ann Sothern, Alice Faye and Zasu Pitts may be had for $1,500, while Joel McCrea, Jane Withers, Edmund Lowe, Pat O'Brien, Barbara Stanwyck, Fred MacMurray and Victor McLaglen demand $1,000 per air show.

Such stars as Grace Moore, John Barrymore and Fredric March demand much higher fees.

Talent Cost Increased

Acquisition of Hollywood stars for the air has been estimated to have added 10 per cent to the cost of radio talent, bringing the talent charges for the average national-networks program to 40 per cent of the program's production costs—the bill for effecting the mechanical national hookup taking the rest of the investment.

The producers established a "secret" committee of production experts on the coast, recruiting them from members' studios, to observe the stars' radio activities.

As for the controversy raging in the film business over the appearances of Hollywood's stars on the air, grosses fail to indicate any loss in revenue, for theatres as a whole are making more money today, consistently, than since the dark days of 1929-30.

Hays Investigated

Will H. Hays in September launched a survey to determine whether box-office income was or is being injured. To date the surveyors have been unable to draw any conclusions.

Another development is the exhibitions' realization that radio has some value in theatre advertising and exploitation. *Motion Picture Herald,* in its issue of Dec. 26, reported a marked trend in exhibition in the use of radio exploitation. Many local stations are carrying spot announcements and plugs for current attractions at the local theatres, and in many situations theatre owners are sponsoring weekly or daily programs.

NBC and CBS are running neck-and-neck in the race to Hollywood's talent roster, as evidenced by the following compilation covering the period of motion picture players' performances between July 1 and Dec. 31:

	Number of Guest Performances	*Percentage*
National Broadcasting ..	279	46%
Columbia Broadcasting..	262	43
Mutual Broadcasting....	38	6
Others (Including Individual Stations)	28	5
Totals	607	100%

The two large systems, too, are building up closely in competition as national broadcasters, NBC now broadcasting through 110 stations, Columbia through 102, while radio's newest national system—Mutual-Don Lee has 39 outlets.

Coughlin Returns To Air on Sunday

If Mutual can clear the channels of 38 of its affiliated stations in time, Rev. Charles E. Coughlin will resume his radio broadcasts this Sunday from 3 to 4 P. M., E.S.T. over 16 stations, with a repeat broadcast from 8 to 8:30 P. M., E.S.T. over 22 stations. The contract is for 52 weeks.

The afternoon broadcasts will be heard over the following Mutual outlets: WJR, Detroit; WAAB, Boston; WEAN, Providence; WICC, Bridgeport; WSAR, Fall River; WSTR, Springfield; WLBZ, Bangor; WFEA, Manchester; WNBH, New Bedford; WLLH, Lowel; WBRY, Waterbury; WLNH, Laconia; WRDO, Augusta; WTHT, Hartford; WKBW, Buffalo, and WCAU, Philadelphia.

The condensed evening broadcast will go over the following stations: WOR, Newark; CKLW, Windsor; WBAL, Baltimore; WGAR; Cleveland; KSO, Des Moines; WMT, Cedar Rapids; KOIL, Omaha; WFIL, Philadelphia; WWSW, Pittsburgh; KWK, St. Louis; WOL, Washington; KFEL, Denver, and the 10 stations of the Don Lee network in California.

Priest's Decision Sudden

Father Coughlin's decision to return to the air was made a few hours after the death of his immediate ecclesiastical superior, Bishop Michael J. Gallagher of Detroit. Because of the short notice, Mutual is still in doubt as to its ability to deliver all the stations listed above for the inaugural address.

The broadacts will emanate from the Shrine of the Little Flower in Royal Oak, Mich., and will be sponsored by the Radio League of the Little Flower, which also publishes Father Coughlin's newspaper, *Social Justice.* The broadcasts will consist of timely talks.

Gets Regular Series

Jackie Coogan has signed for his first regular radio series. Beginning Tuesday, Jan. 26, Jackie will be heard weekly with Louise Massey and the Westerners on the "Log Cabin Dude Ranch" series, which is heard Tuesdays at 8 P. M., E.S.T. on the NBC-Blue network.

G. M. Lauck to Philadelphia

PHILADELPHIA, Jan. 21.—Gerold M. Lauck, executive vice-president of N. W. Ayer & Son, who for the last four years has been manager of the New York office, will make his headquarters here. Edward R. Dunning, vice-president, succeeds Lauck as manager of the New York office.

Mannering in New Job

COLUMBUS, Jan. 21.—B. A. Mannering, assistant manager of WHKC, has been appointed head of the accounting department of United Broadcasting Co., Cleveland, operating WHK and WJAY.

Charles Lutz, announcer of WHKC, also recently joined the WJAY staff.

Luise Rainer to Broadcast

HOLLYWOOD, Jan. 21.—Luise Rainer will do a scene from "The Great Ziegfeld" on N.B.C. nation-wide hookup from here on Sunday for the New York critics' award program.

Paramou
Pictures
WOW
WHAT A JUBILEE!

"COLLEGE HOLIDAY"
with Jack Benny, George Burns and Gracie Allen, Mary Boland, Martha Raye, Marsha Hunt, Eleanore Whitney, Johnny Downs, Ben Blue
Directed by Frank Tuttle
oliday" Is
op Draw in
Twin Ci
BIG $16,000 FOR
'HOLIDAY' IN
INCY
ege Holid
Big in Ne
ollege H
Indianap
'ollege' $8,2
llege Holiday"
s Buffalo Rus
ollege" Is
t. Louis Top
With $20,000
"College" $38,
Hit in Boston

SOME JUBILEE OPENER

"COLLEGE HOLIDAY"

Smashes to new highs as Buck Benny rides again for Paramount

One of the New York critics said there was no plot to "College Holiday." The lad was wrong. The plot was to make one of the big grossers of the year . . . and the plot worked. The first of the Jubilee pictures is knocking 'em down from coast to coast. Everybody thought "Big Broadcast" was terrific. "College Holiday" is running neck and neck with that box-office champion.

RAYE... RAYE... RADIO!

MARTHA
Marches on

Yes, sir, our little friend Martha has joined the ranks of the big-time radio stars (most of whom, as you know, are Paramount players) to increase her already big-time box-office draw for you lads.

NEW YORK PARAMOUNT THEATRE breaks all opening day records with "The Plainsman."

GARY COOPER
JEAN ARTHUR
THE PLAINSMAN
JAMES ELLISON · CHARLES BICKFORD
LIFE

DeMILLE STRIKES GOLD

LIFE MAGAZINE gives its 650,000 readers a six-page sales talk on "The Plainsman." Builds audience.

"THE PLAINSMAN"

Already looks like year's top grosser . . .

We've published one two-page list of box-office records chalked up by the big Cecil B. DeMille production. Wherever "The Plainsman" has played it has stood them in line. The critics have called it Gary Cooper's best job . . . Jean Arthur's best job. You know the story... the second Jubilee picture is just box-office dynamite.

"CHAMPAGNE WALTZ"

Jubilee Special proves sock box-office from coast to coast

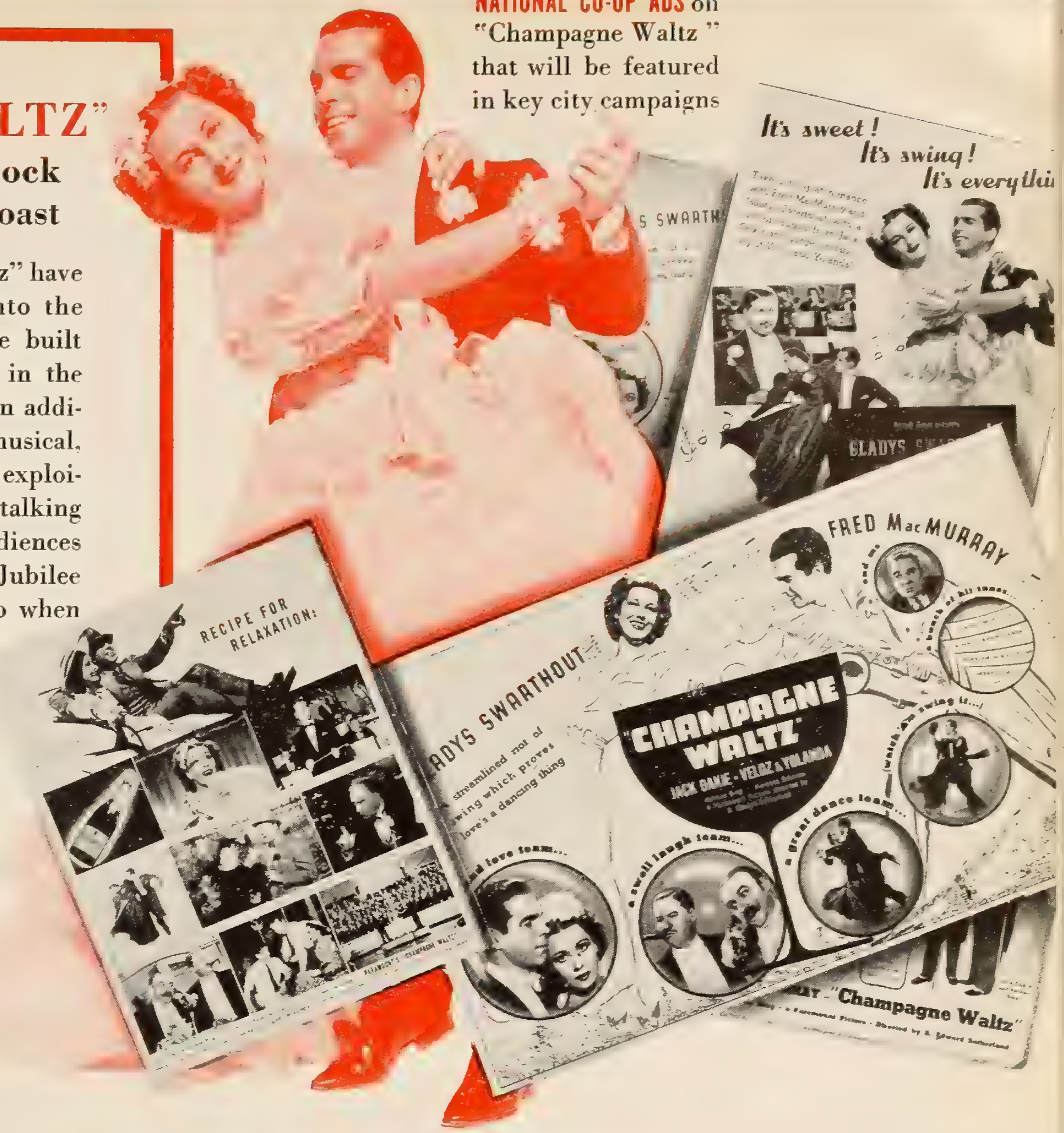
Special showings of "Champagne Waltz" have clicked this big Jubilee musical into the money. And everyone tells us we've built another terrific grosser as our third in the Jubilee series. "Champagne Waltz," in addition to its own value as a top class musical, is backed by one of those Paramount exploitation jobs which have the industry talking . . . national tie-ups by the dozen. Audiences that have seen the special Paramount Jubilee trailer have shown what they will do when this picture is screened...

just plain eat it up.

Get the Press Book for Information on:

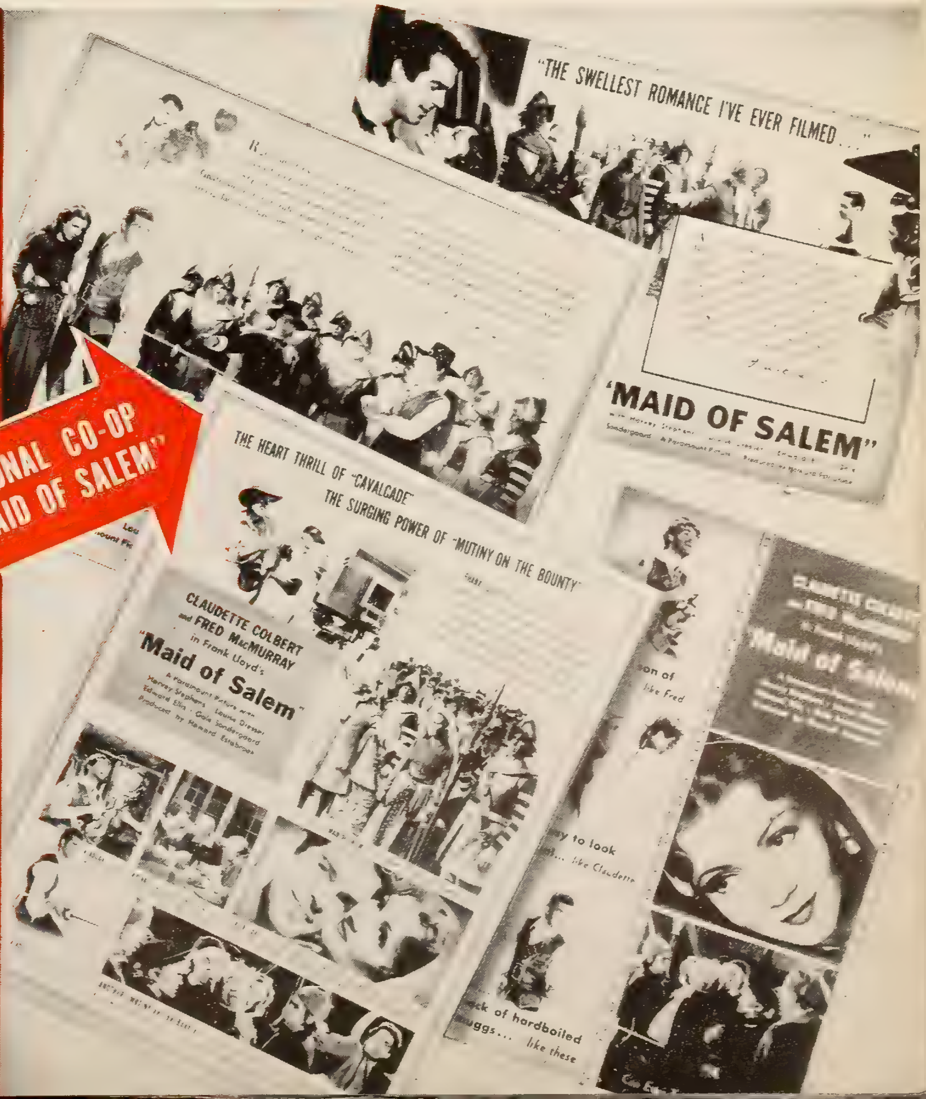
Gladys Swarthout's Sensational Concert Tour . . . Great Elgin Watch Tie-up . . . Rogers Silver Tie-up on Gladys Swarthout . . . Veloz and Yolanda Dance Contest . . . Music Store Tie-up . . . Merchandise Tie-up . . . and many others.

NATIONAL CO-OP ADS on "Champagne Waltz" that will be featured in key city campaigns


It's sweet!
It's swing!
It's everythi
GLADYS SWARTH
RECIPE FOR RELAXATION:
GLADYS SWARTHOUT
streamlined not of swing which proves love's a dancing thing
FRED MacMURRAY
"CHAMPAGNE WALTZ"
JACK OAKIE · VELOZ & YOLANDA
a love team...
a swell laugh team...
a great dance team...
"Champagne Waltz"

FRANK LLOYD comes through with his big Jubilee smash . . .

"MAID OF SALEM"


THIS IS THE NATIONAL CO-OP CAMPAIGN ON "MAID OF SALEM"
"THE SWELLEST ROMANCE I'VE EVER FILMED..."
"MAID OF SALEM"
THE HEART THRILL OF "CAVALCADE"
THE SURGING POWER OF "MUTINY ON THE BOUNTY"
CLAUDETTE COLBERT and FRED MacMURRAY in Frank Lloyd's
"Maid of Salem"
Maid of Salem

Read what the maker of "Mutiny on the Bounty" says about his first for Paramount: "All those who have seen the rushes on 'Maid of Salem' seem to agree that this picture ranks with 'Mutiny on the Bounty,' 'Cavalcade' and my other adventure-romances. All I can add is that I believe Claudette and Fred have helped me turn out a picture that will really do things at the box-office."

THERE ARE SOME THINGS EVEN MONEY CAN'T BUY!
SHE WAS BORN AND GOT
HIS KINDNESS
WHEN SHE DISCOVERED
TWO GREAT STARS bring you the most thrilling experience you've ever had in the theatre!
Wheat king, lumber baron, empire builder he thought money could buy anything It took a slip of a girl to show him he wasn't rich enough to buy love
EDWARD ARNOLD and FRANCINE LARRIMORE
Meade's Wom
HE THOUGHT HE COULD BUY HER WITH A FISTFUL OF MONEY!
TWO GREAT STARS
EDWARD ARNOLD
HE MARRIED HER TO SPITE THE WOMAN HE COULDN'T HAV
TWO GREAT STARS
ARNOLD and FRANCINE LARRIMORE
n Meade's Woman"
PATRICK, GEORGE BANCROFT
Directed by Richard Wallace
A B. P. SCHULBERG Production

"**EDWARD ARNOLD** has never turned in a stronger performance."
Comment of Preview Audience Members

Preview Audiences rave about

B. P. SCHULBERG'S

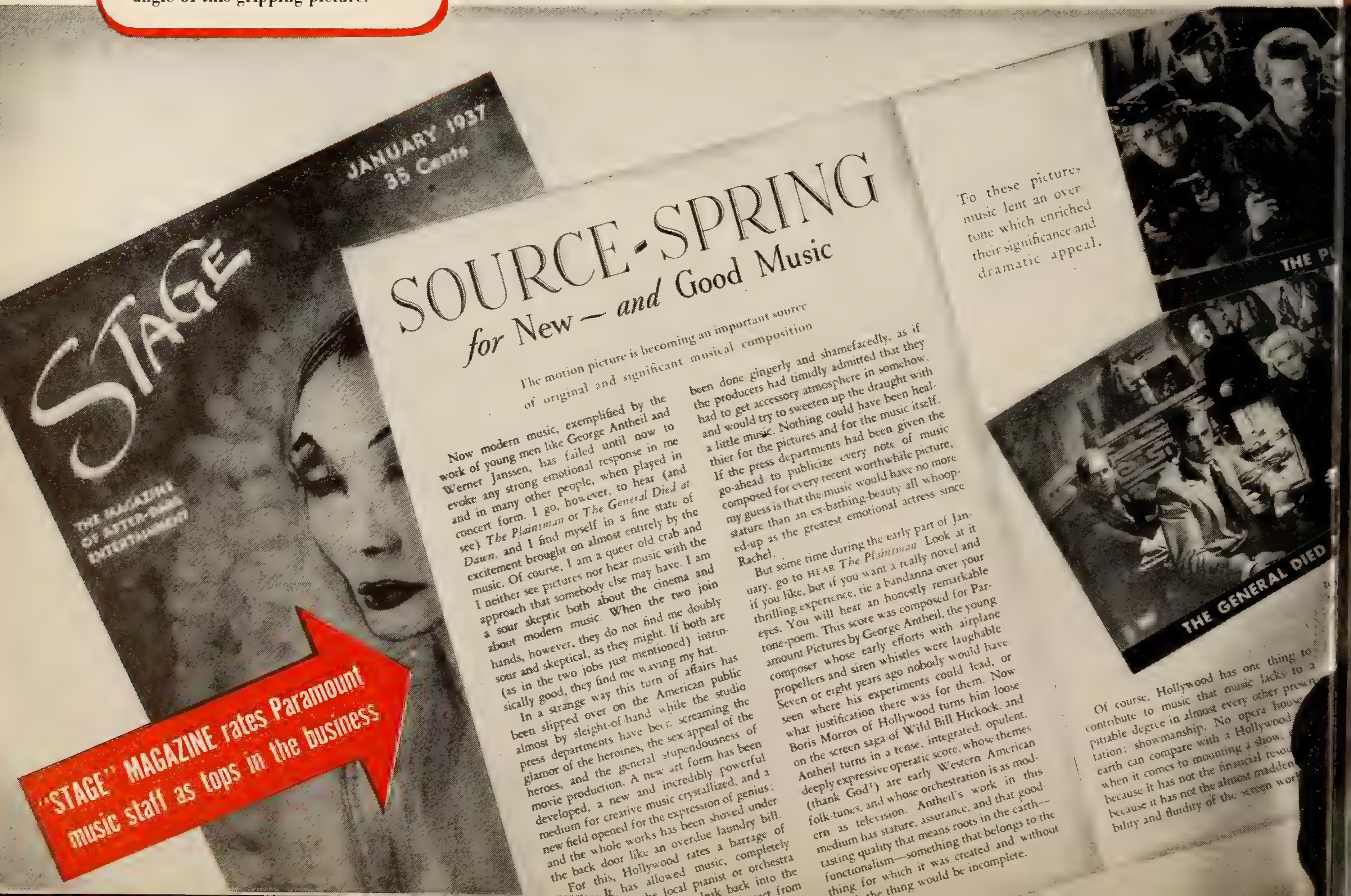
"JOHN MEADE'S WOMAN"

We knew this was a good picture. But until we showed it to preview audiences, we had no idea what a powerful picture it really is. Arnold is at his best. Francine Larrimore, star of a dozen Broadway hits, makes a sensational screen debut. Gail Patrick was never better. George Bancroft proves he can handle a big role. Richard Wallace's direction is superb.

"**FRANCINE LARRIMORE** is the biggest picture find of the new year."
Comment of Preview Audience Members

PRESS BOOK ADS carefully designed to put over unusual punch and dramatic appeal of story.

SUPPLEMENTARY ADS prepared at added expense after original campaign had been finished, as we wanted theatres to be covered on every angle of this gripping picture.


STAGE
JANUARY 1937
35 Cents
THE MAGAZINE OF AFTER-DARK ENTERTAINMENT
THE P
THE GENERAL DIED

SOURCE-SPRING for New — *and* Good Music

The motion picture is becoming an important source of original and significant musical composition

Now modern music, exemplified by the work of young men like George Antheil and Werner Janssen, has failed until now to evoke any strong emotional response in me and in many other people, when played in concert form. I go, however, to hear (and see) *The Plainsman* or *The General Died at Dawn*, and I find myself in a fine state of excitement brought on almost entirely by the music. Of course, I am a queer old crab and I neither see pictures nor hear music with the approach that somebody else may have. I am a sour skeptic both about the cinema and about modern music. When the two join hands, however, they do not find me doubly sour and skeptical, as they might. If both are (as in the two jobs just mentioned) intrinsically good, they find me waving my hat.

In a strange way this turn of affairs has been slipped over on the American public almost by sleight-of-hand while the studio press departments have been screaming the glamor of the heroines, the sex-appeal of the heroes, and the general stupendousness of movie production. A new art form has been developed, a new and incredibly powerful medium for creative music crystallized, and a new field opened for the expression of genius; and the whole works has been shoved under the back door like an overdue laundry bill.

For this, Hollywood rates a barrage of ... It has allowed music, completely ... local pianist or orchestra ... back into the ... from

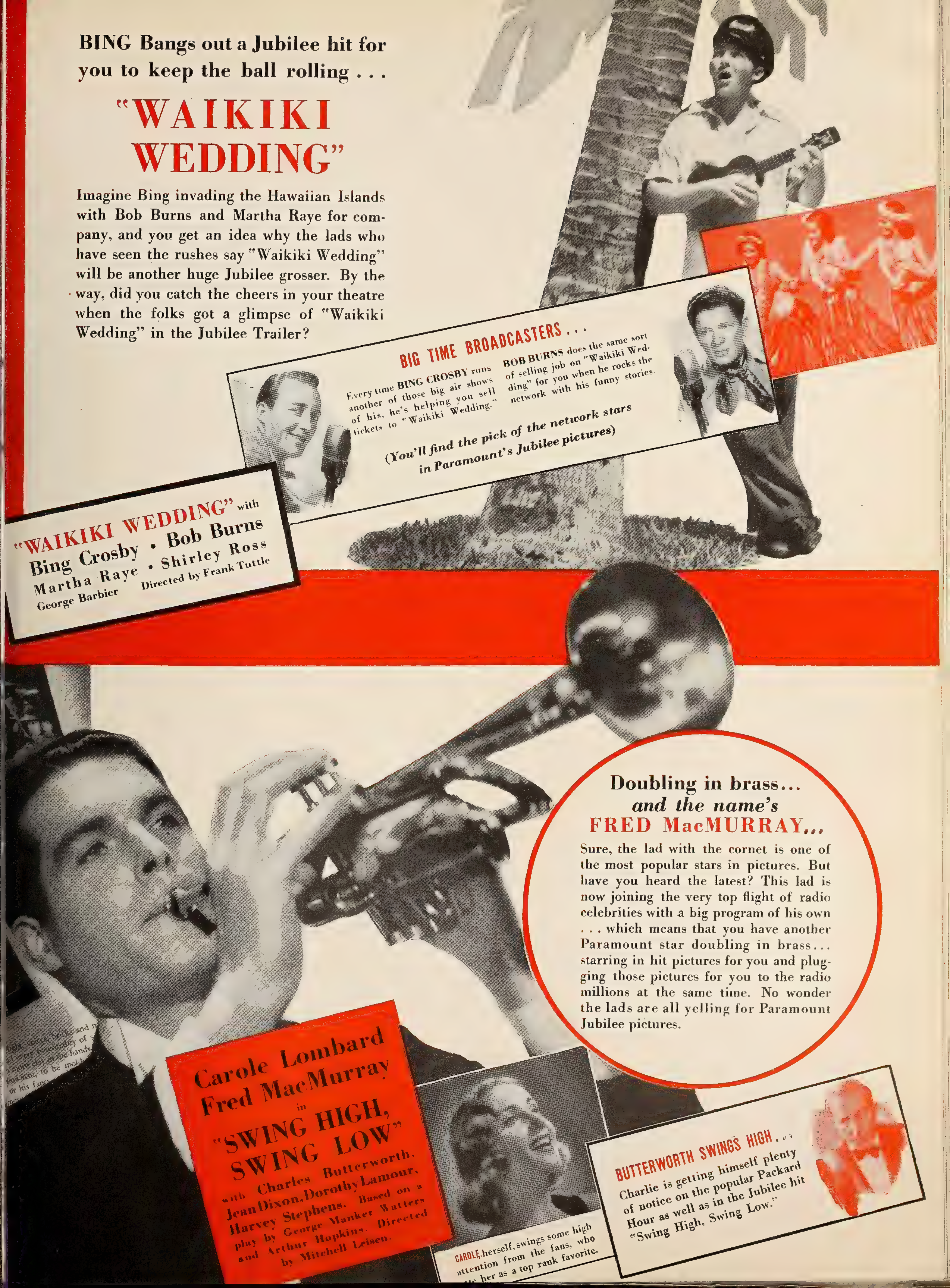
been done gingerly and shamefacedly, as if the producers had timidly admitted that they had to get accessory atmosphere in somehow, and would try to sweeten up the draught with a little music. Nothing could have been healthier for the pictures and for the music itself. If the press departments had been given the go-ahead to publicize every note of music composed for every recent worthwhile picture, my guess is that the music would have no more stature than an ex-bathing-beauty all whooped-up as the greatest emotional actress since Rachel.

But some time during the early part of January, go to HEAR *The Plainsman*. Look at it if you like, but if you want a really novel and thrilling experience, tie a bandanna over your eyes. You will hear an honestly remarkable tone-poem. This score was composed for Paramount Pictures by George Antheil, the young composer whose early efforts with airplane propellers and siren whistles were laughable. Seven or eight years ago nobody would have seen where his experiments could lead, or what justification there was for them. Now Boris Morros of Hollywood turns him loose on the screen saga of Wild Bill Hickock, and Antheil turns in a tense, integrated, opulent, deeply expressive operatic score, whose themes (thank God!) are early Western American folk-tunes, and whose orchestration is as modern as television. Antheil's work in this medium has stature, assurance, and that good-tasting quality that means roots in the earth—functionalism—something that belongs to the thing for which it was created and without ... the thing would be incomplete.

To these pictures music lent an over tone which enriched their significance and dramatic appeal.

Of course, Hollywood has one thing to contribute to music that music lacks to a pitiable degree in almost every other presen tation: showmanship. No opera house on earth can compare with a Hollywood when it comes to mounting a show, because it has not the financial resou because it has not the almost madden bility and fluidity of the screen work

"STAGE" MAGAZINE rates Paramount music staff as tops in the business



BING Bangs out a Jubilee hit for you to keep the ball rolling . . .

"WAIKIKI WEDDING"

Imagine Bing invading the Hawaiian Islands with Bob Burns and Martha Raye for company, and you get an idea why the lads who have seen the rushes say "Waikiki Wedding" will be another huge Jubilee grosser. By the way, did you catch the cheers in your theatre when the folks got a glimpse of "Waikiki Wedding" in the Jubilee Trailer?

BIG TIME BROADCASTERS . . .

Every time **BING CROSBY** runs another of those big air shows of his, he's helping you sell tickets to "Waikiki Wedding."

BOB BURNS does the same sort of selling job on "Waikiki Wedding" for you when he rocks the network with his funny stories.

(You'll find the pick of the network stars in Paramount's Jubilee pictures)

"WAIKIKI WEDDING" with
Bing Crosby • Bob Burns
Martha Raye • Shirley Ross
George Barbier Directed by Frank Tuttle

Doubling in brass...
and the name's
FRED MacMURRAY...

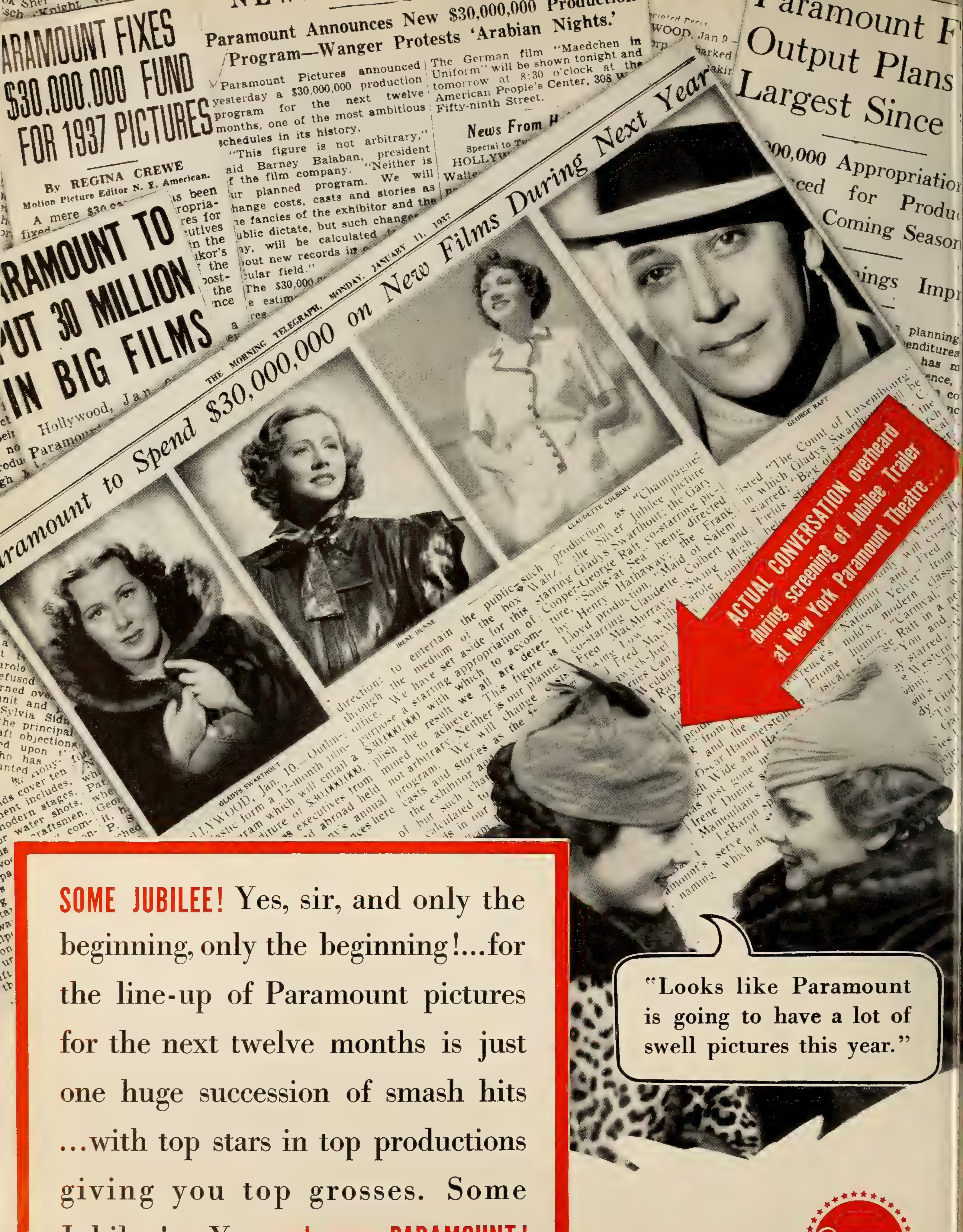
Sure, the lad with the cornet is one of the most popular stars in pictures. But have you heard the latest? This lad is now joining the very top flight of radio celebrities with a big program of his own . . . which means that you have another Paramount star doubling in brass . . . starring in hit pictures for you and plugging those pictures for you to the radio millions at the same time. No wonder the lads are all yelling for Paramount Jubilee pictures.

Carole Lombard
Fred MacMurray
in
"SWING HIGH, SWING LOW"
with Charles Butterworth, Jean Dixon, Dorothy Lamour, Harvey Stephens. Based on a play by George Manker Watters and Arthur Hopkins. Directed by Mitchell Leisen.

CAROLE, herself, swings some high attention from the fans, who her as a top rank favorite.

BUTTERWORTH SWINGS HIGH . . .

Charlie is getting himself plenty of notice on the popular Packard Hour as well as in the Jubilee hit "Swing High, Swing Low."



ARAMOUNT FIXES $30,000,000 FUND FOR 1937 PICTURES

By REGINA CREWE
Motion Picture Editor N. Y. American.

A mere $30,0… fixed…

ARAMOUNT TO PUT 30 MILLION IN BIG FILMS

Hollywood, Jan…
Paramount…

Paramount Announces New $30,000,000 Production Program—Wanger Protests 'Arabian Nights.'

Paramount Pictures announced yesterday a $30,000,000 production program for the next twelve months, one of the most ambitious schedules in its history.

"This figure is not arbitrary," said Barney Balaban, president of the film company. "Neither is our planned program. We will change costs, casts and stories as the fancies of the exhibitor and the public dictate, but such changes … will be calculated … about new records in … ular field."

The $30,000…

The German film "Maedchen in Uniform" will be shown tonight and tomorrow at 8:30 o'clock at the American People's Center, 308 W. Fifty-ninth Street.

News From H…

Special to T…
HOLLYW…
Walte…

Paramount F… Output Plans Largest Since …

…00,000 Appropriation …ced for Produc… Coming Season

THE MORNING TELEGRAPH, MONDAY, JANUARY 11, 1937

Paramount to Spend $30,000,000 on New Films During Next Year

GLADYS SWARTHOUT

IRENE DUNNE

CLAUDETTE COLBERT

GEORGE RAFT

…LLYWOOD, Jan. 10.—Outlin… direction: to entertain the public through the medium of the box office. We have set aside for this purpose a starting appropriation of $30,000,000 with which to accomplish the result we all are determined to achieve. This figure is not arbitrary. Neither is our planned program. We will change casts and stories as the … the exhibitor and … but such cha… calculated to … in our …

…such production as "Champagne Waltz," the Silver Jubilee picture starring Gladys Swarthout; the Gary Cooper-George Raft co-starring picture, "Souls at Sea," being directed by Henry Hathaway; the Frank Lloyd production, "Maid of Salem," co-starring Claudette Colbert and Fred MacMurray; "Swing High, … Low," with Carole Lombard …

…listed "The Count of Luxembourg," in which Gladys Swarthout will be starred; "Bag of …

ACTUAL CONVERSATION overheard during screening of Jubilee Trailer at New York Paramount Theatre…
"Looks like Paramount is going to have a lot of swell pictures this year."

SOME JUBILEE! Yes, sir, and only the beginning, only the beginning!…for the line-up of Paramount pictures for the next twelve months is just one huge succession of smash hits …with top stars in top productions giving you top grosses. Some Jubilee!…Yes, **and some PARAMOUNT!**

Paramount Pictures

French Film Quality Was Better in '36

(Continued from page 1)

three or four films each in the course of a year.

The industry in France, along with all others, suffered the consequences of the economic upheaval which resulted from the strikes of last June and the advent of the new Government. The unsettled labor situation has been largely responsible for an increase in production costs.

Of the 110 films produced, between 60 and 70 were designed only for the home market. Twenty-five French language films were made in foreign studios: 15 in Germany, five in Czechoslovakia; three in Italy and three in England. The French trade unions are seeking to prevent this activity.

A total of 331 films were released in France during 1936: 141 French language films, and 190 foreign films dubbed in French, of which 154 were America. In addition, there were released 263 foreign language films with subtitles in French, each shown in only 15 theatres, in accordance with French quota regulations.

Dualling General

With the exception of the 40 first runs in Paris, practically all other French theatres employ double bills, generally a French film and a dubbed American picture. Dubbing is seen as having caused foreign films to lose considerably in popular favor.

There are about 3,500 wired theatres in France, of which about 250 are in Paris. Grosses were seriously affected during 1936 by the widespread economic disturbances, but a definite improvement was noted late in the year, from October on, especially in Paris theatres.

Complete recovery in 1937 cannot be predicted with any degree of certainty in view of the unsettled condition of French internal and external politics. Exhibitors are continuing their long fight for relief from heavy tax burdens, but it is considered doubtful that they will meet with much success.

One of the fortunate results of the labor difficulties was the complete union of all branches of the industry, producers, distributors, exhibitors and technicians, in a general confederation of the industry which represents the business in its dealings with the Government.

The serious blow to French production dealt by the labor situation is seen as opening the way for advances for American product in 1937, provided it offers interesting material, with less dialogue and more action.

Ufa Plans Color Studio

Berlin, Jan. 14.—Ufa has opened a new studio in Neubabalsberg for the production of educational films and shorts in color. It is planned to produce 40 pictures in 1937. A three-color system will be used.

Ufa has signed a distribution contract with Carl Froelich's Tonfilm Studio effective Oct. 1, 1937, when the studio at Tempelhof will be managed by Ufa.

Loew Sets Intercity Wire Hookup for Big Bank Night

(Continued from page 1)

switchboards, each one of them bracketing nine houses in its circuits. The 55 theatres will maintain their own operators on the stage, thereby making it possible to flash the winners to waiting audiences as rapidly as they become known.

Drops Bank Night Suit

U. S. District Judge Charles Weiner handed down an order yesterday discontinuing the action brought by Affiliated Enterprises, Inc., of Denver, Bank Night owners, against the Hatco Theatres Co., Inc., and Odell S. Hathaway of Middletown, N. Y. The plaintiffs asked damages for alleged violation of their copyright on Bank Night. The defendants contended that the game is not a patentable idea and also that they used a different system than Bank Night. The action was discontinued by stipulation of both counsels.

Omaha Drawings Hit Snag

Omaha, Jan. 21.—The cooperative Bank Night conducted by 25 Omaha theatres is facing trouble on four fronts.

Assistant Attorney General Paul Chaney has announced at Lincoln that he believes that part of the Bank Night plan which permits persons to attend a matinee and be eligible for the $1,000 prize if their names are drawn that night is illegal because it requires purchase of a ticket.

Mayor Dan Butler has instructed City Attorney Seymour Smith to study legal means of stopping Bank Night.

The Lutheran Ministers' Ass'n, representing 25 churches, has asked the City Council to stop Bank Night or else move it to some night other than Wednesday during the 12 weeks of Lent. Lutherans have been holding Wednesday night Lenten services here for years.

The Omaha Ministerial Union has passed a resolution backing the Lutherans in their demand.

Irvin Levin, attorney for Affiliated Enterprises of Denver, owners of the Bank Night, says the matinee part of Bank Night will be dropped if necessary.

Levin and Tri-States District Manager Evert Cummings will confer with the Lutherans in an effort to reach a compromise.

Loew Short Half Cut To Overcome the B's

(Continued from page 1)

fact that "After the Thin Man" will be held for a solid week in practically all houses following release. This will mean that the entire circuit will not be on the five-day big half and two-day short half until the end of February.

The change is being made in the hope that the extra day's booking for the stronger product will overcome the failure of "B" product to return satisfactory grosses over a three-day midweek period. If the better pictures hold up through the five-day half from Thursday through Monday, a general improvement on the week is expected with the "B" pictures playing only Tuesdays and Wednesdays.

Corporations Target In Bank Night Cases

(Continued from page 1)

employes have been arrested for distribution of chance game prize money in violation of a city code.

Daly said that the corporations, not the employes, are the real defendants and would be prosecuted.

The cases scheduled for hearing today, involving 25 theatres, were postponed until Feb. 9, when a hearing on all the arrests made to date will be held.

Chicago Exhibitors Complain

Chicago, Jan. 21.—Local exhibitors are crying the blues and loudly. They claim that the recent stopping of Bank Night and other games, by the police department, is costing them as much as 20 per cent of the average gross taken in while the games were running.

They point out that the starting of double-features has been no help. Many patrons, they say, stay away rather than sit through two shows, or else go downtown and see one picture at the first showing. Certain independents are planning to drop duals and go in for a little extra advertising to the effect that they play only the best pictures on single bills.

The flu epidemic has also hurt business in smaller houses, as children are kept at home.

Sleet and rain storms swept Chicago this week and their business everywhere was at a standstill. The Loop was practically deserted as the ice and water made it dangerous to get about either by foot or vehicle.

Ostrer Gets Specific On U.S. Subsidizing

(Continued from page 1)

dends unless they achieve a world market. Let them say to American producers: continue to take £7,000,000 to £10,000,000 yearly from this country, but you must buy from us pictures to a value of 25 per cent of that amount."

If such legislation were to be threatened, Ostrer asserted, the American interests would forestall its enactment by a voluntary arrangement. With reference to the possibility of conflict with commercial treaties, Ostrer suggested the legislation could be framed in such a fashion that it would not conflict with existing treaties, but, he said, "I don't believe legislation would be necessary if the Government showed a determination to end the situation which permits £7,000,000 to £10,000,000 in American pictures sold annually in England against £200,000 or £300,000 worth of English product bought there."

England is now a third class film power and is likely to lose even that position, Ostrer declared.

To Set Empire Sale

A meeting of the trustees of Empire Laboratories, Inc., will be held Monday at which time a date will be set for the auctioning of that portion of the company's assets which are still unsold.

Warners Gain Nearly 100% In 13 Weeks

(Continued from page 1)

$32,000,000, of which the company held $529,000 in its treasury. There is included under current liabilities a net amount of $771,000 of these debenture obligations, representing the purchase fund requirement of $1,300,000 due within one year less the debentures held in the treasury.

A note in the report reads: "Stocks, bonds and notes receivable of an affiliated company acquired since Aug. 29, 1936, at a cost of $283,094.05, and certain shares of capital stock of a subsidiary company consolidated herein are held by escrow agents as collateral for the payment of $407,553.02 of purchase money obligations, $232,712.34 of which is included under current liabilities and the balance is included under funded and other long term debt. The proportion of capital stock and surplus of the subsidiary company consolidated herein applicable to the shares held in escrow amounts to approximately $250,000.

Total assets and liabilities are listed at $173,510,487.78.

Ascap Hears W. B. Plea

The board of directors of Ascap gave further consideration at a meeting yesterday to the petition of Warners for reclassification of the availability ratings of its music publishing subsidiaries, Harms, Witmark and Remick. E. C. Mills, general manager of Ascap, declined to state following the meeting whether any action on the Warner petition had been taken by the board.

Lahr Signed by "U"

Hollywood, Jan. 21.—Bert Lahr has been signed to a term-contract by Universal.

Wall Street

Short Declines on Board

	High	Low	Close	Net Change
Columbia	39⅜	38⅞	39¼	+ ⅜
Consolidated	5¾	5½	5⅝	+ ⅛
Consolidated, pfd.	18⅜	17¾	17¾	— ⅜
Eastman Kodak	173	172½	173	—2
Gen. T. Equip.	31⅞	31½	31¾	+ ⅛
Loew's, Inc.	75⅞	74⅛	75¾	+ ½
Loew's, Inc., pfd.	108¾	108¾	108¾	.....
Paramount	28⅛	27⅝	27⅝	— ¼
Paramount 1 pfd.	196	193½	194	— ¾
Paramount 2 pfd.	25½	24¾	25	— ¼
Pathe Film	10⅛	9¾	9¾	— ⅜
RKO	9⅛	8⅞	9	.....
20th Century-Fox.	38⅜	37¼	37⅜	— ¼
20th Century, pfd.	47½	47½	47½	+ ½
Universal, pfd.	105	103½	103½	—2½
Warner Bros.	16¾	15¾	16	—1¼
Warner, pfd.	67½	67¼	67¼	+ ¾

Little Curb Movement

	High	Low	Close	Net Change
Grand National	4⅛	4	4⅛	.....
Sonotone	2⅜	2	2⅜	+ ⅛
Technicolor	22⅞	22⅛	22½	— ¼
Trans-Lux	4½	4¼	4⅜	.....
Universal Pict.	17¼	17	17	— ¾

Light Bond Gains

	High	Low	Close	Net Change
Loew's 3½s '46	101	101	101	+ ⅛
Paramount Pict. 6s '55	100½	100⅜	100⅜	.....
RKO 6s '41 pp	124	123	123½	.....
Warner Bros. 6s '39 wd	99⅝	99¼	99⅝	+ ½

(Quotations at close of Jan. 21)

Ohio River Valley Towns Are Flooded

CINCINNATI, Jan. 21.—The Ohio river is nearing a record height of 65 feet and is continuing to rise rapidly. Three city blocks here are inundated and many towns of the Kentucky side have been hit. No theatres are affected as yet.

The downtown sections of Ironton, Pomeroy, Portsmouth and Ripley, O., Aurora, Ind., and numerous smaller spots are completely submerged. Practically all business has been suspended.

The water is six feet deep at Portsmouth and the business streets of Jackson, O., are inundated. The east and west banks of Maysville, Ky., are cut off.

Heavy rains are continuing, threatening one of the worst catastrophes experienced in this section. All are in readiness to evacuate business places and theatres the entire length of the Ohio River.

Hazlton, Ind., is under 12 feet of water, and there is several feet of water in Newport, Ky., and Dayton, Ky. Several thousand persons are homeless.

Local Circuit Is Sued

A charge that the Estates Operating Co., Inc., operators of 18 second and third run neighborhood houses in New York, failed to complete their 1936 contract with the First Division Exchanges, Inc., is made in a suit filed against the operators for $6,300 in the N. Y. Supreme Court yesterday by First Division Exchanges. It is charged that on Jan. 1, 1936, a contract was drawn whereby the 19 defendant operators were to use pictures throughout the year which would aggregate in rentals a minimum of $15,000. The operators are accused of having failed to reach that minimum by $6,300.

Columbia Wins Point

Jack Redmond, professional trick golfer, lost a point in his $50,000 suit against Columbia Pictures yesterday when Justice Richard P. Lydon in N. Y. Supreme Court denied his motion to examine before trial officers of Columbia. Redmond charged that early in 1935 he went through part of his trick shot repertoire for the benefit of the Fox Movietone News and that subsequently Columbia used scenes from the reel to advertise a short, "Golfing Rhythm." Columbia contends it received permission from Fox Movietone to use the scenes.

Grand Nat'l Holds Party

Grand National gave a cocktail party at the Waldorf-Astoria yesterday for Jerry Bergh, of the New York social register, who has been signed by the company, prior to her departure for the coast.

To Show "Grand Amour"

"Un Grand Amour De Beethoven," starring Harry Bauer and said to be mentioned for a French award, will be shown tonight at 8:15 aboard the *Champlain* which is docked at Pier 88.

Schildkraut to 20th-Fox

HOLLYWOOD, Jan. 21. — Joseph Schildkraut has been signed to a term contract by 20th Century-Fox.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Maid of Salem"

(Paramount)

HOLLYWOOD, Jan. 21.—A drama of puritan fanaticism and the fear of witchcraft, this may be reckoned one of the finest Paramount films in months. It contains all the elements of a popular attraction, and should hold the interest of all types of audiences.

The film has been carefully produced to obtain authentic realism, and in that it has been conspicuously successful. The performances, especially that of Claudette Colbert, are excellent, and the spirit of setting and time, the village of Salem, Mass., in 1642, has been captured impressively.

Bradley King's original was written with skill and understanding, as it depicts the terror which swept the Puritan colony. The screenplay of Walter Ferris, Bradley King and Durward Grinstead, and the direction of Frank Lloyd under the production supervision of Howard Estabrook, have combined to turn out a film of historical fact and fiction which attains a high point as entertainment.

The reactions of a child, Benita Granville, as her imagination is fired by the religious fervor of her elders, turns the colony into a volcano of terror. Lying to convince her fanatic father, Edward Ellis, that she is bewitched, the child accuses a slave, Madame Sul Te Wan, of being a witch. Under an inquisition, the woman confesses and the stage is set for a procession of persecutions and the execution of innocent victims. Only two in the colony, Miss Colbert and the doctor, Harvey Stephens, retain any semblance of reason. A romantic contrast is introduced between Miss Colbert and Fred MacMurray, a political refugee. Miss Colbert, unaware she is the daughter of a woman burned as a witch in England, attempts to defend the suspect and is herself accused of being a witch.

Placed on trial, she defends herself with a display of brilliant performing ability, striking back at the ignorance and fanaticism of her persecutors. Her dramatic effort brings a confession of her lies from the child, the colony repents its wild alarm and the romantic conclusion finds Miss Colbert with MacMurray.

The cast names, story and production quality all are selling assets. There are sufficient romance and comedy touches for relief.

Production Code Seal No. 2,715. Running time, 85 minutes. "G."

Out Hollywood Way

HOLLYWOOD, Jan. 21.—General Pictures signs HAMILTON McFADDEN to direct "Three Legionnaires," the company's first, which is to be made at the RKO-Pathe studios.

Capt. D'ARCY RUTHERFORD, skiing expert, to be technical adviser on the CLAUDETTE COLBERT picture, "I Met Him in Paris," Paramount. . . . MARGO gets feminine lead in SAMUEL GOLDWYN'S "Hurricane". . . . KATHERINE DE MILLE gets feminine lead in "Charlie Chan at the Olympics," 20th Century-Fox. . . . JOE ST. AMAND moved from still department to art department at Radio.

M-G-M to have fireworks display at Carthay Circle opening of "The Good Earth" Jan. 29. . . . EDWARD LARKIN, assistant to BUSBY BERKELEY to direct two dances on his own in "Dance, Charlie, Dance," Warners. . . . GEORGIE STOLL will be musical director on M-G-M's "Broadway Melody of 1937". . . . AL SIEGEL, director of vocal stylizing at Paramount, given suite of five specially constructed rooms.

FIFI DORSAY here to join her husband, MORGAN HILL, who is working in "23½ Hours Leave". . . . LESTER STOEFEN, tennis star, signed to acting contract by HAL ROACH. . . . MARGARET BOOTH, attached to the M-G-M cutting department for some time, has been made an assistant producer. . . . Republic exercises option on OLSON and JOHNSON for another picture.

◆

Casting—EDWARD EVERETT HORTON and LYNNE OVERMAN in "Tightwad," Paramount. . . . PAT O'MALLEY and CARL FAULKNER in "Dead Yesterday," 20th Century-Fox. . . . DEWEY ROBINSON and TOM KENNEDY in "Marry the Girl," Warners. . . . ALICE BRADY and CHARLES WINNINGER in "Delay in the Sun," DORIS NOLAN in "As Good as Married," and KENT TAYLOR in "Wings over Honolulu," Universal.

STANLEY TWINS in "New Faces of 1937" and PRESTON FOSTER, VAN HEFLIN, RICHARD LAND, BARBARA PEPPER, MAXINE JENNINGS, FRANK M. THOMAS, ALAN CRAIG and DICK ELLIOTT in "Outcasts of Poker Flats," Radio. . . . JUNE LANG and MICHAEL WHALEN added to "Wee Willie Winkle," 20th Century-Fox. . . . ROSALIND MARQUIS, EDDIE ACUFF and JOSEPH CREHAN in "Talent Scout," and MARIE WILSON in "Public Wedding," Warners.

◆

Writers—HARRY HOYT and JACK O'DONNELL signed by HARRY SHERMAN to write forthcoming Hopalong Cassidy features for Paramount. . . . JO SWERLING given term contract by EMANUEL COHEN. . . . OWEN FRANCIS assigned to adapt "White Heat," Columbia.

RKO to Up Budgets On Its "B" Product

(*Continued from page 1*)

it was reported yesterday. Consummation of the deal is said to be awaiting the return to New York of Ned E. Depinet, RKO Radio vice-president, who is now attending production conferences at the studio.

Since resigning his National Screen post recently, Van Praag has had several offers from other trailer companies, all of which he has rejected pending the outcome of the negotiations with Depinet, it was said. In the meantime, he has been operating a Long Island theatre which he owns.

Will Have Films Only

PITTSBURGH, Jan. 21.—The Stanley, Warner de luxe downtown house, will return temporarily to straight pictures on Jan. 29. The house has been playing combination bills with units since the middle of November, when differences with the musicians were settled.

To Change to First Run

SEATTLE, Jan. 21.—John Danz's Colonial, one of the larger Sterling houses downtown, is expected to inaugurate a first run film policy within the next two weeks. The house now operates on a second run policy with three changes weekly.

Players to Attend Ball

CLEVELAND, Jan. 21.—Fay Wray, Donald Woods, Brian Donlevy and Richard Arlen have accepted invitations to attend the President's Ball here. The acceptances were received by Nat Wolf, chairman of the entertainment committee.

Republic Holds Westerns

Republic has no intention of curtailing the production of westerns, according to J. J. Milstein, vice-president in charge of sales, who called westerns the company's "best sellers" and said, "It would be ridiculous to curtail production of guaranteed money-makers." The 1937-38 schedule calls for 32 westerns.

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"Plainsman," Show $25,500 On the Coast

LOS ANGELES, Jan. 21.—Big money honors for the week went to "The Plainsman," with a stage show, at the Paramount. The $25,500 gross was over normal by $7,500.

"The Charge of the Light Brigade" and "Smart Blonde," showing simultaneously at Warners' Hollywood and Downtown, took $16,800 at the former and $14,500 at the latter. Each was more than $2,000 over par.

"Great Guy" and "The Mighty Treve" were strong at the Hillstreet. The $10,500 take was $2,500 to the good.

Total first run business was $113,541. Average is $90,950.

Estimated takings for the week ending Jan. 20:

"THE GARDEN OF ALLAH" (U.A.)
"CAREER WOMAN" (20th-Fox)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $13,529. (Average, $12,500)

"CARNIVAL IN FLANDERS"
(Amer. Tobis)
4 STAR—(900), 30c-55c, 7 days. **Gross:** $4,419. (Average, $3,250)

"A GREATER PROMISE" (Amkino)
GRAND INTERNAT'L—(750), 35c-40c, 7 days, 2nd week. **Gross:** $2,300. (Average, $1,200)

"GREAT GUY" (G.N.)
"THE MIGHTY TREVE" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $10,500. (Average, $8,000)

"THE GARDEN OF ALLAH" (U.A.)
"CAREER WOMAN" (20th-Fox)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $17,993. (Average, $14,000)

"GREAT GUY" (G.N.)
"THE MIGHTY TREVE" (Univ.)
PANTAGES — (3,000), 30c-65c, 7 days. **Gross:** $8,000. (Average, $8,000)

"THE PLAINSMAN" (Para.)
PARAMOUNT—(3.595), 30c-55c, 7 days. Stage: F. & M. revue, Helen Charleston's California Collegians. **Gross:** $25,500. (Average, $18,000)

"CHARGE OF THE LIGHT BRIGADE" (W.B.)
"SMART BLONDE" (W.B.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days. **Gross:** $16,800. (Average, $14,000)

"CHARGE OF THE LIGHT BRIGADE" (W.B.)
"SMART BLONDE" (W.B.)
WARNER BROS. DOWNTOWN—(3,400), 30c-65c, 7 days. **Gross:** $14,500. (Average, $12,000)

Pathe Reel Acquires New RCA Equipment

Pathe News, Inc., has signed a recording license agreement with RCA Photophone calling for the replacement of the sound equipment in the reel's entire fleet of newsreel cars with new apparatus recently developed by RCA in conjunction with Pathe sound engineers.

The new equipment is said to permit of more compact design and consequent reduction of weight and bulk, making for greater portability. Pathe also has leased one of the new RCA ultra-violet light re-recording systems for use in the Pathe home office. High fidelity sound projection has been installed in the screening room.

Bradbury to Monogram

HOLLYWOOD, Jan. 21.—Robert N. Bradbury, Sr., has been signed by Monogram as an associate producer. The four other company producers thus far signed are I. E. Chadwick, Mrs. Wallace Reid, Lon Young and Ken Goldsmith.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"You Only Live Once"

(Wanger-United Artists)

HOLLYWOOD, Jan. 21.—A powerful dramatic story, weighty with tragedy, this picture may be said to have lost in popular entertainment appeal what it gained in dramatic force, and that chiefly by reason of its concluding sequences, which, although pervaded with emotional stress and stark action, cause the film to conclude on what must surely seem to many a false note.

The lovers, whose real and abiding faith in one another causes them to be hunted criminals, meet a forbidding death under a hail of police bullets, the victims of a cruel and merciless society, which, the picture implies, sees no good in a man once jailed, gives him no chance to win back his respectability. Thus, the film is a sharp indictment, which almost inevitably should lead to controversy. The story may be said to have sacrificed what might be called a normal termination, with society rendering assistance to a man who wants help, in order to provide more forceful drama. However, it must be recorded that the character portrayed is one which apparently is not deserving of too much consideration from society. Unfortunately, the film seems to have emerged as a too depressing, too heavy modern tragedy.

The excellent performances are headed by Henry Fonda and Sylvia Sidney, ably assisted by William Gargan, Barton MacLane and Jean Dixon. The direction of Fritz Lang demonstrates again his ability in this type of production.

The original screen play by Gene Towne and Graham Baker tells of Miss Sidney's love for Fonda, released after three terms in jail, presumably having been hounded into trouble. They are married, isolated because of his record, and when a sensational theft of an armored bank car with the use of gas bombs is perpetrated, Fonda flees, takes his wife's advice, gives himself up, and is convicted and sentenced to death. He makes good a violent escape, killing Gargan, friendly priest, in so doing, as a pardon comes through following discovery of his innocence.

Fonda and Miss Sidney flee in a car, a baby is born, they go through tortures of fear and flight, and finally, the baby safe with Miss Sidney's sister and the friendly MacLane, are hounded down and die as they make a last desperate effort to escape on foot.

Production Code Seal No. 2,944. Running time, 86 minutes. "A."

"Don't Pull Your Punches"

(Warners)

HOLLYWOOD, Jan. 21.—Most of the action here hinges on the premise that a professional fighter would refuse to battle his benefactor friend and future brother-in-law for the world's heavyweight championship.

Reeves Eason, the director, conscious of the story faults, has endeavored to keep things moving by offering much physical action with the result that the main characters are constantly embroiled in fisticuffs. This limits the appeal of the film to males and juveniles. Although the picture presents no important names the members of the cast handle their assignments well. Barton MacLane, in the leading role; Wayne Morris, romantically teamed with June Travis; Dickie Jones, a child actor; Joseph Crehan and James Robbins, as fight manager and newspaper man, respectively, and Maxie Rosenbloom do the best work. George Bricker wrote the screen play from a story by E. J. Flanagan. Bryan Foy produced. The film is suitable as a supporting feature.

Production Code Seal No. 2,877. Running time, 60 minutes. "G."

"Midnight Court"

(Warners)

HOLLYWOOD, Jan. 21.—Packed with fast-moving action and suspense, this picture ranks high in the B class. Good direction by Frank McDonald and photography by Warren Lynch go to make this one of the best of racket pictures. Don Ryan and Kenneth Gamet have written a thrill-packed human interest story satisfactory to any type audience.

The story deals with the inner workings of big time auto thieves who are protected by John Litel, a brilliant lawyer. Litel is a former district attorney who lost his post in disgrace through the efforts of a political boss and William Davidson, a gang leader. He was forced into Davidson's service. Litel finally becomes disgusted and, in a brilliantly directed and acted night court scene, tricks Davidson and his lieutenant into a confession which sends the entire gang to prison. Litel is reunited with his former wife, Ann Dvorak, who is a pleasing influence throughout the picture. The entire cast gives good performances, which includes those of Carlyle Moore, Jr., Joseph Crehan, Walter Miller, John Sheehan and Gordon Elliott.

Production Code Seal No. 2,843. Running time, 60 minutes. "G."

"Thin Man" Is Only Draw in Frisco Freeze

SAN FRANCISCO, Jan. 21.—"After the Thin Man," on a dual with "King of Hockey" at the Fox, was the only attraction to combat the phenomenal cold which settled over this section last week. The $29,000 take was over normal by $13,000 in spite of the fact that most people were staying home shivering.

The only other picture to get over par was "Yellow Cruise" at the Clay, which took $1,250. "The Plainsman" and "Man Betrayed" reached a normal $6,000 in the second downtown week at the St. Francis.

Total first run business was $88,850. Average is $85,500.

Estimated takings:

Week Ending Jan. 12:

"RAINBOW ON THE RIVER" (Radio)
EMBASSY—(1,400), 10c-30c-35c-40c, 7 days, 3rd downtown week. **Gross:** $4,000. (Average, $4,500)

"THAT GIRL FROM PARIS" (Radio)
GOLDEN GATE—(2,850), 15c-30c-35c-40c-55c, 7 days, 2nd week. Stage: Vaudeville. **Gross:** $13,500. (Average, $16,000)

"PENNIES FROM HEAVEN" (Col.)
"YOU CAN'T GET AWAY WITH IT" (Univ.)
ORPHEUM—(2,440), 15c-30c-35c-40c, 7 days, 3rd week. **Gross:** $6,000. (Average, $9,500)

Week Ending Jan. 13:

"AFTER THE THIN MAN" (Para.)
"KING OF HOCKEY" (W. B.)
FOX—(5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $29,000. (Average, $16,000)

"SING ME A LOVE SONG" (W. B.)
"SINNER TAKE ALL" (M-G-M)
PARAMOUNT—(2,740), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $12,000. (Average, $13,000)

"PLAINSMAN" (Para.)
"MAN BETRAYED" (Republic)
ST. FRANCIS—(1,400), 15c-30c-35c-40c, 7 days, 2nd downtown week. **Gross:** $6,000. (Average, $6,000)

"STOWAWAY" (20th-Fox)
UNITED ARTISTS—(1,200), 14c-30c-35c-40c-65c, 7 days, 3rd week. **Gross:** $4,100. (Average, $6,500)

Week Ending Jan. 14:

"ONE IN MILLION" (20th-Fox)
"ALONG CAME LOVE" (Para.)
WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $13,000. (Average, $13,000)

Week Ending Jan. 15:

"YELLOW CRUISE" (French)
CLAY—(400), 15c-35c, 7 days, 2nd week. **Gross:** $1,250. (Average, $1,000)

Set Messulman Pictures

Messulman Pictures Corp. has been formed in London with Robert Messulman as managing director and with Bruce Airlie Gregory on the board, it was stated in New York yesterday.

Messulman has been a writer and supervisor in London and Hollywood for several years. Gregory is prominent in British film financing. Negotiations are under way to sign Robert Montgomery to appear in an adaptation of Austin Parker's play, "With All My Heart."

"U" Lines Up Serials

HOLLYWOOD, Jan. 21. — Universal has four serials lined up for 1937. They are "Wild West Days," which will star Johnny Mack Brown; "Radio Patrol," "Tim Tyler's Luck" and "Flash Gordon's Trip to Mars." Barney Sarecky, Henry MacRae and Ben Koenig will produce the pictures, with division of subjects among the three as yet undecided.

KAY'S COMING!

WARNING!
Keep an eye on the wife's checking account after she sees this one—it's got the kind of style ideas they can't resist!

In Her Best Show, With Her Best Cast

KAY FRANCIS in 'STOLEN HOLIDAY'

with

CLAUDE RAINS • IAN HUNTER • ALISON SKIPWORTH

and Alexander D'Arcy • Directed by Michael Curtiz for

WARNER BROS.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 41. NO. 19 NEW YORK, SATURDAY, JANUARY 23, 1937 TEN CENTS

Concessions To Come Seen By Kuykendall

New Conference Will Be Held in February

Major distributors ultimately will grant more liberal trade practice concessions than those outlined in recent statements in reply to the M. P. T. O. A.'s campaign for adoption of a 10-point industry program, in the opinion of Ed Kuykendall, president of the exhibitor organization.

Kuykendall, who leaves tomorrow for Miami to complete arrangements for the national convention of his organization, which will be held there in March, conferred informally with home office sales executives yesterday. He stated that, as a result of these discussions, he regarded the possibility of further trade practice concessions with optimism. Formal conferences with distributors on specific new grants probably will be held about the middle of February.

"I believe there is a good chance of some, if not all, of the distributors either granting additional concessions or liberalizing the terms of those to which they have already committed themselves," Kuykendall

(*Continued on page* 4)

Southeast Receipts In 1935, $59,888,000

Washington, Jan. 22.—Box-office receipts of 4,047 places of amusement in the eight South Atlantic states and the District of Columbia totaled $59,888,000 for 1935, it was reported today by the U. S. Census Bureau.

Average employment in these establishments during the year was 14,548 and the aggregate payroll was $13,610,000, of which $1,390,000 was for part time work. In addition, there were 3,097 proprietors and firm members active in the conduct of the businesses.

The bureau's report, covering all

(*Continued on page* 4)

Actors' Guild Halts Group on Location

Hollywood, Jan. 22.—The Screen Actors' Guild yesterday removed 10 actors and bit players from the Columbia location unit filming "Speed Man." The unit was working on a boat off San Pedro.

The guild alleged the players failed to carry guild cards and some were in arrears on dues. After a three-hour halt Director D. Ross Lederman proceeded without the players.

Chill Greets New Theatre Union Plans

Vertical Organization Called "Rump" Move

Plans to organize all crafts in the theatre into a vertical union were viewed here yesterday without favor by labor leaders, who repudiated the newly formed United Theatrical and M. P. Workers of America, charging that it was a "rump organization" without affiliation with either the American Federation of Labor or John L. Lewis' Committee for Industrial Organization.

It was also indicated that any attempt by the new union to encroach upon the membership of existing unions would be met sharply by the present organizations. Heads of Local 306 communicated with Lewis in Washington, it is said, relative to an affiliation of the new unit with the C.I.O. William Collins, local A.F.L. representative, denied that the new

(*Continued on page* 4)

Loew's Taking Poll Of New York Patrons

Loew's plans a questionnaire among the patrons of 50 houses of the circuit in Greater New York, to be conducted through the publication, *Loew's Moviegoer,* which will ask patron reactions on double features, Bank Night, Screeno and other games. It will also ask the patrons to name their three favorite masculine and feminine stars, the three they dislike the most, the featured players they would like to see in star roles, to name their selections for the 10 best films of 1936, and other questions.

The questionnaire will appear in the

(*Continued on page* 3)

An Appreciation

Baltimore, Jan. 22.—Abram F. Myers, at the Allied directors' meeting today, acknowledged to members the fairness and accuracy of Motion Picture Daily in reporting the news generally, and thanked the paper for sending a New York staff reporter to cover the meeting.

Waters Rise; Theatres Shut In Louisville

Louisville, Jan. 22.—By official edict of Director of Safety Wakefield, all theatres in this city today were closed in a move to conserve electric power as the Ohio River, rising steadily, approached the 50-foot stage, highest in the history of the city. The emergency measure was taken despite the fact that no downtown spots have been affected by the flood situation.

The Broadway, a neighborhood

(*Continued on page* 4)

Sales Tax Appeal Scheduled Monday

The appeal of the major distribution companies from the lower court ruling holding film rentals to be subject to the two per cent city sales tax will be argued before the Court of Appeals in Albany on Monday. The hearing was postponed for one week at the request of the corporation counsel who asked for additional time in which to complete reply briefs.

The court will also hear the city's

(*Continued on page* 2)

Victor McLaglen Lighthorse Troop Has Trooped Its Last

Hollywood, Jan. 22.—The army has been demobilized!

The coast cavalry, and other pseudo military units, for the protection of the United States, and the California coast line in particular, has called it a day.

The reason for the disbanding of the Victor McLaglen Lighthorse Troop, of considerable publicity, a large amount of fanfare and a few trumpets, is simple. Chief Officer McLaglen, to put it bluntly, became "fed up."

It is the general understanding that the organization which McLaglen organized in good faith, and which was called variously the birth of U. S. Fascism, a threat to Democracy and a few other things, cost McLaglen $125,000 out of his own pocket during the past two years.

The members of the outfit conceived

(*Continued on page* 4)

Yamins Again Is Elected As Allied Chief

Accepts After Refusal; Others Reelected

By BILL ORNSTEIN

Baltimore, Jan. 22.—Allied States today unanimously reelected Nathan Yamins of Fall River, Mass., as president of the exhibitor organization, when the directors were unable to obtain another candidate. Yamins repeatedly refused to consider the office, but finally accepted when no one else appeared inclined to do so.

Abram F. Myers continues as chairman of the board and general counsel; Herman Blum as secretary and treasurer, and H. M. Richey as corresponding secretary. The executive committee includes: Yamins, Sidney Samuelson and Arthur B. Price. The last named will be ex-officio chairman of the board. The five regional vice-presidents are expected to be renamed by Yamins.

After a bitter contest during which three votes were taken, Milwaukee won out as the national convention city over Pittsburgh. The convention will be held during the first week in May. P. J. Wood of Columbus was named chairman of the convention committee. The date of the meeting will be decided later.

The board unanimously resolved that Allied should redouble its efforts

(*Continued on page* 4)

Delay Expected in Texas Trust Trial

Indications are that defendants in the Government action to test the legality of contracts made with the Karl Hoblitzelle theatre interests will ask the Federal Court at Dallas on Monday for additional time in which to file answers to the Government's complaint. The time for filing of the answers expires Monday and, it is reported, several distributor defendants

(*Continued on page* 4)

Film Group Report To Ask Reciprocity

By BRUCE ALLAN

London, Jan. 22.—It is believed here that the statement on the Moyne Films Act report prepared by the Film Group of the F.B.I., for submission Monday to the Board of Trade,

(*Continued on page* 4)

Radio News—Page 3

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Zukor Honored by Capital Diplomats

Washington, Jan. 22.—Adolph Zukor tonight was guest of honor at a dinner given for the producer by Hon. George E. Allen and Mrs. Allen.

Among those present were: Ambassador Saito of Japan and Madame Saito, Secretary of Commerce Roper and Mrs. Roper, Assistant Secretary of State Francis B. Sayre and Mrs. Sayre, First Assistant Postmaster General William W. Howes and Mrs. Howes, Assistant Attorney General Joseph B. Keenan and Mrs. Keenan, Dr. Ross T. McIntyre, Gladys Swarthout and Marguerite LeHand.

Notables at "Waltz" Opening

Washington, Jan. 22.—Industry personalities, notables in diplomatic and Congressional circles and important representatives of the press were among those in attendance at the world premiere of "Champagne Waltz" at Loew's Palace here tonight in connection with Adolph Zukor's Silver Jubilee.

◂ Purely Personal ▸

Edward L. and Mrs. Klein, J. C. Graham of Paramount's London office and Mistinguett sail today on the *Champlain.*

•

Louis G. Pacent has accepted the invitation of the Institute of Radio Engineers to serve as a member of the program and membership committees of that organization.

•

Chris Buckley was in town yesterday. He is planning a warm weather cruise merely to make Bennington appear more attractive on his return.

•

Harlan Thompson has signed a new two-year pact as associate producer at Paramount. He is due in New York Monday.

•

Clinton White, assistant to George W. Weeks, is in Detroit today on his swing around the G. B. exchanges.

•

Pat O'Brien left yesterday for the coast after a vacation here.

•

Sam Marx finally got away for the coast yesterday.

Aldermen Get Ban on Smoking in Theatres

An ordinance which would ban smoking in theatres of all types, with certain exceptions, department stores and other public buildings has been introduced into the Board of Aldermen, it was learned yesterday. A hearing will be held shortly, at a date which has not yet been determined, at which representatives of the interests involved will be present.

The I.T.O.A. is expected to head the opposition on the part of local theatres. Exempted from the smoking ban, according to the proposed ordinance, are the smoking and rest rooms of theatres, the loges, boxes and mezzanines and balconies in film houses, provided the floors are protected with fireproof materials, and provided that receptacles be furnished whether seats are fixed to the floor or not. The ordinance would take effect immediately on passage.

Reorganize Nuovo Mondo

Nuovo Mondo Pictures, Inc., is the style under which the reorganized Nuovo Mondo will operate. Recapitalization has been completed. The company has a five-year American distribution contract with Unione Nazionale Esportazione Pellicole of Rome, Italy.

Grainger West Again

James R. Grainger, general sales manager of Universal, who returned from the coast last Monday, leaves again for Universal City this afternoon. Charles B. Paine, treasurer of the company, accompanies him for conferences on the 1937-38 lineup.

Irish Film Held Over

"The Luck of the Irish," which is being distributed in this country by Guaranteed Pictures, has been held over for a second week at the 47th St. Cinema.

Sales Tax Appeal Scheduled Monday

(*Continued from page 1*)

appeal from that part of the Appellate Division's ruling that rentals collected by local exchanges from theatres situated outside the city limits are not subject to the tax.

The appeal is being taken by United Artists, with the law firm of O'Brien, Driscoll & Raftery as counsel. Other major distributors retained Frederick H. Wood of Cravath, de Gersdorff, Swaine & Wood to argue the appeal on the basis of a test case. The revenue of the local United Artists exchange is the only one against which the city has levied a tax assessment thus far. Briefs for the distributors argue both that films are exempt from a municipal tax and that the sales tax itself is unconstitutional.

If the tax is upheld, estimates place the distributors' liability at more than $3,000,000. Indications are that an adverse decision from the Court of Appeals would result in the case being taken to the U. S. Supreme Court.

Sues Over Invention

Thomas A. Edison Co., Eastman Kodak Co., Inc., International Mutoscope Reel Co., Inc., and Will H. Hays are named defendants in a $50,000 suit brought by William S. Weinberger, an inventor, in N. Y. Supreme Court. On Monday counsel for Eastman Kodak will argue before Justice John E. McGeehan a motion to require the plaintiff to submit a bill of particulars.

The plaintiff is acting as his own attorney. He charges the defendants with having appropriated his models for use in the making of films. The nature of the models was not described in the complaint.

In support of the request for a bill of particulars Milton K. Robinson, assistant secretary of Eastman Kodak, said in an affidavit that Eastman was ignorant as to the exact claim of the plaintiff and that it was particularly important to know whether the inventor charged that the U. S. Patents had been infringed.

Young Suit Up Next Month

A plagiarism suit asking $2,000,000 damages against RKO, which was filed by James Young, writer, in 1933, will be tried in N. Y. Supreme Court in February, according to a report filed yesterday with the Federal court here by R. B. Scandrett, who was appointed special master to hear testimony on the claim involved.

The action names RKO, RKO Pathe Pictures and Adela Rogers St. John and alleges that the picture "What Price Hollywood?" plagiarizes Young's story, "What Price Sex in Hollywood?" Young's claim against RKO, based on the action, was recently withdrawn in Federal court.

Enjoin Voice of Time

Judge Alfred C. Coxe yesterday signed a preliminary injunction restraining Anschel Barshay from using in advertising or in any other way, the name of Voice of Time. Time, Inc., recently brought this suit against Barshay who was using this name.

Move to Halt I. A. Pickets

Hollywood, Jan. 22.—Petition of the Unique Theatre Corp. for a preliminary injunction against Projectionists Local 150, I.A.T.S.E., to halt picketing by the union pending trial of its injunction suit was taken under consideration today by Judge Emmet H. Wilson.

Alleging that the pickets carried a newspaper in front of the theatre headlined "Unfair," the plaintiff asked that the projectionists be restrained from using word "Unfair."

Rule Employers Can Absorb Security Tax

By CLARENCE LINZ

Washington, Jan. 22.—Employers in the film industry who desire to pay their employes' taxes for old age pensions under the Social Security Act without deducting such amounts from the latter's pay may do so without considering the taxes thus absorbed as additional compensation under regulations issued today by the Bureau of Internal Revenue.

The ruling eliminates all doubts as to whether such payments would be considered as additional pay and, as such, subject to the one per cent taxes imposed on employer and employe.

In holding that employers could pay all payroll taxes without additional penalty, the bureau ruled that "the amount of the employes' tax in such case, if voluntarily paid by an employer, is not considered an additional wage subject to either the employer tax or the employes' tax."

Flash Previews

"Let's Make a Million"—A good filler feature, this tells the story of an ex-soldier and the disposition of his bonus.

"Arizona Days"—A routine western, suitable for the lesser spots, featuring Tex Ritter.

These films will be reviewed in full in a coming issue of Motion Picture Daily.

Henry Herbel Dined

Chicago, Jan. 22.—Sixty-five Chicago distributors and employes tendered a testimonial dinner tonight at the Congress Hotel to Henry Herbel, retiring president of the Film Board of Trade. Herbel was given a luggage set in appreciation of the years of service to the organization. Speeches and entertainment highlighted the program.

Depinet, Levy Stay

Hollywood, Jan. 22.—Ned E. Depinet and Jules Levy are remaining over an additional week here for impromptu R.K.O. production talks. Nate Blumberg is staying until Monday. Executives of the company held several scattered meetings today, official business having been concluded Thursday.

Banks Is Fields Producer

Hollywood, Jan. 22. — Monty Banks today was named as associate producer for 20th Century-Fox on all Gracie Fields pictures. The first will be produced in London. Banks will leave in June for England. While the second Fields film is scheduled to be made here, most of her pictures will be produced on the other side.

Serling Duties Widened

Hollywood, Jan. 21.—Oscar Serling today was named as assistant producer as well as talent scout for Selznick International. He will leave for New York shortly on a talent hunt.

New Shows On the Air

Pontiac Goes to College

As a plug for the nation's colleges, the new Pontiac "Campus Revue" is a great success. As a commercial medium for the sponsor the program also is a success. But, from the all-important entertainment angle "Campus Revue" is only slightly better than average. And the radio average, mind you, is none too high.

The basic idea behind the program is to give the college boys and girls an opportunity to air their talents on the theory that many will prove themselves to be potential Crosbys, Cantors and Bennys. No doubt the man who conceived the program had seen too many college pictures for what happens on the screen and what happened on the air last night are miles apart in accomplishment.

John Held, Jr., the famous illustrator, emceed the show and he devoted the opening minutes of the program to a minute history of the University of Michigan, the scene of last night's broadcast. He was followed by the 110-piece university band which played several of the school's song numbers. The playing of the 53-bell Burton carillon highlighted the program. It is our understanding that hundreds of alumni associations met last night to listen to the broadcast.

In closing it might be well to mention that the sponsor probably is happy with his new program, which is heard weekly from 10:30 to 11 P. M. over the NBC-Red network. Pontiac Motors sponsors. BANNER

Loew's Taking Poll Of New York Patrons

(*Continued from page* 1)

February issue of the magazine and the results will be published in the March issue. If the response is satisfactory, the poll will be made an annual venture and will be extended to 40 other cities. It is estimated that approximately 1,000,000 patrons will be reached by the first questionnaire.

More Ascap-W.B. Parleys

The request of the Warner music publishing subsidiaries for reclassification of their availability ratings in Ascap will be given further consideration before a decision is made by the music society's board of directors, it was stated officially yesterday. No final action was taken on the request at the last meeting of the board.

Para. Signs Stokowski

HOLLYWOOD, Jan. 22.—Leopold Stokowski, Philadelphia Symphony conductor, has been signed to a long term contract by Paramount. His first picture was "The Big Broadcast of 1937." He will report at the studio when he finishes a concert tour and will compose as well as direct.

Rank Sells Holdings

LONDON, Jan. 22.—J. Arthur Rank is understood to have disposed of all his holdings in British National, Ltd., from which he recently resigned as chairman of the board. It is believed he sold his holdings to Lady Yule.

Three Broadcasts Use 209 Film Guests in Six Months

Radio's continued appetite for film talent is strikingly illustrated in the following three-program survey, which shows that for the six months from July 1, 1936 to Jan. 1, 1937, "Hollywood Hotel," Lux Radio Theatre and "Camel Caravan" presented a total of 209 screen players as guests. All three programs are CBS attractions.

"Hollywood Hotel" ranks first with 83 film guests for the six month period. Lux is second with 82; "Camel Caravan" third with 44.

Many Returns

Fourteen players represented in the above total played return engagements during the specified six-month period. They are Edward Arnold, "Hollywood Hotel," one, "Camel Caravan," two; John Barrymore, "Hollywood Hotel,'' two; Freddie Bartholomew, "Hollywood Hotel," two; Wallace Beery, Lux, two; Irvin S. Cobb, "Caravan," two; Olivia De Havilland, Lux, one, "Hollywood Hotel," two; Georgie Jessel, "Caravan," two; Alice Faye, "Hollywood Hotel," two; "Caravan," two; Adolphe Menjou, Lux, two, "Hollywood Hotel," one; Gertrude Niesen, "Caravan," two; Lily Pons, Lux, two; Barbara Stanwyck, Lux, one, "Caravan," two; "Hollywood Hotel," two; Robert Taylor, Lux, two, "Caravan," one, "Hollywood Hotel," two.

Miss Stanwyck and Taylor made the most appearances on the air during the six-month period—five each. Charles Ruggles holds the record for consecutive appearances as guest on the same program—three times on the "Caravan."

Drop Station Breaks For Concerts, Plays

Breaking a rule that has remained inviolate since the formation of the networks, the Federal Communications Commission, at the request of NBC, has granted permission to the networks to dispense with the half-hourly station identification breaks during full hour broadcasts of plays, symphonies and operatic productions. Hereafter, the identification breaks will be given at the conclusion of the performances so as not to break up the continuity of the broadcasts.

Entertainers Lined Up

Many radio entertainers will contribute their talents at the President's Birthday Ball in Washington, Jan. 30. The list to date includes Abe Lyman and his orchestra, Irving Caesar, Natalie Bodanya, Benny Fields, Dian Ward, Sid Gary and Lucy Monroe.

James E. Sauter of Airfeatures, Inc., is vice chairman in charge of entertainment for the President's Ball.

Critics Remain Artists

Because of a promise made to NBC the name of the client cannot be revealed, but it's a fact that a sponsor offered to pay $10,000, plus station charges, for the privilege of tying in on the New York Film Critics Award program, which will be broadcast Jan. 24 from 8 to 9 P. M., E.S.T. over the NBC-Blue. The offer was turned down by NBC and by the film critics.

Guest for Cook

Mrs. Sarah Delano Roosevelt, mother of the President, will appear on the air as Joe Cook's guest star next Saturday night, the birthday anniversary of her son.

Complete Waxing of Dick Powell's Show

HOLLYWOOD, Jan. 22.—Warners have completed the waxing of the new Dick Powell air show under supervision of Don Becker of Transamerica and Martin Gross, New York radio representative, it was learned here today. The show, consisting of Warner players, includes Allen Jenkins and Block and Sully and is waxed through Warner studio facilities.

It is understood that a deal with a sponsor is almost closed and that the company will sell the program to a national network on a deal similar to the MacQuarrie-NBC arrangement.

Insull Station Quits

CHICAGO, Jan. 22.—Affiliated Broadcasting Co., formed last year by Samuel Insull, suspended operations today, stopping broadcasts sent to 22 independent midwest stations.

Company officials said that a "general housecleaning" would take place before the company resumes operations. T. E. Quisenberry, general manager, refused to make any statement.

Warners Break with "Examiner"

HOLLYWOOD, Jan. 22. — Relations with the Hearst *Examiner* news service have been broken, effective Saturday, by KFWB, the Warner station. Reports here are to the effect that the Warners are preparing to announce a national network shortly.

Harry Maizlish, manager of KFWB, plans to leave for San Francisco Monday for conferences.

KMMJ Acquires Newspaper

LINCOLN, Neb., Jan. 22. — KMMJ, Clay Center, Neb., has purchased the *Clay County Sun,* owned and edited by Fred Howard, whose column "Sunbeams" was widely read. The deal called for a transfer of $20,000 and a salary for an indefinite time to Howard who will continue to contribute his column.

Hays for Disney Broadcast

HOLLYWOOD, Jan. 22.—Will H. Hays will speak on the NBC broadcast Friday night from Roosevelt Hotel at 7 P. M., P.S.T., when the Junior C. of C. honors Walt Disney.

Firestone Program Set

HOLLYWOOD, Jan. 22.—Don Wilson will shortly announce a Firestone program featuring Richard Crooks on two coast broadcasts February 1 and 8.

Jeanette MacDonald to Be Guest

HOLLYWOOD, Jan. 22.—Jeanette MacDonald will be featured in a radio version of "Tonight or Never" on the Kraft program Jan. 28.

◀ Radio Personals ▶

LEE SIMS and Ilomay Bailey sail for Europe today aboard the *Champlain* . . . Brian Aherne has been added to Rudy Vallee's next program . . . Dale Armstrong, network announcer, has been added to the cast of Paramount's "Murder Goes to College" . . . Beginning Tuesday, NBC will short-wave a weekly "Broadway Comment" program to South and Central America, which completely rounds out a daily schedule of Pan-American broadcasts by NBC . . .

✚

Kate Smith will be a studio guest on the NBC Philip Morris program Feb. 2 . . . NBC reports a total audience mail of 5,560,621 pieces for 1936, an increase of more than a million pieces over 1935's mail figures . . . The title of Procter & Gamble's new script show, "Good Samaritan," which makes its debut this Monday, has been changed to "The Guiding Light," due to the discovery that a serial appearing on a mid-western station bears the former title . . .

✚

Edith Dick has been signed as permanent vocalist on "Morning Matineee" . . . Abe Lyman's orchestra, incidentally, will guest play on this series Feb. 4 . . . The Columbia Transcription Service, a division of the American Record Corp., has finished two sets of transcriptions for the National Committee of the President's Birthday Balls. They will be sent to stations throughout the country. The records feature Irene Rich . . .

✚

"Thrilling Detective Dramas" will be heard over WMCA from 9 to 9:30 P. M. Mondays, Wednesdays and Fridays beginning Jan. 25 . . . Mrs. Jean Paul King, wife of the announcer, leaves today for a month's vacation in Florida with her son, Paul . . .

And in Hollywood

Short Shots—Howard Esary, former production manager of KOL, Seattle, has been appointed production manager at Associated Cinema. . . . Jack Byers, formerly operating his own sound studio in New York, and Ken Alliston, accountant, also have been added to the staff. . . . Doris Gowlland, secretary to managing director of 2GB, Sydney, is here for a several months' visit. . . . Art Fulton, traffic manager for Associated Cinema, and Grace Rauch, secretary for Radioaids, Inc., engaged. . . . KNX runs line to Associated Cinema for "Off the line" recordings. . . . CBS also using the studio for rehearsal of "Camel Caravan" and other programs including Duke Ellington's band which is recording there.

C. Y. Clement, director of Radio Transcription Co. of America, in Hollywood from Philadelphia for the winter. . . . Lindsay MacHarrie waxing a series called "Story Behind the Song". . . . Ben Crosse of Transco Sound Studios back on the coast after four months in the east. . . . Bob Swan's "House of Dreams" sold to an Australian sponsor in recorded form. . . . Exclusive transcription rights to "The Country Church of Hollywood" program acquired by Radio Transcription Co. . . .

Waters Rise; Theatres Shut In Louisville

(Continued from page 1)

house, is inundated by four feet of water.

Cincinnati Hard Hit

CINCINNATI, Jan. 22.—With the Ohio River registering 70 feet and rising steadily, apparently headed for an all-time high, the Imperial, Jackson, American and Park, all located on submerged streets, have closed.

The city has warned everybody to conserve electric current against the possibility of the power plants' closing if the river reaches the 71-foot level.

Suburbs of Cincinnati are cut off by flooded roads. Many theatres in these sections have volunteered as first aid stations for flood refugees.

Situations to the north are not affected. Arrangements are being made with the northern cities to supply enough current to operate Cincinnati hospitals and telephone exchanges.

Aurora, Ripley and Portsmouth, in Ohio, and Lawrenceburg, Ind., are completely flooded, as is Frankfort, Ky. The full list of theatres closed is not available.

Pittsburgh Waters at 33 Feet

PITTSBURGH, Jan. 22.—A night rain sent Pittsburgh rivers rampaging again and the 33-foot mark, eight above flood level, is expected by tonight. That will be 13 feet under the record high of last March.

Theatres in the downtown section have already started to dig in and erect barriers with pumps on hand and working in 24-hour stretches to empty the basements of the Penn, Alvin, Fulton and Barry. These four were hardest hit last March. While nothing like that disaster is expected, the damage will be sizable.

Film Group Report To Ask Reciprocity

(Continued from page 1)

will support the Simon Rowson principle of a reduced quota for American companies releasing British films in the United States.

The Film Group statement is expected also to oppose the Government film commission suggested in the Moyne report as well as the recommended quality test for films by any official body. The statement may suggest a quality test by a trade committee applying only to films below a certain cost, probably £10,000.

Delay Expected in Texas Trust Trial

(Continued from page 1)

will not have completed their replies by that time.

If the time extension is found to be necessary, however, only a very brief extension will be asked.

The contracts to be tested in the Government action impose admission and double featuring restrictions on subsequent runs for such pictures as are played in first runs at a specified minimum admission.

Victor McLaglen Lighthorse Troop Has Trooped Its Last

(Continued from page 1)

the idea that since McLaglen is presumably "in the chips," he should naturally be a good fellow and buy airplanes for the air corps of the Troop, pay for the uniforms of the "soldiers" (or were they all "officers"?), pay their dues as members and foot all the bills in like fashion. McLaglen finally came to the conclusion that enough is just that much too much, and so demobilization was the order of the day.

McLaglen is retaining the club house, since he owns the property, and apparently there are no takers, but the Lighthorse troop has trooped its last.

Theatre Union Plan Greeted Very Coldly

(Continued from page 1)

organization, which is headed by Bernard Deckoff, has an A.F.L. charter.

Union Meeting Held

A statement is expected to be issued this morning on the results of an important meeting late yesterday among members of Mayor La Guardia's survey committee on the local multiple union situation, and representatives of Local 306, the Allied Union and the I.T.O.A.

Earlier in the day Harry Brandt, president of the I.T.O.A., declared in defense of the exhibitor organization's position in the protracted negotiations for a settlement of the operator situation here, that the organization had bent every effort to effect a settlement, but that it had been stymied by two factors. The first, said Brandt, is the inability to obtain the signature of George Browne, president of the I.A.T.S.E., to the agreement reached between 306 and the I.T.O.A., without which the local exhibitors will not consider it, and the inability of 306 to come to an agreement with the Allied union for the absorption of the latter's membership.

Agreement Provided Raise

The terms of the 10-year agreement, which was to be effective Jan. 25, Monday, called for a 25 per cent wage increase in I.T.O.A. houses, and a reduction in weekly working hours from 84 to 70. With the reduction in hours, Brandt declared, it amounts to a 50 per cent increase for theatre owners, and he said that in order to prevent the closing of theatres because of the increase, the organization had pledged itself to pay the difference in overhead for members unable to do so.

The agreement, he said, will amount to an increase of $400,000 annually to theatre owners, and that it would cost the I.T.O.A. about $25,000 annually to aid exhibitors to sustain the increases. The present payroll of I.T.O.A. members is $16,000 per week in 240 theatres, Brandt said.

Brandt declared that Joseph D. Basson had said that if the agreement does not go into effect on Monday, steps will be taken to prevent the contract from going through. Brandt said he feared "open warfare" in the local theatre situation if the agreement does not go into effect as scheduled.

Yamins Again Is Elected As Allied Chief

(Continued from page 1)

to obtain the passage of the Neely-Pettengill bill and each director pledged the support of himself and his unit.

A warning was issued to exhibitors to delay signing contracts until the Milwaukee convention, the directors pointing out that the distributors are already seeking to sell next season's product and "early buying encourages excessive rentals and onerous conditions." Plans are under way either to publish an Allied house organ or make arrangements with an existing publication to carry Allied's message to exhibitors and public groups.

With more than 100 New England exhibitors doing business with Lloyds of London, the board approved a plan for obtaining liability insurance for members at less than half the charges of American companies. Arthur Howard of Boston is handling details, but exhibitors should make their applications directly to London, it was said.

Production - Exhibition Again

Copies of a bill for divorcement of theatres and production were distributed to the directors, who will bring the subject to their local units for reports and action before it is introduced into state legislatures. Al Steffes was continued as chairman of the special defense committe appointed last June at the Cleveland convention. The board favored the Duffy copyright revision bill containing the Allied amendments "limiting copyright owners to a single charge against exhibitors for the right to exhibit pictures and publicly perform and record music, and abolishing the arbitrary statutory penalty for infringement and requiring proof of actual damage."

The board also favored increasing the Federal admission tax exemption to include admissions of 50 cents.

Southeast Receipts In 1935, $59,888,000

(Continued from page 1)

classes of amusement enterprises, showed that Florida with 594 establishments had a total box-office of $11,349,000 for the year, followed by Maryland, 437 establishments with receipts of $10,862,000; Virginia, 617 establishments with receipts of $8,102,000; District of Columbia, 156 establishments with receipts of $7,915,000; North Carolina, 740 establishments with receipts of $7,362,000; Georgia, 671 establishments with receipts of $5,248,000; West Virginia, 390 establishments with receipts of $4,915,000; South Carolina, 372 establishments with receipts of $3,088,000, and Delaware, 70 establishments with receipts of $1,083,000.

Concessions To Come Seen By Kuykendall

(Continued from page 1)

said. "It must be remembered that this is the first time the distributors have ever shown a willingness to discuss mutual problems with exhibitors."

He expressed the opinion that the first of the local conciliation boards probably could not be set up and placed in operation for another two months, but that in the meantime local exhibitor organizations would be urged to take steps to determine whether or not a majority of exhibitors in their territories desire a conciliation board. No boards will be set up where they are not requested by the local exhibitors and, at the outset, only three or four boards will be organized for trial purposes before they are extended on any national basis, Kuykendall said.

Kuykendall estimated that on the basis of distributor replies to date about 33 1/3 per cent of the M. P. T. O. A. 10-point program had been accepted. This is figured on the assumption that the local boards would be able to treat with six of the 10 proposals. The acceptance of the program runs to about 50 per cent where companies such as Universal and United Artists have agreed to the elimination of the score charge, he said.

Kuykendall plans to return to New York about Feb. 3 after stopping in Washington to arrange for an Administration figure to address the M. P. T. O. A. convention. He will attend the convention of the M. P. T. O. of Virginia at Richmond, Feb. 11, coming to New York again at its close.

Wall Street

Most Off on Board

	High	Low	Close	Net Change
Columbia	39½	38	38	—1¼
Columbia, pfd.	46	46	46	— ⅛
Consolidated	5⅝	5⅜	5½	— ⅛
Consolidated, pfd.	18	17¾	17¾	.....
Eastman Kodak	172½	172½	172½	— ½
General T. Equip.	32¼	31½	32¼	+ ½
Loew's, Inc.	75½	74¼	74¾	—1
Loew's, pfd.	109	109	109	+ ¼
Paramount	27⅝	27⅛	27⅛	— ½
Paramount 1 pfd.	194	190¾	190¾	—3¼
Paramount 2 pfd.	25	24½	24½	— ½
Pathe Film	9⅞	9⅝	9⅝	— ⅛
RKO	9	8¾	8¾	— ¼
20th Century-Fox	37⅞	37	37⅞	.....
20th Century, pfd.	46¾	46¼	46¼	—1¼
Universal, pfd.	103⅝	103⅝	103⅝	+ ⅛
Warner Bros.	16¼	15¾	15¾	— ¼
Warner, pfd.	67½	67¼	67½	+ ¼

Small Curb Movement

	High	Low	Close	Net Change
Grand National	4⅛	4	4	— ⅛
Sentry Safety	1	15/16	1	+1/16
Sonotone	2⅜	2⅛	2¼	— ⅛
Technicolor	22⅞	21¾	21¾	— ¾
Trans-Lux	4½	4⅜	4⅜	.....
Universal Pict.	17½	16	16	—1

Bonds Rise Lightly

	High	Low	Close	Net Change
Keith B. F. 6s '46	98½	98½	98½	.....
Loew's 3½s '46	101	100⅝	101	.....
Paramount B'way 3s '55	75	75	75	+1¼
Paramount Pict. 6s '55	100⅜	100⅜	100⅜	.....
RKO 6s '41 pp.	124	123⅛	123¼	— ¼
Warner Bros. 6s '39 wd	99⅞	99⅝	99¾	+ ⅛

(Quotations at close of Jan. 22)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 20 NEW YORK, MONDAY, JANUARY 25, 1937 TEN CENTS

Three Firms Now Dominate German Field

Production Costs Rose Sharply in 1936

By J. K. RUTENBERG

BERLIN, Jan. 15.—Centralization of production and distribution and sharp increases in production costs were the two outstanding developments which characterized the industry in Germany during 1936. Political tension and economic difficulties had their effect on the film, as well as all other industries in the country.

Whereas in 1928 there were some 300 production and distribution outlets, small companies handling 60 per cent of the business, in 1936 smaller units provided only about 10 per cent of the output. Actually the field is virtually monopolized today by three companies, Ufa, Tobis and Bavaria, which control numerous smaller units. Last year Ufa released 30 features, Tobis, 68 and Bavaria, 30. This complete domination causes the virtual elimination of the small producer.

The film credit bank has become an important factor in the German indus-

(*Continued on page* 11)

Production Gains With 42 in Work

HOLLYWOOD, Jan. 24.—Feature production gained last week to register a total of 42 in work against the previous week's 41. Activity in the short subject division dropped from three to one. Eight new features went into work while seven were finished. There were 21 features and seven shorts in preparation and scheduled within the next two weeks.

Started were: "A New Trail

(*Continued on page* 6)

"Girls" in Opening Day Record at Roxy

"Three Smart Girls" chalked up a record Friday opening at the Roxy, grossing $7,200 on the day and topping the previous high day's take by $400. Borah Minevitch heads the stage show.

"One in a Million" finished a third week at the theatre with $36,000, giving the picture a $155,000 tally for the 21-day run. Approximately 400,000 persons saw the film during the three weeks.

Radio, Pages 8 and 10

Reisman Hits Moyne Report Quota Plans

Might Force U. S. Firms Out of England

By BRUCE ALLAN

LONDON, Jan. 13.—In an interview with the British trade press today, Phil Reisman, foreign sales manager of Radio, made a more outspoken attack on the quota proposals of the Moyne report than has previously been heard from any American executive.

If the Films Act were revised on the lines of the report, he said, the ultimate increase of the quota to 50 per cent and the uncertainty created by the quality clause might put American companies out of business in England.

Even if it were practicable to split production between Hollywood and London, a run of bad British pictures might make an American producer insolvent, he remarked.

The reduction of the Hollywood schedule to accommodate pictures made in England would mean an increase of costs of from 25 to 30 per cent, which would entail higher rental charges for inferior pictures, he added.

Radio would make two or three pic-

(*Continued on page* 3)

Canada Complaints Off Sharply in '36

TORONTO, Jan. 24.—Only 131 complaints were filed with arbitration boards of the Canadian Film Board of Trade during 1936, as compared with 249 claims filed during the preceding year, according to the annual report of the Canadian organization.

Colonel John A. Cooper, president of the M. P. Distributors and Exhibitors of Canada, the Dominion branch of the Hays organization, attributed the decrease in the number of

(*Continued on page* 6)

Attorneys in Albany On Tax Appeal Today

ALBANY, Jan. 24.—Frederick H. Wood of Cravath, de Gersdorff, Swaine & Wood, and T. Newman Lawler of O'Brien, Driscoll & Raftery, attorneys for distributors in the United Artists test case against the application of the New York City sales tax to film rentals, arrived here tonight to argue the distributors' appeal before the Court of Appeals tomorrow.

A decision on the case is not expected from the court for about three weeks.

Zanuck Plans Drive To Build New Stars

HOLLYWOOD, Jan. 24.—Having recently signed Gypsy Rose Lee, Phylis Brooks and Pauline Moore, all of the Broadway stage, Darryl Zanuck is definitely set on a new star-building campaign.

Zanuck is planning a trip to Europe shortly to personally conduct a search for new talent. Meanwhile, the 20th Century-Fox production head is conferring with Joseph Moskowitz on new possibilities. Moskowitz will leave for New York in a week or so.

Another newcomer to the company's roster is Janet Johnson who was signed some time ago by Joseph M. Schenck. Gracie Fields, British film and musical comedy star, has been signed to a three-year contract.

Both Miss Lee and Miss Brooks are

(*Continued on page* 6)

John E. Kennebeck Dies in Australia

John E. Kennebeck, Paramount managing director for Australia and New Zealand, died at Sydney on Saturday morning from complications resulting from an operation for appendicitis, the Paramount foreign department here was advised.

Kennebeck was 39 years old and had been associated with Paramount for the past 17 years. He went to Australia for the company 14 years ago as an exploitation man, and rose rapidly to the top post for that territory. He is survived by his widow and two children. The body will be returned to Omaha, his home city, for interment.

California Grosses $66,686,000 in 1936

WASHINGTON, Jan. 24.—California amusement enterprises, 2,618 in number, had total box office receipts in 1935 of $66,686,000, according to preliminary figures from the census of amusements made public by the U. S. Census Bureau.

Reporting also upon the other Pacific coast states, **the bureau an**nounced that 596 establishments in Washington had receipts of $9,569,000 for the year and 390 in Oregon took

(*Continued on page* 6)

ITOA Protests Loew Five-Day Run Policy

Protesting the decision of Loew's to extend weekend runs from four to five days as a breach of contract, the I.T.O.A., through John Manheimer, executive secretary, on Saturday sent telegrams to Paramount, Columbia, M-G-M, United Artists and Universal exchanges asking that representatives of the major companies sit

(*Continued on page* 6)

Union Peace Delayed, But Seen Shortly

Settlement Is Expected Within One Week

The agreement devised after long negotiation to bring about a permanent settlement of the troublesome multiple union situation in New York theatres will not go into effect today as was originally scheduled, but is expected to become effective within a week "at the outside," it was learned Saturday. The agreement which has been sought, and which is close to conclusion, was demanded by Mayor LaGuardia several months ago.

A lengthy meeting in the office of Samuel Lewisohn, chairman of the Mayor's survey board, late Friday, ended without a definite decision, and was followed by a second meeting among representatives of Local 306 and the Allied Union on Saturday morning. No statement was issued after the Lewisohn meeting, as was expected.

The points at which the agreement has run into difficulty are the signing of the initialed 306-I.T.O.A. arrangement by George Browne, president of the I.A.T.S.E., parent union of 306, and the failure thus far to bring to a successful conclusion the co-related agreement between 306 and the Allied Union. It was indicated on Saturday, however, that the serious obstacle was not Browne's signature, since the

(*Continued on page* 6)

Orpheum Creditors Get Report Today

Creditors of Orpheum Circuit are scheduled to meet today with Referee Oscar W. Ehrhorn to receive the report of appraisers on the valuation of Orpheum's assets and to take action on an offer from RKO of $700,000 for uncontested title to the Orpheum assets now in the possession of Stadium Theatres Corp., a wholly owned RKO subsidiary.

The RKO offer was made as a

(*Continued on page* 6)

Loew Revives Stage In Baltimore House

BALTIMORE, Jan. 24.—William Saxton of Loew's Century will reinstate vaudeville Feb. 5 when Johnny Weissmuller and Lupe Velez will begin a week's personal appearance. Although Saxton had "The Last of Mrs.

(*Continued on page* 6)

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Legion Approves 14 New Films for Week

The National Legion of Decency, in its list of new pictures for the current week, has approved 14 new films either for general patronage or adults. Eight were approved for general patronage and six for adults. The films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Bar Z Bad Man," "Luck of the Irish," "Melody for Two," "Once a Doctor," "Penrod and Sam," "With Love and Kisses," "We're on the Jury," "Woman in Distress." Class A-2, Unobjectionable for Adults—"Dangerous Number," "Idealer Gatte Ein," "Maid of Salem," "Mein Leben fur Maria Isabell," "Der Raub der Sabinerinnen," "She's Dangerous."

Nat'l Bd. Cites "Legion"

The National Board of Review of Motion Pictures on Saturday acclaimed "Black Legion" as a "powerful social document and outstanding example of how the screen can uphold standards of racial and religious tolerance."

◂ Purely Personal ▸

MILTON HOSSFELD has joined Spyros Skouras, Sumner Gamby, William T. Powers, Ed Zabel and Irving Barry in Milwaukee and will continue on to the coast with them before returning to New York.

•

Bernard Scholtz, RCA Photophone New York sales executive, accompanied by his wife and two daughters will sail Jan. 28 on the *Seminole* for a Miami vacation.

•

Edward L. Klein cancelled his reservations on the *Champlain* Saturday and now shoves off for London on the *Manhattan* Wednesday.

•

Ira Cohen, 20th Century-Fox branch manager in Pittsburgh, arrives today on the *Kungsholm* from a cruise.

•

Milt Kusell and J. J. Unger are due to arrive late this week from a tour of Paramount exchanges.

•

William Sussman will return today from a Miami vacation.

•

Eddie Sutherland is at the Lombardy.

ED and Mrs. Kuykendall left here yesterday for Miami. Kuykendall plans to be back in New York about Feb. 3.

•

C. W. Bunn, Erpi's general sales manager, is en route to the coast for conferences. He also expects to visit Chicago and Kansas City.

•

Sonja Henie will be guest of honor tomorrow at a newspaper party in Boston given by the Paramount and Fenway.

•

Bill Pierce of Grand National is a benedict, having taken the leap secretly last Tuesday.

•

Constance Cummings is planning to sail from London shortly for a Hollywood vacation.

•

Miss Rebecca of Rebecca and Silton is here from the coast for a 10-day visit.

•

Ed and Mrs. Levy are in town from New Haven for a few days.

•

Abe Leff of the Leff-Myers circuit is back from Miami.

Out Hollywood Way

Hollywood, Jan. 24.—Randolph Scott being considered by Cecil B. DeMille for role of Andrew Jackson in "The Buccaneer."

Max Reinhardt here for conferences on his next Warner picture. . . . Dale Armstrong, local radio announcer, playing role of announcer in Paramount's "Murder Goes to College." . . . James Hogan substituting for Charles Barton on direction of "Danger, Men Working," Paramount. . . . Barton is ill. . . . Sybil Jason has flu and Craig Reynolds has pneumonia. . . . Howard O'Neil, who edited the Ann Harding picture for Korda in London, back at M-G-M.

Marvin Stewart, former script girl, made an assistant director at M-G-M. . . . George Pappa, actor, changes name to George Clayton. . . . Fred Metzler, studio treasurer for 20th Century-Fox, to New York for conferences with Sidney Towell. . . . Jule Styne, former music arranger for Harry Richman and Belle Baker, signed by 20th Century-Fox. . . . Grant Richards, who has been playing leads in Federal theatre shows, signed by Major Prod. and Paramount on sharing basis.

Our Gang comedy held up by Baby Patsy's measles and flock of colds. . . . George E. Stone, just back from London, starts work on "Marked Woman," Warners. . . . Olivia De Havilland, Anita Louise, Errol Flynn of Warners, Martha Raye and Charles Barton on sick list. . . . Max Steiner scoring Selznick International's "A Star Is Born." . . . Merril Pye and Joseph Wright signed to do art work under Cedric Gibbons on "Broadway Melody of 1938," M-G-M.

✚

Casting—Joseph Schildkraut in "Slave Ship," 20th Century-Fox. . . . Edward North and J. Carrol Naish in "Song of the City," M-G-M. . . . Beatrice Roberts gets lead in "Steel," Republic. . . Margaret Lindsay, on loan from Warners, in "Wings Over Honolulu," Jean Rogers replaces Polly Rowles, who is ill, in "Night Key" and Roger Imhof, Olaf Hytten, Harry Allen and John Elliott in "Short Haul," Universal.

Tom Wonder and Collette Lyons in "Dance, Charlie, Dance" and Helen Valkis in "Petticoat Range," Warners. . . . Louise Latimer gets lead in "Short Haul," Universal. . . . Paramount castings include Alan Hale, Stanley Andrews, Frank Sully and Ben Blue in "High, Wide and Handsome," Howard C. Hickman, Jed Prouty and Hattie McDaniel in "Danger, Men Working," Jack Mulhall and John Miller in "Internes Can't Take Money," Ray Turner in "Murder Goes to College" and Prince Lei Lani in "Waikiki Wedding."

✚

Writers—At Paramount—Edwin Justus Mayer on C. B. DeMille's "The Buccaneer," Harlan Ware on "Turn Off the Moon," Duke Attebury adapting "Mountain Music," Brian Marlow and Robert Tyler on "Sophie Lang," and Garnett Weston on first of "Fu Man Chu" series. . . . At Radio—Bertram Milhauser on "Super Sleuth" and Gertrude Purcell adapting "Behold the Bridegroom." . . . Allan Scott given leave by Radio until April 1 to do New York stage play.

✚

Directors—Harry Lachman assigned to "The Devil is Driving," Columbia. . . . Gordon Hollingshead to direct "Petticoat Range," Warners. . . . Marion Gering signed to new term pact at Columbia. . . . First assignment on Luli Deste picture.

Oklahoma Moves to Outlaw Bank Night

Oklahoma City, Jan. 24.—Bank Nights in theatres would be definitely outlawed under the terms of a bill which has been introduced in the House of Representatives here. The measure states specifically that the statute shall apply to theatres operating Bank Nights and calls for violation to be classed as a felony with resultant fines of $100 to $1,000 and prison terms of from one to 10 years.

Lottery drawings by bona fide merchants are permitted. The measure stipulates that 25 persons or more, acting with a Chamber of Commerce or a recognized commercial club, may conduct a lottery for valuable prizes but the prize must be awarded at the time the drawing is held. No drawing may be carried over from day to day.

"U" Plans "Biggest" Ad Drive on "Town"

Universal is planning day-and-date openings for "Top of the Town" all over the country as a climax to an extensive advertising and publicity campaign which will be one of the biggest ever conducted by the company.

Full page ads in popular national magazines and in more than 20 fan publications, radio journals and trade papers will highlight the campaign. In addition, billboards, radio and other channels will be utilized on a national basis, according to R. H. Cochrane, Universal president, who described the campaign as "the biggest ever undertaken by Universal on any single picture."

Rosenberg May Take Theatre Trailer Job

Los Angeles, Jan. 24.—Ben Rosenberg may join Theatre Trailer Service of New York as general sales manager. Mark Block, president of the company, is due here shortly to confer with Rosenberg on assuming the post. Negotiations are understood to have been under way for a few weeks, but nothing will be done until Rosenberg recovers from the flu.

N.Y. Tops Republic Drive

The New York exchange topped Republic's eastern branches to gain the lead at the end of the first week of the company's sales contest, which runs from Jan. 11 to May 1. Memphis led in the southern division, which was second to the eastern division; San Francisco headed the western division, and Milwaukee the central division, with the divisions ranking in that order.

Start General's First

Hollywood, Jan. 24.—Robert E. Welsh, vice-president of General Pictures Corp. in charge of production, has put the company's initial feature, "Three Legionnaires," into production at the RKO Pathe studio. The cast includes Robert Armstrong, Lyle Talbot, Fifi D'Orsay and Ann Nagel.

20th-Fox in South Africa

London, Jan. 24.—Offices will be opened by 20th Century-Fox in South Africa, the only foreign territory where the company has a franchise distributor, according to Walter J. Hutchinson, foreign head, upon his arrival here.

Reisman Hits Moyne Report Quota Plans

(Continued from page 1)

tures a year in England even if there were no quota, but it was physically impossible to make 15 or 20, said Reisman, likening the problem created to that which would confront British whiskey distillers if the United States decided they must manufacture in America, having to import even such an ingredient as water. He stressed the impossibility of accurately scheduling an artist for a British, following a Hollywood picture, even with a six-week margin allowed for the journey. If the Hollywood picture ran over schedule by some weeks, costs on the British picture would run up enormously, he declared.

The serious effect on public patronage of the drop in quality which would follow the reduction of Hollywood production was also stressed by the Radio executive, who said that it had taken Hollywood over 20 years to create its organization and a similar organization could not be created overnight. There was not enough talent in Hollywood to establish a British setup without seriously weakening the home organization and producing bad pictures in both places, it was his further opinion.

That the Hays office might cooperate in counter-suggestions from American distributors to the Board of Trade, and that the American State Dep't. would consider the general trade situation if the Moyne proposals were adopted were other statements by Reisman.

Fishman to Report On Allied Meeting

BALTIMORE, Jan. 24.—J. B. Fishman, director of Allied Theatres of Connecticut, who attended the two-day Allied directors' meeting here, will give a report to members of the local organization at a meeting next Tuesday at the Garde Hotel, New Haven, he said before he left here for the New England city.

Fishman tried to get Al Steffes to speak at the meeting, but the Minneapolis director of Allied had previously promised to attend a meeting of Boston Allied on the same day.

All independent exhibitors have been invited to attend the New Haven session.

New Exchange in N. O.

NEW ORLEANS, Jan. 24.—Southern Film Exchange has opened an office here to distribute westerns and serials, with Henry Thibedeuax, former booker for Paramount, in charge. The new exchange system was founded recently by John W. Mangham, former Atlanta branch manager for Republic, to serve eight southern states. Offices have also been opened in Atlanta and Charlotte.

Columbia Engages Grey

Albert G. Grey has been engaged by Columbia for special handling of "Lost Horizon" in a number of situations. Grey's engagement is in line with the company's plan to present the picture as a two-a-day attraction in key cities.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"A Doctor's Diary"

(Schulberg-Paramount)

HOLLYWOOD, Jan. 24.—Bravely probing into a controversial subject, this drama of hospitals, doctors' ethics, nurses and patients promises to become a widely discussed picture. Pulling no punches and making no concessions, it searches deeply into the subject of professional standards against human needs. Almost certain to arouse the antagonism of the medical world, the film also should arouse considerable public interest.

In his acting debut, John Trent, as a young doctor, dedicates his life to preventive medical and surgical research. The romantic conflict concerns him and Helen Burgess, a discharged nurse, and Ruth Coleman, daughter of Charles D. Waldron, the hospital owner. It contrasts with the motivating drama of Sidney Blackmer's delay in operating on Ray Hould, a boy, which causes the young violin genius to lose the use of his arm. Trent is discharged and blacklisted for his outspoken condemnation of Blackmer's dereliction. He joins his family doctor, George Bancroft, and Miss Burgess in general practise. A paralysis epidemic breaks and Trent is denied the use of hospital facilities for the child victims. Simultaneously, Molly Lamont, young Hould's mother, institutes a criminal neglect suit against Blackmer and Waldron. Promised aid for his patients if he sides with the defendants, who look upon him as the chief witness, Trent upholds his professional brethren and, following his reply, is shot. The basis for his answer is his belief that the lives of many mean more than the disability of one. Recovering in the anti-climax, Trent learns that Blackmer has successfully operated on the child, that the epidemic is halted and that he is restored to his hospital post and again reunited with Miss Burgess.

David Boehm's seriously premised original, which lays all its cards on the table, is treated in straight-from-the-shoulder fashion by Samuel Ornitz and Joseph Anthony, the scenarists, and similarly directed by Charles Vidor. As a newcomer Trent has ease and assurance. The work of the entire support is consistently of a high caliber.

Production Code Seal No. 2,975. Running time, 70 minutes. "G."

"Let's Make a Million"

(Paramount)

HOLLYWOOD, Jan. 24.—Strictly a filler feature, this is the type of picture which Paramount says it won't make any more. A character comedy based on the experiences of an ex-soldier after he receives his bonus, it offers nothing unique or new. As far as its topical nature is concerned, it is about six months too late to benefit by that factor.

Edward Everett Horton, a small town store owner, is pestered by Margaret Seddon and Margaret McWade, his two spinster aunts. He falls for the blandishments of a crooked oil promoter and persuades his comrades of the Legion to sink their bonuses in the scheme. The deal flops and Horton finds himself in bad with everybody but Charlotte Wynters, his sweetheart. Miraculously, he recovers all the money and gives it to another promoter who accidently discovers a gusher that makes all rich.

Played in lackadaisical fashion, Horton, Porter Hall, Miss Seddon, J. M. Kerrigan and Miss McWade account for occasional bright spots.

Since the story by Robert Yost and Manuel Seff is out-of-date, Raymond McCarey's direction is confined to sending his players through the motions.

Production Code Seal No. 2,827. Running time, 60 minutes. "G."

"Arizona Days"

(Grand National)

A routine western, this is suitable for the lesser spots. Occasionally it is brightened by musical numbers.

Riding to Tombstone, Tex Ritter and Syd Saylor, his pal come on the plight of William Faversham's traveling show. The sheriff from the last stand has caught up with them and is demanding payment of bills. Ritter straightens out this financial problem and is made a member of the troupe. Following his stage debut, the plot introduces various complications which involve a group of outlaw tax evaders. A romance between the hero and Eleanore Stewart also develops at this point. Such stock situations as an ambush, the killing of the heroine's young brother and finally the showdown with the heavy follows. Then, of course, occurs the romantic conclusion.

In addition to the leads the cast includes Forest Taylor, Snub Pollard, Glen Strange, Horace Murphy, Earl Dwire, Bud Buster and Salty Holmes. Jack English directed.

Production Code Seal No. 2,878. Running time, 52 minutes. "G."

Missouri's Tax Bill Would Hit Theatres

KANSAS CITY, Jan. 24.—All Missouri theatres would be affected by Governor Stark's bill to increase the sales tax from one to two per cent, which is now before the legislature and includes a provision making the levy one cent on sales between nine and 51 cents and two cents on sales above that amount.

Gov. Stark's bill to abolish the real and personal property tax of five cents per $100 valuation also is before the legislature. It would benefit exhibitors with substantial theatre investments.

Seek 20% Colorado Tax

DENVER, Jan. 24.—A 20 per cent tax on amusement tickets is called for in a bill just introduced in the Colorado House. Opposition is being organized.

Offers Child Film Bill

BOSTON, Jan. 24.—Representative Charles Hiller has filed a bill with the Massachusetts legislature regulating the admission of minors to film houses. Details of the bill are lacking, but industry organizations believe it would keep children from theatres after 7 p.m. weekday evenings unless they are chaperoned and prohibit children under the age of 16 from Sunday performances.

Big Indiana House Dark

INDIANAPOLIS, Jan. 24.—The Indiana, 3,200-seat house, which reopened five weeks ago after being dark for most of 1936, has closed again for an indefinite period.

Harry Richards Dies

BOSTON, Jan. 24.—Harry Richards, head of the Boston-Lawrence Film Transfer Co., died here yesterday. Richards was identified with the film business for over 16 years.

Remodel at Charlotte

CHARLOTTE, Jan. 24.—Warners will remodel the Broadway, their only house south of Washington.

Wall Street

Fair Gains Spot Board

	High	Low	Close	Net Change
Columbia	37⅞	37⅞	37⅞	— ⅛
Consolidated Film	5½	5⅜	5⅜	— ⅛
Eastman Kodak	173	172½	172½	.....
General Theatre Equipment	33½	32¼	33⅛	+ ⅞
Loew's, Inc.	74¾	74	74	— ¾
Loew's, Inc., pfd.	110	110	110	+1
Paramount	27¼	26⅞	27¼	+ ⅛
Paramount 1 pfd.	190⅜	189	190⅜	— ⅜
Paramount 2 pfd.	24⅝	24¼	24⅝	+ ⅛
Pathe Film	9¾	9⅝	9¾	+ ⅛
RKO	9	8¾	8¾	.....
20th Century-Fox	37½	37	37½	+ ⅛
20th Century, pfd.	46⅞	46¾	46⅜	.....
Universal, pfd.	101	101	101	—2⅝
Warner Bros.	16	15¾	15⅞	+ ⅛
Warner Bros., pfd.	69½	69½	69½	+2

Little Curb Movement

	High	Low	Close	Net Change
Grand National	4½	4	4	.....
Sentry Safety	1	1	1	.....
Sonotone	2¼	2¼	2¼	.....
Technicolor	22	21¾	22	+ ¼
Trans Lux	4⅜	4⅜	4⅜	.....

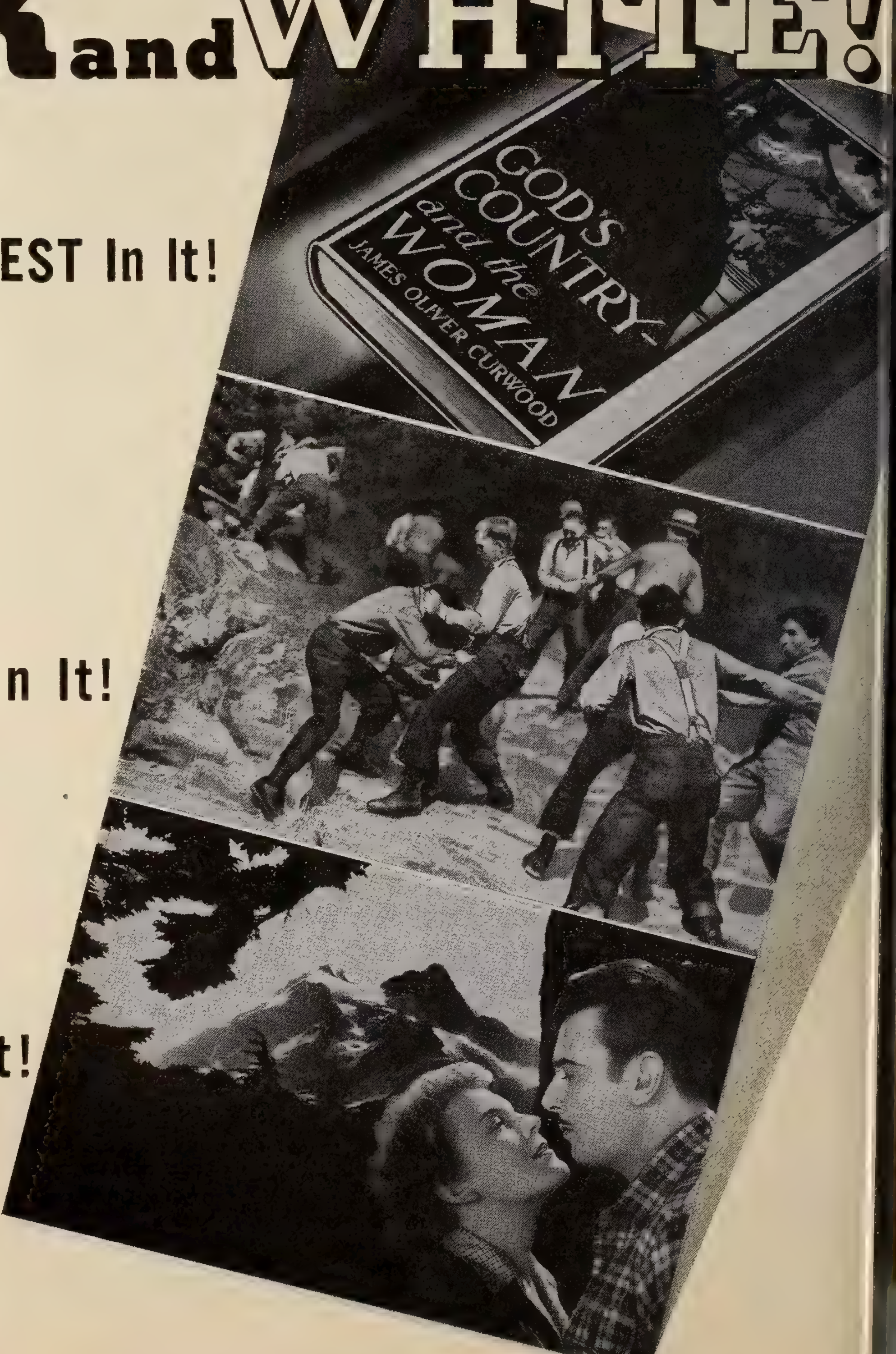
Bonds Up Slightly

	High	Low	Close	Net Change
Keith B. F. 6s '46	98½	98½	98½	.....
Loew's 3½s '46	101	101	101	.....
Paramount Pictures 6s '55	100¾	100⅜	100¾	+ ⅜
Warner Bros, 6s '39 wd	100	99⅞	100	+ ¼

(Quotations at close of Jan. 23.)

THE PICTURE'S IN GORGEOUS Col

BUT ITS VALUES ARE IN BLACK and WHITE!


GOD'S COUNTRY and the WOMAN
JAMES OLIVER CURWOOD

There's READER INTEREST In It!

The greatest of all James Oliver Curwood's world-read romances filmed with the full intensity of its feverish fierceness!

There's ADVENTURE In It!

A thousand men without law living under the ruthless rule of a woman without fear!

There's BIGNESS In It!

The sweeping glory of the great outdoors provides a setting possible only in God's Country!

or

There's RICHES In It
For The Lucky Theatres Everywhere Now Playing

GOD'S COUNTRY AND THE WOMAN

with

GEORGE BRENT
BEVERLY ROBERTS

Barton MacLane • Robert Barrat • Allan Hale • Joseph King • El Brendel • Joseph Crehan • Addison Richards • Directed by William Keighley • Music by Max Steiner

Filmed Entirely in the New, True Technicolor by

WARNER BROS.

Union Peace Delayed, But Seen Shortly

(*Continued from page 1*)

agreement has been "approved" by the I.A.T.S.E.

The 306-Allied deal, now being ironed out, calls for the absorption by 306 of Allied's membership, and snags have developed in details. However, it was authoritatively indicated on Saturday that these details will be adjusted, and that all elements in the situation have agreed to a delay beyond the arranged effective date. It was indicated that there is small possibility that union troubles in theatres will break out because of the delay.

It was said Saturday that "there is not sufficient time" for the deal to go through as scheduled now. The agreement situation, it was indicated in another quarter Saturday, "looks good" and "has taken a turn for the better."

ITOA Protests Loew Five-Day Run Policy

(*Continued from page 1*)

down with a committee of the independent exhibitor organization and work out a solution.

The telegram sent to the five exchanges follows:

"The executive committee of the I.T.O.A. informs you that in accordance with a notice posted in trade papers today and with advertising appearing in daily newspapers the Loew circuit is extending its runs from four to five days. Contracts represented to the exhibitors of the association by your sales department were based on a split week following the Loew theatres.

"This telegram serves notice on you that any run over four days on any of your pictures in the Loew theatres constitutes a breach of contract as signed with our members. Your exchange will be held strictly accountable for any such breach. A committee of our association will be glad to sit down with any representative of your exchange on the matter."

Loew Revives Stage In Baltimore House

(*Continued from page 1*)

Cheyney" booked, delay in retakes necessitated dating in "Man of the People." Fats Waller is booked in for the week of Feb. 12.

Izzy Rappaport has booked "Great Guy" for the week of Feb. 5 with Ramona and the Kings Men on the stage. Rappaport will be in New York next week lining up the rest of the acts on the bill.

Hardy Goes Solo

HOLLYWOOD, Jan. 24. — Oliver Hardy, who has not appeared without Stan Laurel since the team was formed, will make his first solo bow in the starring role of "Roadshow." Norman McLeod will direct for Roach. "Way Out West," most recently completed Laurel and Hardy feature, will not be released until spring.

His Sales Drive on Today

Latest picture of George J. Schaefer, vice-president and general manager of United Artists in whose honor the company launches its first sales drive today.

New Company Offers Operating Methods

James A. Davidson, formerly with National Theatres and more recently with Grand National, has formed National Exhibitors Service Corp., in association with Rod Dowrie. The principal office will be located in New York.

The company will furnish exhibitors throughout the country with a new method of recording and maintaining statistics in connection with theatre operation, including special film performance charts.

Before joining National Theatres, Davidson was a statistician with Hayden Stone & Co. for many years.

Zanuck Plans Drive To Build New Stars

(*Continued from page 1*)

not due here until June 1. Miss Lee's first picture will be opposite Fred Allen in "Sally, Irene and Mary," scheduled for release next season.

Negotiations are under way for at least four more new personalities. The sales staff as well as agents in all parts of the world have been asked to forward suggestions for new talent to the studios.

"Frisco" Poll Winner

"San Francisco" took first place in a poll conducted by local Skouras Theatres managers for the 10 best pictures of 1936. The film received 184 votes. Second was "Mr. Deeds Goes to Town" with 182 votes. The other eight pictures were "The Great Ziegfeld," 144; "Story of Louis Pasteur," 143; "Dodsworth," 118; "Anthony Adverse," 117; "Mutiny on the Bounty," 91; "Magnificent Obsession," 80; "Trail of the Lonesome Pine," 60; "Charge of the Light Brigade," 55.

U. A., Ross in Deal

United Artists has closed a deal with Ross Federal Service whereby the latter will exclusively represent U.A. in checking percentage on its pictures.

Orpheum Creditors Get Report Today

(*Continued from page 1*)

result of a question of the legality of Stadium's take-over of the going Orpheum assets in 1933, when sums owed by Orpheum to RKO and Keith-Albee-Orpheum were declared due and payable. If Orpheum creditors accept the RKO offer they would receive about 30 cents on the dollar for their claims in the liquidation which would follow.

Orpheum preferred stockholders would not participate in the liquidation. The shareholders recently retained Isidor J. Kresel, attorney, in an effort to obtain participation in the RKO plan of reorganization, from which they have also been exempted.

Grants "Ecstasy" Appeal

Permission for an appeal was granted on Saturday by Circuit Judge Martin T. Manton to Eureka Prod. Inc. in its suit against Gov. Herbert H. Lehman of New York, Attorney General John J. Bennett, Frank P. Graves, commissioner of education, and Erwin Esmond, state censorship director. Eureka claimed the law empowering the censor to grant licenses for the showing of pictures is unconstitutional on the ground that the Government has this exclusive right under the tariff laws governing foreign trade and commerce. A license was refused Eureka for the showing of "Ecstasy."

Columbia Suit Settled

BOSTON, Jan. 24. — Suit brought against Columbia by Western Massachusetts Theatres, Inc., regarding availability of "Theodore Goes Wild" has been settled by Columbia before going to trial in Springfield, Mass.

Columbia executives here will not discuss terms. Nathan and Sam Goldstein, operators in conjunction with Paramount, obtained an injunction preventing the feature from opening at the Academy, Northampton, operated by Herman Rifkin. Rifkin bought away from Goldstein Bros.

Rifkin has dropped plans for a countersuit.

Production Gains With 42 in Work

(*Continued from page 1*)

Ahead" at Columbia, "High, Wide and Handsome" at Paramount, "Ever Since Adam" at Republic, "Charlie Chan at the Olympics," "Cafe Metropole" and "Wee Willie Winkie" at 20th Century-Fox, "Night Key" at Universal and "Talent Scout" at Warners. Paramount and 20th Century-Fox retained the lead again in production, both having nine shooting.

Columbia had four features in work, three preparing and eight editing. M-G-M had five, one and four; Paramount nine, four and six; Republic two, two and three; Radio four, one and five; Roach zero, zero and three; Selznick International zero, zero and one; 20th Century-Fox nine, one and six; Universal four, two and two; Walter Wanger zero, zero and two; Warners five, four and 10 and the independents zero, three and one.

M-G-M had the lone short working, two preparing and three in the cutting rooms. Columbia had one preparing and three editing. Radio two and two; Roach one and one; Warners one and one.

California Grosses $66,686,000 in 1936

(*Continued from page 1*)

in $5,933,000. The 3,604 establishments in the three far Western states gave employment in 1935 to an average of 17,543 persons and had an aggregate payroll for the year of $18,183,000, of which $2,373,000 was for part time work. There were 2,982 proprietors and firm members active in the conduct of the enterprises.

The bureau's report covered all amusements, including film and other theatres, circuits and other shows, amusement parks, bowling alleys, dance halls, and the like, and no segregated figures were compiled for any one class of enterprises.

Canada Complaints Off Sharply in 1935

(*Continued from page 1*)

claims filed to "better understanding between distributors and exhibitors."

Of the 131 complaints filed in the distribution centers of Toronto, Montreal, St. John, Winnipeg, Calgary and Vancouver, 46 were settled by conciliation, and 85 progressed to final hearings. Awards were made in 62 of the latter instances.

The claims filed reached a total of $46,799; those settled by conciliation involved $12,666, and awards made totaled $24,271.

"Avenue" to Music Hall

"On the Avenue" has been dated into the Music Hall starting Feb. 4. This picture is one of three from 20th Century-Fox recently booked by W. G. Van Schmus. "Lloyds of London" is now finishing a second week at the house.

Pathe Reel in Paper Deal

CHICAGO, Jan. 24.—Pathe News, through a tieup with the *Chicago Times* will be issued here as the "Chicago Times Pathe News."

VERSATILITY

UNUSUAL and special though it is in its characteristics, Super X fills every requirement of general cinematography. Proof? It is used throughout features and shorts made under every possible condition. In Super X, specialization has surprisingly led to supreme versatility. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

Radio Personals

BEN PRATT, formerly of the NBC press division, is a very democratic young man, or perhaps he's a Democratic-Republican young man.

During the recent Presidential campaign, Pratt occupied an important post with the Republican National Committee and naturally strove mightily for the election of Governor Landon.

But the election's all done with now, so Ben's working hard for the Democratic party. . . .

+

Edgar Thompson, radio editor of the *Milwaukee Journal,* headed for home over the weekend after a week's stay in New York. . . . Vance Baab, manager of the press division at NBC, in bed with a cold following an all-day drenching in Washington at the inaugural. . . . Charles M. Kaplan of the WIP sales staff leaves this week for a two month stay in California. . . .

+

Margaret Maloney has taken up her duties as publicity director of WKRC, CBS affiliate in Cincinnati. She formerly was managing editor of *Radio Dial* and replaced Jack Shaffer who has been given another assignment at the station. . . . Walter Hampden will guest "em cee" the Sealtest "Saturday Night Party" Jan. 30. . . . Mary Garden will be interviewed by Cecil B. DeMille between acts of the Lux "Radio Theatre" presentation tonight. . . .

+

Lee Patrick will guest star on "Your Unseen Friend" over CBS Jan. 31. . . . Jimmy Jemail, radio's original inquiring reporter, will be on the air over WHN four times weekly in a new series beginning today. . . . The bankers' program is the first to sign off with an announcement concerning the President's Birthday Ball. . . . Agnes Moorehead has been chosen to play the lead in "Joyce Jordan-Girl Interne" over WHN. . . .

+

The Landt Trio rejoins the "Pick and Pat" series Feb. 1. . . . Victor McLaglen will be Bing Crosby's guest on the "Music Hall" this Thursday. . . . Due to commitments which will prevent their leaving New York for a two-week period with Phil Baker who will broadcast from Florida Feb. 14 and 21, Ed Smalle's "Seven G's" and announcer Harry Von Zell will be replaced by substitutes from WMAQ in Florida. Seen, or scene, in an NBC elevator: Abe Lyman, walking into the crowded lift, spots Lucy Monroe, picks her up in his arms and plants a kiss on her cheek. . . .

"Mr. Deeds" on Air

Gary Cooper and Jean Arthur will co-star in the first full adaptation of "Mr. Deeds Goes to Town" on the Lux "Radio Theatre" program, Feb. 1.

"Lady Esther" Renewed

Wayne King's "Lady Esther" program has been renewed for 52 weeks, effective as of Feb. 22.

More Radio—Page 10

WFIL, Philadelphia Produces for Mutual

PHILADELPHIA, Jan. 24.—WFIL will produce two new sustaining shows for Mutual's coast-to-coast net. Starting Jan. 28, the station will present a weekly "March of Melody" which will utilize Howard Lanin's studio band; Florence Shevlin and Jack Curtis, solo vocalists; Harmoneers Trio, male singers, and the Polly and Dave boy-girl act. On Saturdays, 4:30-5 P. M., starting Jan. 30, the program will provide a satire on current events set to a musical background. Production for both shows is being handled by John L. Clark, WFIL's production chief.

In addition to the two new shows, WFIL is already feeding the Mutual net 15 periods weekly, including a thrice weekly commercial shot.

WNEW Writes $1,185,035

An all-time gross sale high for any single week was recorded at WNEW last week. The new billings, representing $1,185,035 a week to the station, follow:

Axton-Fisher Tobacco Co., for Twenty Grand cigarettes, has added three additional 15-minute periods a week, making a total of six programs a week for the sponsor. McCann-Erickson is the agency.

The Landon Co., cosmeticians, three 15-minute spots per week, through the Franklin Bruck Advertising Co. Both above accounts will be plugged on Martin Block's "Make-Believe Ballroom."

Carbona, through E. T. Howard & Co., has purchased spot announcements to be given on "Milkman's Matinee."

Beginning Feb. 2, the General Supply Co. will present three half-hour periods each week from the stage of the Oritani Theatre, Hackensack, N. J. The program will consist of quizzes, with audience participation. Ted Webb will conduct. The Scheer Advertising Agency, Newark, N. J., placed the account.

River View Lawns, as a result of a test series, has renewed for three additional 15-minute programs, for 13 weeks.

NBC Managers Meet Today

A meeting will be held here today by managers of managed and operated NBC stations to discuss coordination of programs. Those who will attend include: Vernon Pribble, manager of WTAM, Cleveland; John Holman of WBZ and WBZA, Boston; Sid Strotz of WMZQ and WNER, Chicago; Harry Woodman of KDKA, Pittsburgh; Colin Hager of WGY, Schenectady; Leslie Joy of KYW, Philadelphia, and Kenneth Berkley of WRC and WMAL, Washington.

His Theme Song

Hollywood, Jan. 24.—John Shea, USC law student who won a Warner contract after an appearance on Haven MacQuarrie's "Do You Want to Be An Actor?" program, has been assigned a theme song. It is "When Did You Leave Haven?"

Clear Christie Site Soon for CBS Studio

HOLLYWOOD, Jan. 24.—Actual tearing down of the old Christie Studios here to make room for the new CBS studios will definitely begin Feb. 1. Officials estimate it will require 36 days to complete the dismantling of the plant.

Extend Television Tests

HOLLYWOOD, Jan. 24.—The Don Lee-Mutual network inaugurated a new series of weekly television tests beginning Saturday.

The sound synchronized with the televised broadcast will go out over 10 California stations of the chain. This will be the first time the Lee television tests have been extended to the entire network.

"Help Thy Neighbor" Starts

HOLLYWOOD, Jan. 24.—KHJ inaugurated a new program today titled "Help Thy Neighbor." Hal Styles conducted the airer which consists of interviews of six people currently unemployed, the program running half an hour.

"Smiling" Frankie Gordon, local clothier, is the sponsor.

Kate Smith Show to West

HOLLYWOOD, Jan. 24.—Kate Smith will move her A. and P. Stores program to the coast in May when she will also start a west coast commercial. Ted Collins, her manager, is now placing the finishing touches to the deal.

Mutual Gets Another

HOLLYWOOD, Jan. 24.—The Inglewood Concert, a weekly Sunday feature on KHJ, went on the Mutual hookup with its 510th concert today. The sponsor will only be credited locally.

Bing May Join Cantor

HOLLYWOOD, Jan. 24.—Herman Bing is being considered as successor to Parkyakarkas on the Eddie Cantor Texaco show. Bing appeared on the program last week.

Sunday Mirror Buys Air in Philadelphia to Hike Sales

Philadelphia, Jan. 24—The *New York Sunday Mirror* goes to radio to increase its circulation in the Philadelphia area. The move comes as a surprise to the *Philadelphia Inquirer* and the *Philadelphia Record,* having a circulation battle of their own, especially since *Mirror* distribution is limited to newsstands in the downtown business area. The *Mirror* is using four spot announcements daily over WIP. The contract is placed by the Broad-Smith agency for an indefinite period.

Broadcast Awards of N. Y. Picture Critics

The presentation of awards by the New York Film Critics for the best masculine and feminine performances; the best film, the best direction, etc., was made yesterday on a coast to coast radio hookup over the NBC Blue network, broadcast locally over WJZ from 8 to 9, E.S.T. Previous to the awards, a cocktail party was given by the critics in the Rainbow Room, with more than 300 attending.

William Boehnel, *World Telegram* critic, opened the proceedings. He introduced Richard Watts, Jr., of the *Herald Tribune,* who in turn presented the award for the best masculine performance to Walter Huston. The award for "Mr. Deeds Goes to Town" was presented to Jack Cohn, vice-president of Columbia. The program then switched to Hollywood, where Sidney Skolsky made awards to Luise Rainer, Gary Cooper, Jean Arthur and Rouben Mamoulian. Cooper and Miss Arthur did brief scenes from "Deeds." Following the coast presentations, the program spanned the Atlantic. From London the cast of "Carnival in Flanders," which received an award as the best foreign film, did a scene from that picture.

Mutual Gets "Good Earth"

Mutual will broadcast exclusively the world premiere of M-G-M's "Good Earth" direct from the premiere showing at the Carthay Circle, Hollywood. The broadcast will be heard, coast to coast Jan. 29, from 11:30 P. M. to midnight, E.S.T.

Frank Whitbeck will be in charge of the broadcast and will present the film's star and featured players on the air. These include Paul Muni, Luise Rainer, Walter Connolly, Tilly Losch, Charles Grapewin and Jessie Ralph.

The broadcast marks Mutual's first major film-radio effort since it amalgamated with the Don Lee chain.

Hopkins Turns to Radio

Arthur Hopkins, theatrical producer, will produce and direct a new radio series on WOR beginning Jan. 26. The series will consist of dramatizations of a book a week. "Salvage," a tome by Roger Vercel, will be the first offering. Additionally, there will be a guest star each broadcast. Henry Hull or Walter Huston will be heard on the first program. The series will be heard from 8 to 8:30 P. M., E.S.T., and will probably be sponsored.

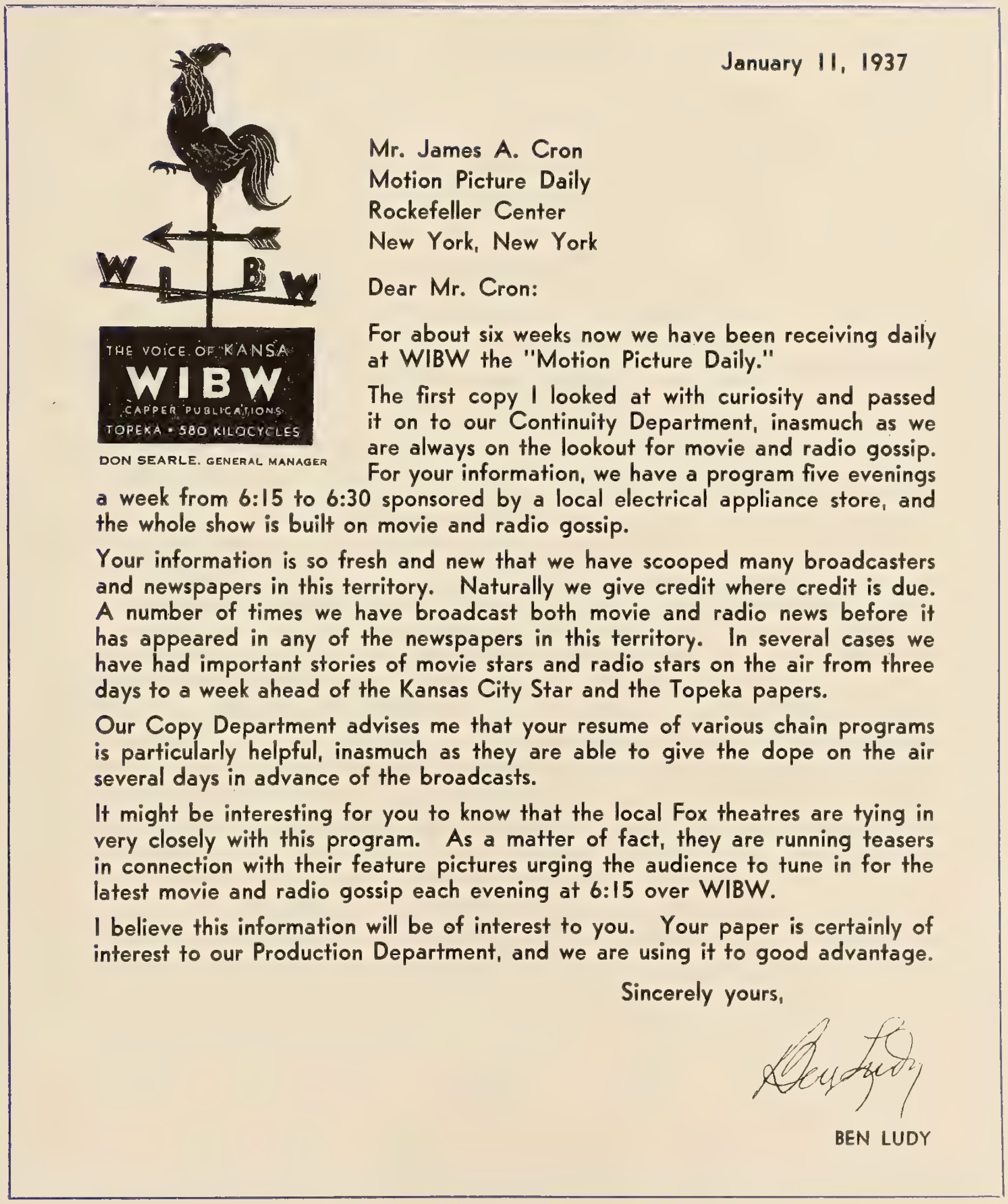
"Johnny Presents" Feb. 13

The new Philip Morris program, to be known as "Johnny Presents," begins on CBS Feb. 13 from 8:30 to 9 P. M., E.S.T. The program will be aired over 51 stations, 11 of which will carry the re-broadcast. The talent will include Phil Duey, "Johnny" as the "em cee," the Giersdorf Sisters, a mixed chorus, and a weekly dramatic re-enactment directed by Charles Martin. Biow and Co. is the agency.

Powell Back As Guest

Dick Powell, who recently left "Hollywood Hotel" after a three-year stay, will return to the program as a guest Feb. 5, and with Madeleine Carroll will offer scenes from their forthcoming picture, "On the Avenue." Featured also on this broadcast will be Irving Berlin.

Radio Acceptance



THE VOICE OF KANSAS
WIBW
CAPPER PUBLICATIONS
TOPEKA • 580 KILOCYCLES
DON SEARLE, GENERAL MANAGER

January 11, 1937

Mr. James A. Cron
Motion Picture Daily
Rockefeller Center
New York, New York

Dear Mr. Cron:

For about six weeks now we have been receiving daily at WIBW the "Motion Picture Daily."

The first copy I looked at with curiosity and passed it on to our Continuity Department, inasmuch as we are always on the lookout for movie and radio gossip. For your information, we have a program five evenings a week from 6:15 to 6:30 sponsored by a local electrical appliance store, and the whole show is built on movie and radio gossip.

Your information is so fresh and new that we have scooped many broadcasters and newspapers in this territory. Naturally we give credit where credit is due. A number of times we have broadcast both movie and radio news before it has appeared in any of the newspapers in this territory. In several cases we have had important stories of movie stars and radio stars on the air from three days to a week ahead of the Kansas City Star and the Topeka papers.

Our Copy Department advises me that your resume of various chain programs is particularly helpful, inasmuch as they are able to give the dope on the air several days in advance of the broadcasts.

It might be interesting for you to know that the local Fox theatres are tying in very closely with this program. As a matter of fact, they are running teasers in connection with their feature pictures urging the audience to tune in for the latest movie and radio gossip each evening at 6:15 over WIBW.

I believe this information will be of interest to you. Your paper is certainly of interest to our Production Department, and we are using it to good advantage.

Sincerely yours,

Ben Ludy

BEN LUDY

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

Radio

KEHE Staff Is Enlarged

Hollywood, Jan. 24.—KEHE, the local Hearst outlet, has added to its announcing and technical staff.

The additions are Mel Angle, Robert Lemond, Donald McBain, Rick Riekburg, Hugh Brundage and Dick Joy. Carlos Del Prado has joined the continuity department.

McBain was formerly with KHJ, Brundage with KFWB Riekberg from the Gulf Studios and Joy formerly did remote announcing over the CBS network.

Write to KHJ on Awards

Hollywood, Jan. 24.—KHJ has received a number of letters from listeners in conjunction with the progress of the Academy Award Poll which was broadcast on George Fischer's "Hollywood Whispers" program over the Mutual network.

Although the letters express listeners' choices for the annual award, this will have no bearing on the final selections as the choices are made by vote of the Academy membership.

Loveland Goes to CBS

Seattle, Jan. 24.—Archie Loveland and his orchestra, currently at the Olympic Hotel, have switched their broadcasts from NBC-Red to the Columbia coast network.

Inability of the band to get a regular spot on the NBC coast hookup on a sustaining basis was responsible for the switch. Effective this week, the aggregation will be heard Friday nights over CBS in Seattle, Tacoma, Portland, Spokane, San Francisco, Los Angeles and Salt Lake City.

Theatre Furnishes News

Boston, Jan. 24.—The Metropolitan is now spotting regular five-minute flash news commentations from the stage of the theatre. News is furnished by WEEI which is serviced by United Press. The news announcer sits at a desk on the stage. The idea for the innovation is credited to Gene Fox, advertising and publicity director.

Campana Takes Moonglow

Hollywood, Jan. 24.—The Campana Sales Corp. will take over the Tommy Harris Moonglow program Feb. 4. It will go out over NBC on an extended network to Salt Lake, Denver and Chicago in addition to the Pacific coast Red. The Aubrey-Moore and Wallace Agency will handle the account. Emil Briesacker, who formerly handled the program, has dropped it.

C. J. Thornquest Joins WSAI

Cincinnati, Jan. 24.—C. J. Thornquest, formerly with Ralph Jones Advertising Agency here, has joined WSAI, local Crosley station, as assistant to Frank Smith, sales manager.

Bill Brown, formerly with WFBM, Indianapolis, as announcer, has joined WLW and WSAI, Crosley stations.

Scatterday New WFIL Writer

Philadelphia, Jan. 24.—WFIL has added Edward Scatterday, former engineer at WCAE, Pittsburgh, and Newton "Duke" Rorbaugh, former program director of WIBG, Glenside, Pa., as continuity writer.

Noel Gets KXBY Control

Kansas City, Jan. 24.—Judge Ben Terte of the Circuit Court has issued a decree requiring the Kansas City Power & Light Co. to transfer to Sidney Q. Noel 1,025 shares of stock in First National Television, Inc., operator of KXBY. The decision gives Noel control of the radio station.

The power company and A. B. Church, head of KMBC and G. L. Taylor, who intervened as defendants, were directed to pay court costs.

Reports New Accounts

Cincinnati, Jan. 24.—New accounts reported by WCKY, basic NBC-Blue, include Plough, Inc., for Penetro and St. Joseph Aspirin, Lake-Shapiro-Cohn, Inc.; Standard Oil of Ohio, through McCann-Erickson, Inc., and Carter Medicine Co., one-minute electrically transcribed announcements, Street and Finney, Inc.

Television Corp. Formed

Dover, Del., Jan. 24.—Television Corp. of America has been formed here to develop and "perfect the arts" and business of electronics, electrics, photography, listing a capital of 250 shares, no par value. The incorporators are Edwin E. Lindgren, David H. Jackman, and Charles N. Caldwell, Jr., of New York City.

Named WRKC Publicity Head

Cincinnati, Jan. 24.—Margaret Maloney, managing editor of the *Radio Dial*, a local weekly listing programs, has resigned to become publicity director of WRKC, a CBS outlet, succeeding Louis Schaefer, who has been assigned other duties at the station.

MacLeod Joins WDRC

New Haven, Jan. 24.—WELI's control engineer Ken MacLeod, with the station since its inception in October, 1935, has joined the research division of WDRC, Hartford. MacLeod's successor has not yet been appointed.

Relay League Expects Crowd

Providence, Jan. 24.—Two hundred delegates are expected to attend the convention of the New England division of the Radio Relay League which will be held at the Biltmore here in May. Vincent E. O'Neil, chairman, says an elaborate program will be put on.

KFBI Is Reorganized

Kansas City, Jan. 24. — KFBI, Abilene, Kan., has been granted a new charter of incorporation as the Farmers' & Bankers' Broadcasting Co. The station, which is to be enlarged, is owned by the Farmers & Bankers Life Insurance Co. of Wichita.

Station Buys Paper

Clay Center, Neb., Jan. 24.—KMMJ has purchased the *Clay Center Sun*, a weekly, for $20,000 from Fred B. Howard, who has owned the paper since 1911 and who will continue to write his daily column.

Named Commercial Manager

Omaha, Jan. 24.—Emerson Smith, KOIL's "man on the street," has gone to WMOK, Manitowoc, Wis., as commercial manager.

"Jungle" High In Dull Week At Washington

Washington, Jan. 24.—First run business fell off sharply last week with "The Jungle Princess" at the Metropolitan the only attraction to make a dent in the general doldrums. It garnered $5,800, over normal by $1,500.

The only other film to get into the profit column was "Born to Dance." It was in its second week of a return engagement at the Columbia. This was its fourth downtown week. The $4,100 gross was over a first week average by $500.

Opposition included Dennis King, Helen Gleason and Ernest Truex in "Frederika" at the National; Ann Cori, and burlesque at the Gayety. The weather was unseasonably warm and springlike, with occasional rain the latter part of the week.

Total first run business was $71,500. Average is $73,700.

Estimated takings, exclusive of tax, for the week ending January 14:

"SING ME A LOVE SONG" (F. N.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Cross & Dunn, Original Dixieland Jazz Band, Powell & Nedra, Chuch & Chuckles. **Gross:** $18,400. (Average, $18,400)

"THE GARDEN OF ALLAH" (U. A.)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Salici Puppets, Sid Marion & Olive Sibley, Stafford & Louise, Two Daveys. **Gross:** $20,700. (Average, $20,900)

"BORN TO DANCE" (M-G-M)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days, 2nd week, return engagement. **Gross:** $4,100. (Average, first run, $3,600)

"COLLEGE HOLIDAY" (Para.)
LOEW'S PALACE—(2,370), 35c-55c, 7 days, 2nd week. **Gross:** $14,000. (Average, first week, $15,900)

"THE JUNGLE PRINCESS" (Para.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $5,800. (Average, $4,300)

"THAT GIRL FROM PARIS" (Radio)
RKO-KEITH'S—(1,836), 25c-55c, 7 days, 2nd week. **Gross:** $8,500. (Average, first week, $10,600)

"One Way Passage" Top in Oklahoma

Oklahoma City, Jan. 24.—"One Way Passage," a re-issue, at the Capitol was the only attraction to make a dent in the general box-office lethargy here during the week. It took $2,800, over par by $800.

"Luckiest Girl in the World," with the special short, "You Can't Get Away with It," went to $1,800 in four days at the Liberty. Normal for seven days is $2,500. All other spots were weak.

Total first run business was $12,300. Average is $13,500.

Estimated takings for week ending Jan. 16:

"THREE MEN ON A HORSE" (W. B.)
CRITERION—(1,700), 10c-35c-55c, 7 days. **Gross:** $3,500. (Average, $5,000)

"THAT GIRL FROM PARIS" (Radio)
MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $3,500. (Average, $4,000)

"ONE WAY PASSAGE" (W. B.)
(Re-issue)
CAPITOL—(1,200), 10c-25c-40c, 7 days. **Gross:** $2,800. (Average, $2,000)

"LUCKIEST GIRL IN THE WORLD"
(Univ.)
LIBERTY—(1,500), 10c-25c-35c, 4 days. **Gross:** $1,800. (Average, for week, $2,500)

"ARIZONA MAHONEY" (Para.)
"A SON COMES HOME" (Para.)
LIBERTY—(1,500), 10c-25c-35c, 3 days. **Gross:** $700. (Average, for week, $2,500)

"Born Dance" Double Hit in Hub Holdovers

Boston, Jan. 24.—"Born to Dance," on a dual with "Sinner Take All," was a holdover smash at Loew's Orpheum and Loew's State. At the former the $17,500 take was over a first week par by $5,500, and at the latter the $16,500 total also was $5,500 to the good.

"That Girl from Paris" held up to $15,000 in its second week at the RKO Memorial, going $3,000 into the profit column on a gross of $15,000.

Three other houses, the Fenway with "College Holiday" and "Let's Make a Million"; the Paramount, with the same bill, and the RKO Boston, with "Wanted: Jane Turner," also were in the profit column.

Mild weather is helping business.

Total first run business was $107,600. Average is $90,500.

Estimated takings for the week ending Jan. 14:

"COLLEGE HOLIDAY" (Para.)
"LET'S MAKE A MILLION" (Para.)
FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $5,800. (Average, $4,500)

"THAT GIRL FROM PARIS" (Radio)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days, 2nd week. **Gross:** $15,000. (Average, $12,000)

"BORN TO DANCE" (M-G-M)
"SINNER TAKE ALL" (M-G-M)
LOEW'S ORPHEUM—(2,970), 35c-45c-65c, 7 days, 2nd week. **Gross:** $17,500. (Average, $12,000)

"BORN TO DANCE" (M-G-M)
"SINNER TAKE ALL" (M-G-M)
LOEW'S STATE—(3,537), 35c-45c-65c, 7 days, 2nd week. **Gross:** $16,500. (Average, $11,000)

"GOLD DIGGERS OF 1937" (F. N.)
METROPOLITAN—(4,332), 35c-55c-75c, 6 days. Stage: Major Bowes' All Girl Band featuring Elaine Dowling. **Gross:** $21,000. (Average, 7 days, $22,000)

"COLLEGE HOLIDAY" (Para.)
"LET'S MAKE A MILLION" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,800. (Average, $7,000)

"WANTED: JANE TURNER" (Radio)
RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: "Manhattan Follies" with James Melton and Hildegarde. **Gross:** $23,000. (Average, $22,000)

"Camille" $17,009 Leader in Buffalo

Buffalo, Jan. 24.—"Camille," showing at the Buffalo, headed the first run list. It topped par by $5,009, with a $17,009 take.

"After the Thin Man," in its second week at the Great Lakes, pulled a nice $11,004, above average by $3,704, and "Pennies from Heaven," held over at the Lafayette, took $9,200, up by $3,200. The Century's dual, "The Accusing Finger" and "Down the Stretch," went $1,800 over the $5,800 normal.

Total first run business was $51,713. Average is $38,400.

Estimated takings for the week ending Jan. 16:

"CAMILLE" (M-G-M)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $17,009. (Average, $12,000)

"REMBRANDT" (U. A.)
"THE ALL AMERICAN CHUMP"
(M-G-M)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $6,900. (Average, $7,300)

"AFTER THE THIN MAN" (M-G-M)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $11,004. (Average, $7,300)

"THE ACCUSING FINGER" (Para.)
"DOWN THE STRETCH" (W. B.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $7,600. (Average, $5,800)

"PENNIES FROM HEAVEN" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $9,200. (Average, $6,000)

Three Firms Now Dominate German Field

(*Continued from page 1*)

try. While the bank financed approximately 30 per cent of production costs in 1933, it financed 67 per cent in 1936. There was a corresponding increase in the cost of production, ranging from 90,000 Reichsmarks per feature in 1933 to 285,000 Reichsmarks per feature in 1936.

Distribution, naturally, has been seriously affected by this intense centralization of the sources of product, which reached even into the distribution of foreign films. The exhibitor, however, has been the least affected. The Government was fairly successful in its attempts to stimulate attendance at film theatres, which allowed for modernization of properties.

Production and distribution, however, have not shown anything like proportional gains, and the probability is that film rentals will be advanced from the present general level of 35 per cent of the gross receipts. Shrinking export business likewise has had a hand in placing the German industry in an unenviable position. It is unlikely that the present quota provisions with respect to foreign product will be altered during 1937.

The 1936 figures for 11 months indicate that American films still dominate the foreign product here. The totals were: German, 103; United States, 26; Austria, 16; France, six; Hungary, four, and a few from Czechoslovakia, Holland, Italy and Poland.

Rowson Heads B.K.S.

LONDON, Jan. 19.—Simon Rowson has been elected president of the British Kinematograph Society today, with I. D. Wratten elected vice-president and the committee composed of P. Bastie, A. G. West, F. Watts, W. Vinten, Leslie Everleigh and Dr. Spencer. The B.K.S. is the British society originally a breakaway from the S.M.P.E. and performing similar functions.

Asks Licensing Change

LONDON, Jan. 19.—The Ass'n, of Municipal Corporations, representative of licensing authorities throughout the country, will consider a letter from the C.E.A. suggesting that in all applications for new licenses, facilities be granted to competing theatres to oppose the grant of licenses. The exhibitors hope to establish uniform procedure among the licensing authorities of the country.

Odeon Issue £2,000,000

LONDON, Jan. 19.—The issue of debentures of the Oscar Deutsch Odeon Circuit will be in a maximum amount of £2,000,000, instead of £5,000,000, as originally indicated. The actual amount will depend on trading figures. The issue will be handled by Philip Hill and several partners and will go on sale late next month.

WCTU Protests Signs

CINCINNATI, Jan. 24.—The W. C. T. U. has written Mayor Russell Wilson protesting against alleged indecent placards displayed in front of some local theatres.

See Catholic Review Likely in Australia

By CLIFF HOLT

MELBOURNE, Jan. 4 (*By Air Mail Via London*)—Although still unofficial, it is believed certain that the Roman Catholic Church plans a form of film review in Australia. It is expected that once a year every Catholic will be called upon to pledge himself not to attend films offensive to truth and Christian morality. A Central National Reviewing Office will classify all films as approved for all, approved with reservations, and condemned, much the same as the form used by the Legion of Decency in the United States.

* * *

The latest local threat to theatre business is the legalization of night trotting with full betting allowed. A bill legalizing the racing has passed the legislative council and is expected to pass the Assembly without opposition.

* * *

Litigation is still in progress between M-G-M and J. C. Williamson, Ltd., over the release in Victoria of "Rose Marie." Williamson, owner of the performing rights to the property, contend that the "moving picture film rights," as granted, do not include the sound picture rights. It is expected that Williamson, the loser on an initial appeal, will take the case to the High Court of Australia.

Circuit to Offer Shares

LONDON, Jan. 19.—On Jan. 15, Black's Associated Theatres, Ltd., offered £100,000 in five per cent first mortgage debenture stock at par and 135,000 six per cent cumulative participating preference shares, £1 value, at £1:0:6d.

Queen Mary at Opening

LONDON, Jan. 19.—Queen Mary is expected to attend the official opening of the Gaumont, Haymarket, previously the Capitol, on Feb. 4. The receipts will go to the Safer Motherhood appeal. "The Great Barrier" will be the opening feature attraction at the rebuilt house.

Vision Radius 50 Miles

LONDON, Jan. 19.—Officially rated to reach towns within a 25-mile radius of London, the television service transmitted by the British Broadcasting Corp. from the Alexandra Palace has in practice been received successfully at places as far removed as 50 miles from London.

Best Seller for Doyle

LONDON, Jan. 19.—London representatives for Stuart Doyle have acquired rights to Gurney Slade's novel, "Lovers and Luggers," for production by Doyle's Cinesound, Ltd. It is called the biggest best seller yet purchased for Australian production.

Whiteman Is Big Draw

HOUSTON, Jan. 24.—Four hundred of the possible 800 reservations for the Paul Whiteman one-night appearance at the Rice Hotel here were taken before the definite date was set, according to Bruce Carter, manager of the Rice. Whiteman will play only the one engagement in Texas aside from the inaugural ball for Governor James V. Allred at Austin tomorrow.

New Company Starts First Uruguay Film

By PAUL BODO

MONTEVIDEO, Uruguay, Jan. 9.—Ciclolux, new producing company here, has started shooting on the first feature length native picture, "Dos Destinos" ("Two Destinies"), with Juan Echebehere directing. The cast is composed for the most part of Argentine players. The film is designed for the home market.

* * *

Cine Metro here will show 18 20th Century-Fox pictures, under the terms of an agreement reached in New York. Other 20th Century-Fox product will play the Cine Ambassador, a 1,200-seat house which is scheduled to open in March. Delmaur, Ltd., will operate the theatre.

Bernardo Glucksmann, president and general manager of Cinema Radio S. A., has booked Warner, United Artists, RKO and Grand National product for showing in the theatres of the circuit throughout the country.

* * *

The Estudio Auditorio, former legitimate house owned by the SODRE, official Government broadcasting station, which was operated last year by Gaumont British under lease, is expected to be operated in the future as an independent film house. The theatre, one of the largest in the city, seats 1,100.

Bay State Cuts 38 Of 1,400 Pictures

BOSTON, Jan. 24.—Approximately 1,400 features and shorts were approved by the Dept. of Public Safety for Sunday showing during 1936. Only 38, less than three per cent, were cut. The majority of the eliminations were minor ones. In six, several "damns" and "hells" were the only cuts.

"Guilty Parents" received more cuts than half of the total cuts. "Ecstasy" and "Soak the Rich" were the most censored of the remainder of the 38.

Offer Two Adverse Bills

SEATTLE, Jan. 24.—With the 1937 session of the Washington state legislature open, the industry so far has been threatened from two sources. One group is attempting the legalization of dog racing with pari-mutuel wagering, and another group would legalize dart games and similar Beano and Lotto games, now banned. James M. Hone, executive secretary of the M. P. T. O. of Washington, has established headquarters in Olympia.

"Million" Sets Record

SEATTLE, Jan. 24.—For the first time in the history of the theatre, a film is playing a third week at the Orpheum here. "One in a Million" is the picture that has broken all precedent, in spite of two severe snowstorms and 10 days of freezing weather. Only 15 or 20 films have ever been held at the 2,500-seat house for a second week during the past six years.

Central States Takes Two

DES MOINES, Jan. 24. — Central States Theatre Corp. has taken over the Park and the Lake, Clear Lake, Ia., and has placed M. E. McClain in charge until a permanent manager is secured. Carragher of the Park is going to California where he is manufacturing theatre screens.

Distributors Fight Hungarian Booking

By ENDRE HEVESI

BUDAPEST, Jan. 11.—The members of the Hungarian Distributors' Union plan to form a cartel in order to protect their interests, chiefly with respect to booking conditions, and to be directed chiefly against the smaller exhibitors.

Neighborhood theatre owners recently adopted a form of collective buying, designating one of their number to negotiate terms for them all, thus obtaining lower prices. The distributors are determined to put an end to the system, and the members will be required to sell their product to only one exhibitor at a time.

The Exhibitors' Union, planning to fight the distributor intention, has started a counter action, by seeking to prevent the distributors from obtaining the necessary Governmental permission for the formation of the proposed cartel, contending it would be detrimental to exhibitors.

Censors to Attend Virginia Sessions

RICHMOND, Jan. 24.—Mrs. Elizabeth C. Chalkley, Edwin S. Reid and R. C. L. Moncure, state censorship division members, are expected to attend the midwinter convention of the M.P.T.O., of Virginia, Inc., in the Hotel John Marshall on Feb. 11.

Officers who are expected to take part are: Morton G. Thalhimer, president; Charles A. Somma, treasurer, and Harold Wood, secretary.

Circuit Head to Marry

BOSTON, Jan. 24.—Newell B. Kurson, Graphic Theatres Circuit owner, and Eleanor J. Wallerstein, daughter of a New York attorney, have become engaged. The wedding will take place in New York in February.

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Photographed by HARRY FISHBECK
United Artists
RIVOLI
SAMUEL GOLDWYN PRESENTS MERLE OBERON AND BRIAN AHERNE IN ANOTHER GREAT HIT "BELOVED ENEMY"
MERLE OBERON BRIAN AHERNE BELOVED ENEMY
OBERON AHERNE Beloved Enemy
Photographed by GREGG TOLAND
Paramount
COLLEGE HOLIDAY JACK BENNY MARTHA RAYE BURNS & ALLEN M. BOLAND GLEN GRAY & HIS CASA LOMA BAND
BIGGEST HOLIDAY SHOW
GLEN GRAY & CASA LOMA BAND
COLLEGE HOLIDAY
COLLEGE HOLIDAY
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MOTION PICTURE DAILY

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Holders Ask Reorganizing For Orpheum

Also Urge Rejection of RKO Bid on Assets

Preferred stockholders of Orpheum Circuit yesterday filed petitions with Referee Oscar W. Ehrhorn which seek to put Orpheum in reorganization under Section 77-B and asking that RKO's offer of $700,000 for the going assets of Orpheum be rejected.

A petition was also filed by the preferred stockholders' committee, represented by Isidor J. Kresel, asking leave for Orpheum to intervene in the RKO reorganization proceedings in an effort to have provision made for it in the RKO plan of reorganization. Referee Ehrhorn set Jan. 29 for hearing of the petitions, and adjourned to the same date the meeting of Orpheum creditors which was scheduled for yesterday to hear the report of appraisers and act on the RKO offer to purchase Orpheum's assets.

Provision has been made in the RKO proceedings for the reorganization of any RKO subsidiary under Section 77-B. In the event the Orpheum stockholders' petition to remove the company from bankruptcy for reorganization under Section 77-B is granted, the stockholders then would have a participation in the proceedings which they do not have under the bankruptcy, since creditors' claims far exceed the probable liquidation value of Orpheum's assets.

No Delay to Result From 20th-Fox Fire

Hollywood, Jan. 25.—No delays in either production or the releasing of 20th Century-Fox films will result from the fire which destroyed a portion of the company's plant on Saturday. The company is shooting around the gaming room sequences of "Cafe Metropole" during the reconstruction of the pretentious set which was gutted by the blaze.

The loss has been approximated at

(*Continued on page* 5)

Wage Cuts Ordered By Korda's Backers

By BRUCE ALLAN

London, Jan. 25.—London Films has advised all employes that salary cuts will be instituted "as part of a policy of the most stringent economy to safeguard the future of the company." The cuts will be of five per cent

(*Continued on page* 5)

More Houses Close in Face Of Mounting Flood Waters

Flood waters, rapidly mounting along the Ohio River fronts all day yesterday and last night, caused damages preliminarily estimated in the hundreds of thousands of dollars to exhibitors and distributors operating in the Louisville and Cincinnati areas. At a late hour last night the swirling waters were winding towards Pittsburgh, bringing fears to the populace of a recurrence of the flood last year.

All theatres are dark in Louisville and Cincinnati. All exchanges serving northern Kentucky were closed yesterday and while branch offices of the distributors in Cincinnati were operating yesterday with skeleton forces they are all expected to be closed today. Many employes who live in nearby towns did not report for work in the Cincinnati branches yesterday, the roads either being totally impassable or blocked off for relief purposes. Theatres unaffected by the flood and heretofore handled by Cincinnati are being served by Columbus, Cleveland, Pitts-

(*Continued on page* 4)

Sales Tax Appeal Decision Reserved

Albany, Jan. 25.—Decision was reserved by the Court of Appeals here today on the applicability of the New York City two per cent sales tax to film rentals following arguments by counsel for both the city and film distributors. The court is expected to hand down its decision during the next month.

Frederick H. Wood of Cravath, de Gersdorff, Swaine & Wood presented the oral argument for distributors in connection with his brief which contends that the sales tax is in violation of both the state and Federal constitutions and that films are exempt from a municipal tax of the kind in question.

The assessment of rentals collected by the United Artists exchange in New York furnished the test case for

(*Continued on page* 12)

Italian Film Gains Achieved During '36

By VITTORIO MALPASSUTI

Rome, Jan. 16.—Gains in both the quantity and quality of production marked the past year in the industry in Italy. The year from June, 1936 to June, 1937, judged by the present production rate, should show the production of between 40 and 45 features, which compares with 36 in the previous year and 32 in 1934-35.

Indicative of the improvement in quality of the Italian output is the fact that other European countries have purchased films and several have been shown with reasonable success in the United States.

A decided increase in the number of wired theatres is expected during 1937. The total is expected to rise from 250 to 400, which is expected to result in an annual film requirement

(*Continued on page* 12)

Small Town Play on Labor Fumbles, Proves No Point

By PLAYBOY

The drama, resting fitfully and none too well on its oars, bestirred itself last night with what will be the solo opening of the week. The occasion was "Tide Rising"; the theatre, the Lyceum, and the goings on, that hardy perennial again—capital and labor.

If the stage must be aroused from its ill-earned comfort, this department insists that the awakening be for something worth the trouble of turning over and out of bed.

This time, the locale is a small New England town. Textile dominates the native industry at $2 a day for those the mill employs. Not much wage and about it, the locals do little except harbor a vague and sullen resentment. To the town returns John D. Seymour and with him his wife, Tamara. They take shelter with Grant Mitchell, who is, at once, the boy's father, the town druggist and a common-thinking man much satisfied with the status quo. For two acts, not very much happens. In the third Tamara has aroused the mill hands to strike pitch on a platform of $4 a day and a closed shop. The mill owner has imported scabs from Boston and it looks a sorry mess on all counts. Mitchell, propelled by

(*Continued on page* 12)

Refuse Appeal By Bank Night For Rehearing

Boston Court Says Game Is Not a Lottery

Boston, Jan. 25.—A second stunning blow was dealt Bank Night in New England when the U. S. Circuit Court of Appeals here turned down the appeal of Bank Night operators for a reahearing of the same court's decision of several weeks ago.

That decision said: "However good and valuable an idea, plan, scheme or system is, the moment it is disclosed to the public without the protection of a patent it becomes public property and the fact that it has been made popular by advertising and the expenditure of effort, time and money on the part of the originator does not alter the situation."

The court declared in another part of the decision, however, that Bank Night is not a lottery.

The decisions were made as a result of an infringement suit brought against Parlay Cash Night, distributed by B. G. Film Co. Bank Night appealed for a rehearing, alleging that "there was no general publication or disclosure; there was merely a restricted publication which did not amount to a dedication to the public, substantially to the same effect as the performance on the stage of an uncopyrighted play, the delivery of public lectures, the exhibition of a painting in an art gallery to which the

(*Continued on page* 5)

Two Unions Voting On New Proposition

The full membership of the Allied Union will vote on a proposition which will be a preliminary to an agreement with Local 306 at a meeting to be held early this morning. The same proposition will be submitted to the full membership of 306 at a similar meeting scheduled for tomorrow morning.

The agreement between the two

(*Continued on page* 5)

Extend Answer Time In Government Suit

Dallas, Jan. 25.—Defendants in the Government's action to test the legality of first run contracts made with Karl Hoblitzelle theatres today were granted a one-week extension of the

(*Continued on page* 5)

Radio—Pages 10 and 12

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FWC Conferences Near

LOS ANGELES, Jan. 25.—Spyros Skouras, William Powers and Ed. Zabel are due here Thursday from Denver. Officials of Fox West Coast could not affirm whether discussions would involve the theatre pooling deal between RKO and Metropolitan Playhouses in the East. Leo Spitz could not be reached for a statement.

Colonel E. A. Schiller, vice-president of Loew's, is also scheduled to arrive Thursday.

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Orders Details in 20th-Fox-Long Suit

Judge William Bondy in U. S. District Court here today ordered that 20th Century-Fox submit a bill of particulars in the suit brought by Ray Long and the Richard R. Smith Corp. against the film company. The action asks for an injunction, accounting and damages and is based on a copyright violation. The plaintiffs published Irvin S. Cobb's book, "Down Yonder with Judge Priest and Irvin S. Cobb," of which they also had the film rights. In 1935 Cobb sold the rights of two short stories to 20th Century-Fox and they subsequently produced "Judge Priest," which is based on one of the short stories. They are also planning to produce a picture on the other short story.

In a similar case, Judge Bondy requested 20th Century-Fox to submit another bill of particulars. This involves an action brought by Morgan Wallace and Lawrence Shubert Lawrence against that company, the defendants claiming their play "Congratulations" was pirated when 20th Century-Fox produced the picture, "Thanks a Million." Damages, an injunction and an accounting are also asked in this suit.

Reserves Plea Decision

Justice John E. McGeehan in N. Y. Supreme Court reserved decision yesterday on the motion in which the Liberty Pictures Corp. asked permission to examine Eleanor Gates, author, before trial in her suit against Liberty for $120,000 damages. The suit involves the exclusive rights to "A Search for Spring," which Miss Gates wrote and which was published in 1907. Three years ago the defendants released a picture, "Once to Every Bachelor" and allegedly advertised it without permission as a story "suggested by Miss Gates' 'Search for Spring.'" The author asserts the picture was entirely different from her work. Liberty claims it purchased the film rights to "A Search for Spring" from J. J. Dacey.

Sue on Radio Program

Ben Hecht and Charles MacArthur have filed suit against Billy Rose, Billy Rose's Jumbo, Inc., John Hay Whitney, Hanff-Metzger, Inc., and the Texas Co., all of whom have been involved in the stage production of "Jumbo," for $2,300 charging the defendants failed to pay them that amount due for certain radio rights. The defendants state that the radio programs of Jan. 21 and Jan. 28, 1936, for which the plaintiffs assert they were not paid, were not adopted from the production, "Jumbo." The defendants will ask permission of Justice John E. McGeehan in N. Y. Supreme Court today to examine Rose on the terms of their alleged agreements.

Allow Paramount Claim

The U. S. Circuit Court of Appeals here yesterday handed down a decision allowing the claim of the Lincoln Square Realty Co. and the Circle Theatre Co., which was filed in the Paramount Publix reorganization proceeding, at $371,099 and interest of $11,671.

To Ask More Particulars

The defendants in a suit based on the film rights of a German story which allegedly was made into Noel Coward's stage success, "The Scoundrel" will ask Justice John E. McGeehan in N. Y. Supreme Court today for a further bill of particulars in support of the plaintiff's claims. The plaintiff is Siegvert Cohn and the defendants are Ben Hecht and Charles MacArthur, Hecht-MacArthur, Inc., Paramount International Corp., Paramount Pictures Distributing Corp. and Brandt and Brandt Dramatic Dep't, Inc.

Fuld to Cohn

During the New York critics' broadcast of the best pictures of 1936 Sunday evening, Harry Cohn declared himself an "innocent bystander" where "Mr. Deeds" was concerned.

Yesterday, Jack Fuld wired Cohn: "Phrase 'innocent bystander' should have been 'in no sense' bystander."

Two Actions Settled

A stipulation of settlement was filed today in two actions. One of them was the Breitkopf Publications against the Knickerbocker Broadcasting Co., Inc., and another the Associated Music Publishers, Inc., against the Knickerbocker Broadcasting Co. The actions were for injunctions and damages for use of music which was copyrighted by the plaintiffs and which they claim WMCA used without authorization.

Mountain Group Elects

SALT LAKE CITY, Jan. 25.—John A. Rugar was elected president of the Intermountain Theatres Ass'n, at the annual meeting here, succeeding Stanley Robbins. Other officers elected are: Vincent A. Gilhood, vice-president; Beverly S. Clendenin, secretary and treasurer. Directors are: Rugar, Gilhool, M. F. Harris, Stanley Rich, Joseph L. Lawrence, A. B. Johnson and J. J. Gillette.

Two Hurt in Auto Crash

CINCINNATI, Jan. 25.—James J. Grady, manager here for 20th Century-Fox, suffered two broken ribs and numerous face lacerations in a head on automobile collision at South Charleston, near Springfield, O. He was removed to his home here. Jack Needham, Columbus salesman for the company at Columbus, riding with Grady, also was injured.

Blumberg Starts East

LOS ANGELES, Jan. 25.—Nate Blumberg left today for San Francisco, the first stop on his trip east. He plans to stop at Denver, Kansas City, and Chicago to look over RKO theatre situations before returning to New York.

Start Academy Selecting

HOLLYWOOD, Jan. 25.—Academy's award machinery started functioning tonight when the special nominating committee, comprising 50 members from each branch represented, met for official discussions. Nominations will be made by mail.

"U" Executives on Coast

HOLLYWOOD, Jan. 25.—James R Grainger, Charles B. Payne. and Samuel Machnavitch are scheduled to arrive tomorrow for Universal conferences. The presence of Treasurer Payne indicates financial talks.

Services for Field Will Be Tomorrow

Funeral services for James B. Field, head of the RKO theatre legal department for the past year, will be held at 10 A. M. tomorrow at the Church of the Ascension, Fifth Ave. and 10th St. Burial will be private.

Field died Sunday night in Polyclinic Hospital of complications resulting from operations which he underwent several weeks ago. He was unmarried, and is survived by his mother, Mrs. E. B. Field, and a sister, Mrs. E. C. O'Brien.

Field came to RKO from the law firm of Goldwater & Flynn, which has been counsel to Keith-Albee-Orpheum for the past several years.

Order Prevost Autopsy

HOLLYWOOD, Jan. 25.—An autopsy on Marie Prevost, who was found dead in her apartment here on Saturday, was ordered today by Dr. Frank Webb after a preliminary examination indicated death was induced by acute alcoholism.

Cinema Arts Offers 200,000 Share Issue

An issue of 200,000 shares of common stock of $1 par value of Cinema Magazine, Inc., is being offered publicly at $2 a share, the proceeds to be used for publication of *Cinema Arts*, a new magazine devoted to the film industry.

The public offering is part of a total of 449,434 shares registered with the S. E. C., of which 139,034 shares have been outstanding, 25,400 are reserved under options to underwriters, and 85,000 are reserved for future options to be granted officers and employes.

G. N. to Make 7 in Feb.

HOLLYWOOD, Jan. 25.—Edward L. Alperson, president of Grand National, approved seven features for February production following his arrival here yesterday and stated that he would confer immediately with individual producers and with Sidney Biddell on the 44 features and eight Westerns scheduled for 1937-1938.

Several players have been placed under test option by Biddell awaiting Alperson's approval. Four pictures will be completed this month for February release.

Million Del. Receipts

WILMINGTON, Del., Jan. 25.—Delaware had a total of 70 places of amusement in 1935 with total receipts of $1,083,000 and a total payroll of $225,000 for 262 employes, it was revealed in Washington by the Bureau of Census. The 70 amusement places, the census pointed out, were operated by 58 proprietors and firm members. Delaware's part time payroll for that year was $17,000.

Miss. Tax $354,147

JACKSON, Miss., Jan. 25.—The 10 per cent amusement tax in Mississippi brought the state a revenue totaling $354,147.79, according to figures compiled by the state tax commission for 1936.

"Thin Man" Sets Record

HARTFORD, Jan. 25.—"After the Thin Man" is now in its fourth Palace week here, establishing a Poli New England record.

Concerning a "Sneak" Preview

FOX WEST COAST AGENCY CORPORATION
1609 W. Washington Boulevard • Los Angeles

Fox Theatre
Pomona, Calif.
Jan. 6, 1937

Mr. Charles P. Skouras
Fox West Coast Theatres
Washington at Vermont
Los Angeles, Calif.

Dear Mr. Skouras:

Had a sneak preview of Grace Moore in "When You're In Love" with Aline MacMahon, Cary Grant, Henry Stephenson, Thomas Mitchell, Catharine Doucet, Louis Alberni. Directed by Robert Riskin, produced by Everett Riskin.

The audience reaction was marvelous, the picture is a definite hit. Robert Riskin, who is a past master at writing clever dialogue, is equally clever as a director. He did a grand job.

Personally I feel this is the finest thing Grace Moore has ever done. The picture has the comedy and clever dialogue of "It Happened One Night", with Grace Moore singing everything from Opera to "Minnie the Moocher". It can almost be said it is a "It Happened One Night" put to music. This was the general consensus of opinion of the audience and we had a very good house.

Photography was excellent. Grace Moore never looking better. Finest thing Cary Grant has ever done, and Aline MacMahon never did a better job. This picture is a double A and should be big Box Office. It will please any audience. Preview was very long running two hours and fourteen minutes but even at that many people said don't cut it, of course they will take out 2500 or 3000 feet, which will speed the tempo up greatly and round out one swell entertainment.

Sincerely yours,
Robert C. Connom
Fox Pomona Theatre

OLUMBIA
ICTURES

More Houses Are Shut as Floods Rage

(*Continued from page* 1)

burgh and Washington film distribution offices.

Approximately 30 theatres in 26 towns in southern Illinois, southeastern Missouri and Kentucky, seven suburban Cincinnati houses, all Middletown, O., units, and New Albany and Jefferson, Ky., theatres have ceased operations. Pittsburgh has about 25 feet of water in the downtown district and pumps are continuously grinding away at the Penn, Alvin and Barry.

All of the major home offices were in touch with their Cincinnati branch managers yesterday and orders were given to prepare to evacuate within the next 12 hours. Most of the branches are without heat and light.

Many Schine Spots Closed

The Schine circuit yesterday was reported as the hardest hit. The company has many theatres in Ohio and Kentucky which are in the heart of the flood zones. The Comerford circuit and National Theatres have no units in the immediate floor areas.

RKO's nine houses in Cincinnati were ordered closed at 1 P. M. Sunday by local authorities. There is no water damage in any of the theatres, according to the home office, but operations were ordered stopped in an effort to conserve power and light.

The Cleveland exchange is handling most of the outlying theatres served by Cincinnati, it was stated at the home office.

With its Cincinnati office at a standstill, the 20th Century-Fox home office yesterday shipped prints to four or five accounts in neighboring territories.

Harry Gold, eastern division sales head for United Artists, was temporarily marooned in Cincinnati. At 5 A. M. yesterday he managed to leave for Indianapolis, from where he reported to the home office. He will leave for Dallas today. The U. A. circuit has no theatres in this area.

Warner Houses Hit

Two of the three Warner houses in Portsmouth, O., were flooded. Managers in Fulton and Owensboro, Ky., were unable to report to the home office as late as 5 P. M. last night. It was expected that theatres in these towns would be closed within 12 hours. The circuit's house at Parkersburg, Ky., is dark.

Late yesterday afternoon the Warner St. Louis exchange was advised that Harrisburg and Cairo, Ill., was under water. Small towns in Arkansas along the Ohio River also are inundated. The home office has been advised that theatres and newspapers are cooperating in Charlotte and Kansas City by staging benefits for flood victims.

With the Universal Cincinnati office forced to stop shipments west of the Ohio River, prints for nearby theatres were sent out by the Washington and Pittsburgh branches. Sig Wittman, district manager, is in Washington supervising the situation.

Practically all of the prints of the Columbia Cincinnati exchange have been transferred to the Columbus office, which is routing shipments to unaffected areas heretofore handled by the sister Ohio branch.

Loew managers in Pittsburgh have been warned to be ready to rip out machinery, carpets and other paraphernalia in the event the flood waters reach menacing proportions. Communication has been cut off to an extent which has made it impossible for the Penn manager to get in touch with New York. The Penn, it was learned, has been made available to all refugees.

At Evanstown, Ind., the water is low and no theatre is affected.

The Washington, Pittsburgh and Cleveland offices are serving West Virginia and nearby cities. Edward Booth, a salesman, was marooned for two days, but finally reached Cincinnati safely.

Paramount's shipping depots at Louisville and Frankford, Ky., have ceased functioning. The company's Cincinnati exchange is not expected to open today. No word has been received from Paramount's affiliated theatre operators by late yesterday afternoon. The circuit has a few units in the flood area.

I. T. O. Ready to Aid

Martin G. Smith, president of the I.T.O. of Ohio, now in New York, stated yesterday his organization will set aside Red Cross Day and turn over part of the day's gross to flood relief and make theatres available as relief centers where supplies and clothes may be concentrated. He will meet with his board of directors later this week to fix the date.

Not Serious in Pittsburgh

PITTSBURGH, Jan. 25.—Flood waters are on the rise here again and a 40-foot stage is expected hourly, which would put most of the downtown houses under water. A freeze and snow Saturday temporarily eliminated the scare, but an all-day rain yesterday sent the waters on a rampage again.

Already the Penn, Alvin and Barry are working at top speed pumping out the basements, which are filling rapidly. Water was pouring in backstage at all three houses this afternoon and the lower lounge is flooded. Operation of the houses was not suspended, however, at a late hour today.

Flood waters, seeping into the basement of the Stanley, damaged electrical equipment of the house to such an extent that the management closed the theatre late this afternoon for the last two shows. Unless something unexpected develops, however, operations will be resumed tomorrow when the damaged parts have dried out sufficiently.

The western Pennsylvania area is in good shape thus far, but conditions in western Ohio and West Virginia are approaching the acute stage. All houses in Parkersburg, Wheeling and Chester, W. Va., are closed. In East Liverpool and Steubenville, O., theatres were operating this afternoon but were expected to be forced to close almost any time, since the power is threatened.

All Pittsburgh exchanges are working double shift to supply theatres usually taken care of by the Cincinnati exchanges.

30 Theatres Are Closed

ST. LOUIS, Jan. 25.—Local exchanges reported today that 30 theatres in 26 towns in southern Illinois, southeastern Missouri and Kentucky

(*Continued on page* 8)

Floods Playing Havoc with All Radio Stations in Area

The flood is raising havoc with radio stations in the affected areas with quite a few stations put out of commission. WHAS, CBS affiliate in Louisville, was down for several hours yesterday, but the station's flood reports temporarily were heard on the air through facilities provided by the transmitters of other nearby CBS stations. At the last report, however, WHAS was completely down.

Simultaneously at Cincinnati, CBS station KFRC was limping badly with a power shut-off threatened momentarily. The station, however, has set up an auxiliary power plant of batteries which will enable it to carry on.

Meanwhile, WAVE's power is completely off. Contact, however, has been established with WLW in Cincinnati, which has enable WAVE, NBC's affiliate in Louisville, to remain on the air. WLW's studios are completely burned down so both WAVE and WLW are being kept on the air through the use of WSAI's transmitter, also located in Cincinnati.

At the moment WAVE reported its power shut-off to NBC in New York, officials here dispatched a plane bearing a gasoline generator to the stricken station. It was not known last night, however, whether the plane made its destination or not. From Chicago, NBC dispatched mobile units to their stations in Evansville, Ind., Cleveland and Portsmouth, O.

Film Stars on Flood Benefit

HOLLYWOOD, Jan. 25.—A benefit radio program on which the majority of the major studios cooperated by offering their contract players was heard over KHJ of the Mutual network tonight from 8:30 P. M. to 9 P. M. P.S.T.

Players who took part in the air playlet entitled: "The House on the Hill," dealing with a family caught in the flood, were: Jean Hersholt, Eleanore Whitney, Johnny Downs, Smith Bellew, Robert Barratt, Kay Linaker, Nan Bryant and Edith Fellowes.

Radio Aids Relief

Instruction to rescue workers in the flood area were broadcast yesterday by WMCA from 1 A. M. to 7 A. M. when power at WHAS, Louisville, failed at about 12:30 A. M. WSM, Nashville, was asked to take over the work of broadcasting instructions to workers. WHAS furnished a program by telephone wire to Nashville in an effort to cover completely every section of the flooded area in an appeal to other radio stations to broadcast the signal of WSM.

About 16 radio stations throughout the country complied, WMCA being the one heard most easily here.

Appeals Made for Funds

At stated times during the broadcast periods, time was taken out for each of the radio stations in the flood chain to give local announcements over WMCA in an appeal for funds for the Red Cross. These appeals brought several hundred telephone calls announcing that checks were in the mail for relief purposes.

Meanwhile, WMCA continued the broadcasting of operating instructions to rescue workers until the beginning of the regular day on Monday at 7 A. M. when daylight began to interfere with the reception of WMCA in the area around Louisville. Rescue workers in automobiles and with radio sets hastily installed on motor boats and flat boats were able to receive their instructions by radio all night long through the cooperation of WMCA and other stations joining in the rebroadcast.

Theatre a Refuge

Louisville, Jan. 25.—More than 200 flood refugees, weary and shivering, were taken to a downtown theatre here last night, merely for a place to go. There has not been a show at the house since last Thursday.

Suddenly the soft tones of a radio in the background were supplanted by "My Old Kentucky Home," sung by the 200 in the theatre.

Louisville Takes Ruined by Floods

LOUISVILLE, Jan. 25.—Flood conditions, which have wrought the most devasting damage since 1884, also worked plenty of hardship on first runs. A continual downpour of rain, which turned to sleet and snow, kept attendance at a low ebb. None of the downtown houses was able to reach par. All houses were ordered closed Friday and will remained closed until the extreme emergency has passed.

"Camille" at Loew's State made the best showing on a poor week, taking $5,000, under par by $500. All other houses were subnormal.

Total first run business was $19,200. Average is $22,400.

Estimated takings for the week ending Jan. 21:

"THE PLAINSMAN" (Para.)
BROWN—(1,500), 15c-25c-40c, 7 days, 2nd downtown week. **Gross:** $2,400. (Average, $2,500)

"CAIN AND MABEL" (W.B.)
"CAN THIS BE DIXIE" (20th-Fox)
"THREE MARRIED MEN" (Para.)
"WITHOUT ORDERS" (Radio)
KENTUCKY—(900), 15c-25c, 7 days, split week. **Gross:** $1,600. (Average, $1,700)

"CAMILLE" (M-G-M)
LOEW'S STATE—(3,000), 15c-25c-40c, 7 days. **Gross:** $5,000. (Average, $5,500)

"GOD'S COUNTRY AND THE WOMAN" (F.N.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days. **Gross:** $2,300. (Average, $3,500)

"IN PERSON" (Radio)
"HALF ANGEL" (20th-Fox)
"THE INFORMER" (Radio)
"KID MILLIONS" (U.A.)
OHIO—(900), 15c, 7 days, split week. **Gross:** $600. (Average, $1,200)

"THAT GIRL FROM PARIS" (Radio)
"WE WHO ARE ABOUT TO DIE" (Radio)
RIALTO—(3,000), 15c-25c-40c, 7 days. **Gross:** $4,200. (Average, $4,500)

"MIND YOUR OWN BUSINESS" (Para.)
"CRACK-UP" (20th-Fox)
STRAND—(1,500), 15c-25c-40c, 7 days. **Gross:** $3,400. (Average, $3,500)

Refuse Appeal By Bank Night For Rehearing

(*Continued from page* 1)

public is admitted, the publication of news items in newspapers or on bulletin boards or the performance before a microphone of a radio broadcasting station."

The only possible hope for Bank Night now lies in an appeal to the U. S. Supreme Court. The owners are still fighting, however, and today filed in the East Boston District Court an action for damages of $1,000 against Frank Sevasta, operator of the Orient Palace in East Boston for alleged violation of contract. Sevasta allegedly used another cash giveaway scheme after contracting for Bank Night and agreeing not to use any other giveaway plan in the theatre.

Nebraska Officials To Study Bank Night

LINCOLN, Jan. 25.—State's Attorney General Richard C. Hunter is going into Bank Night to determine once and for all whether it can be operated in Nebraska. Hunter says he understands it is run in violation of the lottery laws and has assigned one of his staff to gather evidence on it. The matter was brought to a head when the country attorney at Norfolk, Neb., asked the office for an opinion on the games.

The state Supreme Court has frequently ruled it a lottery, but nothing has been done to stop its use. The state insurance director ruled recently against a Bank Night insurance scheme and is ready to prosecute an Omaha crew circulating the policies.

Drop Game in Texas Town

LUFKIN, Texas, Jan. 25.—Bank Night has been discontinued in two local theatres by the Jefferson Amusement Co., after a warning by County Attorney W. J. Townsend that the managers would be prosecuted for operating lotteries unless the practise stopped.

Julius Gordon, executive of Jefferson, addressed an open letter to the public, stating that while Bank Night would be discontinued, his company disagreed with Townsend's ruling that they were a form of lottery.

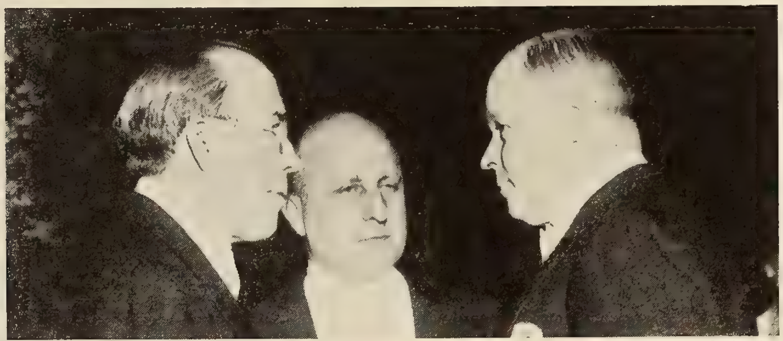
Seeks Bank Night Rehearing

KANSAS CITY, Jan. 25.—Motion for rehearing of the Kansas Supreme Court's Bank Night decision has been filed with the court by Roland Boynton, attorney for Fox Kansas Theatre Corp. and for Affiliated Enterprises, Inc., Bank Night patentees. The Kansas high court last month held Bank Night to be a lottery. Increased admissions expected and experienced from use of the promotion constituted, according to the tribunal, enough consideration to make up the lottery element.

Hits Bank Night Crowding

OMAHA, Jan. 25.—After Mayor Dan Butler had ordered City Attorney Seymour Smith to scan the city statutes to determine if there was a legal way to stop Bank Night here because theatre owners were allowing patrons to clog the aisles, he stationed a policeman and fireman at each house the following night to be certain the aisles were kept clear.

The Problem Looked Weighty



Harris & Ewing

Stanton Griffis, Barney Balaban and Frank C. Walker caught by an informal lens at the premiere of "Champagne Waltz" in Washington Friday evening. The diplomatic corps turned out in force.

Attack Bingo in Conn.

NEW BRITAIN, Conn., Jan. 25.—Prosecutor Maurice W. Rosenberg has revealed his intention of excluding Bingo from his lottery and policy examination in the city. A smiliar crusade in Bridgeport recently banned Bingo as well as other games.

Pass Game Tax Bill

LITTLE ROCK, Ark., Jan. 25.—The Arkansas Senate has passed a bill to tax theatre Bank Night awards 25 per cent and to give the proceeds from the levy to the old age pension fund.

Would Tax Game Insurance

MORGANTOWN, Va., Jan. 25.—The City Council here has received a proposed ordinance to impose a city tax on the sale of Bank Night insurance. The assessment would amount to about one per cent per policy.

Theatres Aid U. A. Drive

Pledges of exhibitor and circuit cooperation for the George J. Schaefer sales drive, which was opened by United Artists yesterday, were received by Jack Schlaifer, western division manager, with the beginning of the drive. Willingness to provide preferred playing time and definite advance booking schedules are being expressed by exhibitors and circuit heads in practically every important situation in the country, the company reported.

Drive Supervisors Set

Six Columbia home office representatives have been assigned to special supervisory field work involving a three-month tour of the company's 32 exchanges during the period of the "Montague Sweepstakes" sales drive, which continues to May 1. The home office men will devote two and one-half weeks to each exchange. They are Jules Rieff, Douglas Pratt, Frank Barry, Harold Sachs, Nat Shiren and Les Savage.

"Wings" Well Received

LONDON, Jan. 25.—"Wings of the Morning," produced here by Robert Kane for 20th Century-Fox, was well received at a crowded trade show at the Piccadilly here tonight. The color was called the best yet, and the film generally was regarded as an achievement for British production.

Extend Answer Time In Government Suit

(*Continued from page* 1)

time in which to file answers to the Government's complaint. The answers are now due on Feb 1.

The Government alleges restraint of trade and conspiracy on the part of the defendant theatre circuits and eight distribution companies in the use of first run contracts which impose admission and double featuring restrictions on subsequent runs which play pictures which have been exhibited at a specified minimum admission in the first runs.

Shooting of "Parade" To Start This Week

Shooting on several sequences for "The Hit Parade" is scheduled to get under way at the Biograph studio here this week. A Republic production company which came on from the coast to do the special work has been lining up radio performers for the past few days for the sequences to be done here.

In the group are Al Wilson, production manager; Ralph Staub, director; Harry Grey, musical director; Lanny Fields, associate producer; John Coyle, technical director, and Ernie Miller, cameraman. The shooting here is expected to last a week or 10 days.

Van Praag to Take Two

With the Howard and Farrel in Long Island now under his operation, Morton Van Praag expects to close a deal for two more theatres in the same territory, he stated yesterday. Negotiations for the additional houses are expected to be closed the latter part of the week. Van Praag denied that there was any truth to reports he would join the sales force of a major company at this time.

"Holmses" Closes

"The Holmses of Baker Street" is off Broadway, too. It closed Saturday night at the Masque after 53 performances, having opened at that theatre Dec. 9 .

Ran 21 Performances

"Othello," which closed its run at the New Amsterdam Saturday night, had a run of 21 performances. The play opened Jan. 6.

Two Unions Voting On New Proposition

(*Continued from page* 1)

unions, which provides basically for absorption by 306 of the Allied membership, is the most important obstacle in the way of a complete agreement among Allied, 306 and the I. T. O. A., which will bring about a settlement of the troublesome multiple union situation in New York. It is expected that complete agreement will be reached within a few days. It was said yesterday that the proposition upon which the two unions will vote cannot be called even a tentative agreement, but for the moment, at least, is no more than a "proposition." It was reached at a meeting of representatives of the two unions late Saturday night.

Wage Cut Ordered By Korda's Backers

(*Continued from page* 1)

on salaries from £5 to £10, 10 per cent on salaries from £10 to £20, and 15 per cent on salaries over £20.

It is understood the reductions were ordered by the Prudential Life Assurance Co., as a condition of its agreement to back Alexander Korda, head of London Films, for another year. The Prudential group, at a dinner conference with Korda and his executives on Saturday, imposed other anti-waste measures, including large staff reductions, amounting to as much as 50 per cent in some departments, among them the scenario department.

No Delay to Result From 20th-Fox Fire

(*Continued from page* 1)

$200,000 through damage to stages and electrical equipment by water and fire. The studio has 13 major productions before the cameras. As workmen today set about repairing damage to Sound Stage No. 3, which bore the brunt of the fire, large crews already were beginning the studio expansion work which involves construction of three new sound stages and additional technical facilities.

Fire in Major's Cutting Room

Fire of unknown origin swept the cutting room of Major Pictures at General Service Studios today injuring working prints of "Outcast." Damage done approximated $1,000. The negative was saved.

Goldwyn Wins Award

HOLLYWOOD, Jan. 25.—Stephen Watts of the *London Sunday Express* has notified Samuel Goldwyn that he has been chosen for the year's highest award by that newspaper for "the highest standard of production." Goldwyn was selected for his entire 1936 program, "These Three," "Dodsworth" and "Come and Get It."

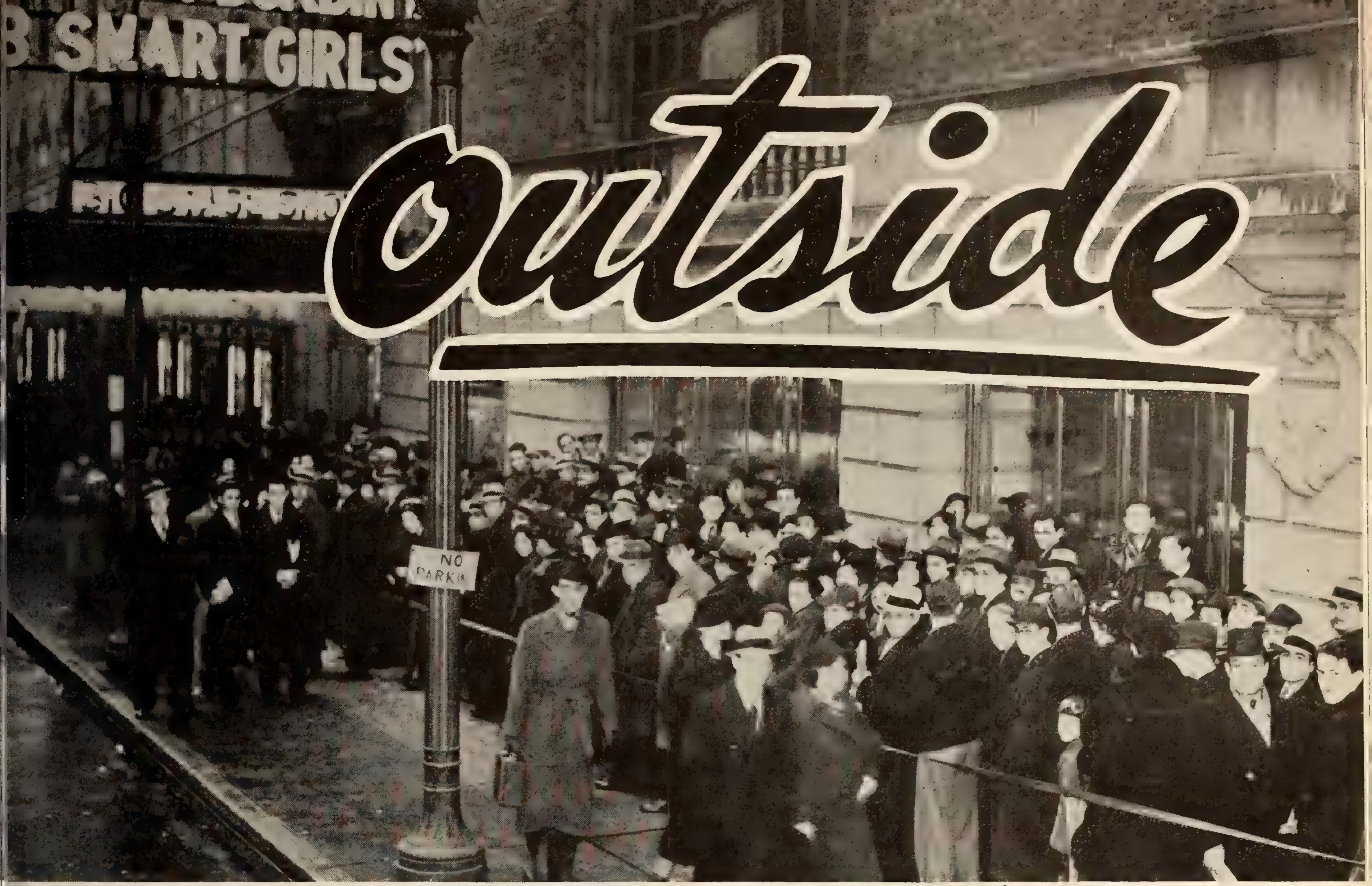
To Attend Birthday Ball

HOLLYWOOD, Jan. 25.—Robert Taylor, Jean Harlow and Joe E. Brown will be honor guests representing the industry at President Roosevelt's birthday ball in Washington.

Set I. T. O. Elections

KANSAS CITY, Jan. 25.—The I.T.O. here will meet Thursday for its anual election of officers.

TERRIFIC CROWDS STORM THE ROXY! BUILDING UP THE BIGGEST BUSINESS IN YEARS!


3 SMART GIRLS
Outside
NO PARKIN

THE NEW UNIVERSAL'S

3 SMART GIRLS

Many Houses Are Shut As Floods Rage

(*Continued from page 4*)

are dark as a result of the floods now raging along the Ohio, lower Mississippi, St. Francis, Black and Little Rivers.

Three houses at Cairo, Ill., have closed although the levee there was still holding today. Three houses are closed in Paducah, Ky., which is about 50 per cent affected by the flood. Other towns in which theatres have closed are Charleston, New Madrid, Senath, Kennett, Hornersville, Cardwell and East Prairie, in Missouri; Shawneetown, Caveinrock, Galconda, Metropolis and Rosiclare in Illinois, and Bardwell, Wickliffe, Morganfield, Dixon and Wheatcroft and Marion, in Kentucky.

Railway Express and truck line embargoes have been placed on many of these towns and adjacent territories.

Cincinnati Area Badly Hit

Cincinnati, Jan. 25.—With the Ohio at 79 feet and still rising, every Cincinnati theatre, affiliated and independent, has been closed indefinitely and street car service suspended in an effort to conserve electric current. Power has been discontinued in all industrial plants and in all stores except food and drug establishments. Citizens have been asked to suspend all nonessential activities until further notice.

A weekend survey by Motion Picture Daily of flood conditions in the Cincinnati trade territory—heretofore impossible on account of the few open communication lines being congested by relief messages—discloses approximately 200 theatres closed by being inundated or lack of current and other operating facilities.

Reports filtering through by mobile telegraph and telephone units, manned by intrepid volunteers who braved the swirling currents shows a partial list of houses which have suspended. These are in East Liverpool, New Boston, Steubenville, Pomeroy, Marietta, Zanesville, Gallipolis, Ripley, Portsmouth, Manchester, Lancaster, New Richmond, South Charleston, Ironton, Bellaire, Martins Ferry and Bridgeport, in Ohio; Frankfort, Augusta, Catlettsburg, Carrolton, Ashland, Paducah, Augusta, Maysville and Manchester, in Kentucky; Aurora, Lawrenceburg, Vevay and Hazleton, in Indiana; and Parkersburg, Kenova, Huntington and Martinsburg, in West Virginia. Some of these situations are completely isolated from the outside world. Other situations are yet to be heard from.

Four City Blocks Flooded

Four Cincinnati business blocks are inundated. The Albee, the theatre nearest to the path of the flood, is in no danger because of its high elevation.

Among the darkened theatres, the Albee was showing "Beloved Enemy"; the Palace, "God's Country and the Woman"; the Shubert, "Country Gentleman"; "Capitol, "Camille"; the Lyric, "The Plainsman"; the Grand, "One in a Million"; the Family, "Empty Saddles" and Keith's, "Great Guy."

Station WLW, an eight-story building of offices and studios, has been destroyed by a fire which leveled four blocks. Broadcasting of the city's proclamations emanates from the downtown studio of the station.

At the present time electric power is being furnished hospitals, fire and police departments, telephone exchanges and newspapers.

Business at Middletown, Ohio, is at a standstill. The city's seven theatres are dark and a six o'clock curfew is being enforced.

Film exchanges serving Northern Kentucky are idle. Water supply in the flooded areas has been discontinued except for two-hour intervals in the morning and at night. Homes are allowed the use of only one electric light.

Seven suburbans, The Americus, Valley, Riverside, Freeman, Queen Anne, Broadway and Jackson have been forced to close because of water in the lobbies. In the Americus, located in Northside, the water covers the tops of the seats in the orchestra.

It is estimated that between 30,000 and 35,000 have been thrown out of work as a result of the flood.

Theatres, Radio Darken

Louisville, Jan. 25.—Half of the Louisville area is flooded, with New Albany and Jeffersonville also under water. All theatres have been closed. The Kentucky, National, Drury Lane, Uptown and Ohio have been turned over to authorities for the sheltering of flood refugees.

Power was cut off at midnight Sunday, and radio communication established with WSM, Nashville; WCKY, Covington; WLAP, Lexington, and WFBM, Indianapolis for WHAS to continue flood bulletins.

Station WGRC, Jeffersonville, Ind., has been inundated by 10 feet of water since Thursday.

All planes have been grounded.

◀ *Purely Personal* ▶

Dave Palfreyman has gone to Miami to aid Ed Kuykendall with arrangements for the M.P.T.O.A. national convention to be held there March 16-18. He is due back in a week.

•

Jimmie Levy, son of Jules, bids fair to rival Bobby Breen. Accompanied by his sister, Audrey, yesterday, Jimmie sang "Is It True What They Say About Dixie?" in Barret McCormick's office. Howard Benedict, head of the RKO studio publicity force, was present and may bring back some ideas to Hollywood.

•

Edward L. Klein may not sail on the *Manhattan* tomorrow. He has been trying to get in touch with his wife's relatives in Louisville by telephone, telegram and air mail for the past few days without success and will not leave the country until he gets definite word they are safe.

•

Clinton White, assistant to George W. Weeks at G.B., who at present is visiting exchanges, yesterday met Reg Wilson in Detroit. The two will visit exchanges in Wilson's territory, which embraces Cleveland, Pittsburgh, Cincinnati and Indianapolis.

•

Bill Sussman got back from an extended vacation in Miami. Ira Cohn, Pittsburgh manager of the 20th Century-Fox exchange, arrived yesterday from a West Indies cruise and will leave for the Smoky City today.

•

Ned E. Depinet and Jules Levy plan to leave the coast today or tomorrow on their return to New York. Leo Spitz is remaining at the RKO studio for another week or 10 days.

•

Robert Schless, Warner foreign representative with headquarters in Paris, will sail Feb. 6 on the *Paris* for home after spending several weeks here conferring with home office executives.

•

Pete Wood, business manager of the I.T.O. of Ohio, was compelled to cut his Gotham stay short because of illness and has returned to Columbus.

•

Kurt Weill, who wrote the music for "Johnny Johnson" and "The Eternal Road," left Sunday for Hollywood on a film assignment. He'll be gone 10 weeks.

•

John Scully, northeast district manager for G.B., has returned to his headquarters in Boston following a trip to exchanges in New Haven, Albany and Buffalo.

•

Joe Vogel has joined Leopold Friedman in Miami. Marvin Schenck will leave for the same resort next month.

•

Alfred Harding of Actors' Equity Ass'n has returned after a six-month study of the stage and theatre in Central Europe.

•

Max Gordon left for Hollywood yesterday for a month. From there the producer will go to Miami. He plans a European trip in the spring.

•

Bob Faber of the National Screen editorial staff has written an original on the flood disaster. Script is being handled by the William Morris agency.

•

David Sussman, assistant production manager for Major, is en route here to take background shots for "End of Adventure."

•

Walter J. Hutchinson, Twentieth Century-Fox foreign manager, returns Monday on the *Bremen* from a six months' world tour.

•

Howard Benedict, publicity generalissimo of the Radio studio, arrived from the coast yesterday to remain a week.

•

Charles Stern, U.A. district manager, will leave tomorrow for Buffalo, Pittsburgh, Washington and Boston.

•

Herman J. Mankiewicz is expected the end of the week. It has to do with a new play of his called "The Meal Ticket."

•

Raymond Bond, from out Hollywood way, arrived yesterday to attend rehearsals of a new play, "Thirsty Soil." He wrote it.

•

Francine Larrimore will return to New York Thursday after completing a role in Paramount's "John Meade's Woman."

•

Al Lichtman has gone to Miami. William F. Rodgers is back from Hollywood, Fla., after acquiring a deep tan in three weeks.

•

A. W. Smith, Jr., returned from Chicago over the weekend, but had to make the trip from Detroit by rail after being grounded in that city.

•

Y. Frank Freeman and Louis Phillips of Paramount are expected back from Atlanta in a day or two.

•

Paul Lazarus of United Artists is planning a West Indies cruise to start in about a week.

•

Vladimir Sokoloff, European player, leaves today for the coast and work at the Warner studios.

•

Charles C. Moskowitz and Oscar Doob were in Washington yesterday on Loew business.

•

Rube Jackter will leave for Miami about Feb. 20. He sent his family to the winter resort Sunday.

•

H. J. Yates, Sr., will be in Hollywood for at least another week.

•

Milton Berle left for the RKO studios yesterday.

•

Joe Moskowitz leaves Hollywood for New York Wednesday.

•

Lew Golder, Columbia associate producer, is in town for a few days.

•

Sig Wittman is expected back from Washington Thursday.

•

Borris Morros, musical director of the Paramount studio, is in New York.

•

Al Cohn is here for a few days, looking at shows, etc.

Meet April 1

Allied's national convention will be held in Milwaukee with April 1 the probable date. It all depends on hotel accomodations.

Board Disapproves Birmingham Censor

Birmingham, Ala., Jan. 25.—The appointment of Pettersen Marzoni, former film critic, by the City Commission as director of amusements supervision here, has been disapproved by the Civil Service Personnel Board.

At the same time the board approved the transfer of Mrs. Harriett B. Adams, former city amusement inspector, to the newly-created position of assistant director of amusements supervision at a monthly salary of $138.90, effective as of Jan. 15.

Board members explained that, in effect, this retains Mrs. Adams as amusement supervisor, although an ordinance adopted by the City Commission abolished her old job and directed she become assistant to Marzoni, as director. The movement to demote Mrs. Adams and appoint Marzoni as her superior was attributed to her censorship of the Mae West film, "Go West, Young Man."

"PRIZE OF THE MONTH!"

"Prize of the month for the best sustained suspense in a production goes to the GB picture 'The Woman Alone'." FILM DAILY

"The suspense is held throughout in one of the most gripping dramas to have come to the screen."
FILM CURB

"Hitchcock's gifts of suspense are brilliantly shown in this picture...
MOTION PICTURE HERALD

"A powerfully dramatic film, one of the finest the screen has offered."
ASSOCIATED PUBLICATIONS

"A typical Hitchcock which should find plenty of receptive audiences."
MOTION PICTURE DAILY

"Competent and experienced hand of the director is apparent throughout this production, which is a smart one and executed in a business-like manner from start to finish."
VARIETY

"The picture builds up to a tremendous amount of suspense."
CHICAGO DAILY TIMES

SYLVIA SIDNEY*
OSCAR HOMOLKA
in
The WOMAN ALONE

with
JOHN LODER • DESMOND TESTER
Directed by ALFRED HITCHCOCK
from the novel by JOSEPH CONRAD

*Courtesy Walter Wanger Productions, Inc.

GB
Canada Distributors
Empire Films, Ltd.

Lord&Thomas Tops Spenders For NBC Time

A time purchase breakdown by agencies reveals that Lord and Thomas, in the interest of its clients, spent more money with NBC in 1936 than any other agency, with a record high of $4,492,369. J. Walter Thompson Co. was next with $4,151,376, while Blackett-Sample-Hummert and Blackman Advertising, Inc., with time purchases of $4,048,579 and $2,018,344 respectively, complete the agencies in the first division. The resume of the 20 top-flight spenders, follows:

Agency	*Time Buy*
Lord & Thomas	$4,492,369
J. Walter Thompson	$4,151,376
Blackett-Sample-Hummert	$4,048,579
Blackman Advertising	$2,108,344
Young & Rubicam	$1,745,184
N. W. Ayer & Son	$1,453,210
Wade Adv. Agency	$1,220,132
Erwin Wasey & Co.	$1,057,286
Stack-Goble	$ 933,251
Benton & Bowles	$ 857,047
Roche, Williams & Cunnyngham	$ 774,866
Campbell-Ewald	$ 756,924
McCann-Erickson	$ 582,952
Pedlar & Ryan	$ 572,543
Lennen & Mitchell	$ 532,628
Federal Adv. Agency	$ 517,231
Sweeney & James Co.	$ 506,923
Biow & Co.	$ 483,624
Hutchinson Advertising Co.	$ 476,130

The above time expenditures are estimated without discount deductions.

The following is a breakdown of the clients represented by the above agencies, and the sums expended on each individual account:

Lord and Thomas: American Tobacco, $936,089; Associated Oil, $20,246; Bourjois Sales Corp., $77,508; Cities Service Corp., $536,641; General Motors Corp., $116,060; Horlick's Malted Milk Co., $545,379; International Cellucotton Products Co., $138,896; Jell-Well Dessert Co., $3,640; Pepsodent Co., $1,352,064; Quaker Oats Co., $124,660; RCA, $586,790; Radio Guide, Inc., $48,324; Rainier Brewing Co., $6,072.

J. Walter Thompson: Elgin Watch Co., $99,600; Emerson Drug Co., $16,992; Andrew Jergens Co., $75,090; Johns-Manville Co., $5,920; Corliss Lamont Co., $56,652, National Dairy Products, $780,204; Shell Petroleum, $550,435; Standard Brands, Inc.: Chase & Sanborn, $752,040; Fleischmann-Baking, $353,223; Fleischmann-Health, $427,053; Royal Desserts, $367,887; Tenderleaf Tea, $373,580; Swift & Co., $171,056; Union Central Life Inc. Co., $36,396; Weco Products, $85,248.

Blackett-Sample-Hummert: For American Home Products Co.—Anacin, $459,685; Angelus Rouge, $78,818; Bi-so-dol, $38,134; Hill's Nose Drop, $32,052; Kolynos, $106,800; Old English Floorwax, $47,495; B. T. Babbitt, Inc., $329,480; for General Mills—Bisquick, $158,582; Wheaties, $85,840; for Procter and Gamble—Dreft, $22,836; Oxydol, $676,510; for Sterling Products—Bayer Aspirin, $478,385; Dr. Lyons Toothpowder, $660,013; Phillips Dental Magnesia, $116,425; Phillips Milk of Magnesia, $249,432; Phillips Face Cream, $116,797.

Blackman Advertising: For Procter and Gamble—Chipso, $351,876 Crisco, $695,246; Ivory Flakes, $300,716; Ivory Soaps, $670,506.

Young & Rubicam: Axton-Fisher Tobacco Co., $42,000; Bristol-Myers Co., $738,520; for General Foods Corp.—Calumet, $65,244; Jello, $468,120; Minute Tapioca, $42,966; Sanka, $127,560; Packard Motor Co., $260,774.

N. W. Ayer and Son: American Rolling

(*Continued on page* 12)

The Flood

City-by-city account of how radio broadcasting in the flood areas has been effected will be found in a general story of the flood starting on Page 1 and continuing on Page 4.

WOR Reports Flock Of New Air Shows

Several new programs have been signed at WOR.

The "Sleepy Hollow Gang," sponsored by Drug Trade Products, Inc., and heard Tuesdays through Saturdays from 4:30 to 5 P. M., completes the renewals. Benson and Dall, Chicago, is the agency.

Colgate - Palmolive - Peet, through Benton & Bowles, Inc., renews its Monday through Friday transcribed dance series beginning Feb. 1.

The Reiser Co., through Franklin Bruck Advertising Corp. renews "Belle Bart," heard Sundays from 1 to 1:15 P. M., renews beginning Feb. 7.

Additionally, the Schaeffer Beer program begins Feb. 7, from 9 to 9:30 P. M. The program will feature Leo Reisman's orchestra, Ray Heatherton, the Symphonettes and weekly guest stars. The premiere guest will be Eve Symington, with Ramona scheduled for the second program. Batten, Barton, Durstine & Osborn is the agency.

"Romances," sponsored by the Weston Biscuit Co., begins Feb. 14 from 9:45 to 10 P. M. No cast has been selected as yet. The sponsor placed the program direct.

A new series sponsored by Levitt & Sons for a Long Island real estate promotion begins Feb. 21, from 11 to 11:15 A. M. The program will feature vocals by Bert Rogan and music by John Monday's orchestra. The series, for 13 weeks, was placed through Frank B. Johnston & Co.

Seeman Bros. begins sponsorship of the Wednesday broadcasts of the "Allie Lowe Mile Club" program, beginning March 3. The program is heard from 3:30 to 4 P. M. Charles W. Hoyt & Co. is the agency.

Starting March 28, Breyer Ice Cream Co., will sponsor WOR's weather reports three times daily, noon, 4:15 and 11 P. M. The contract is for 26 weeks, through McKee, Albright and Ivey of Philadelphia.

Radio Press Resuming

PHILADELPHIA, Jan. 25.—*Radio Press,* fan magazine that folded in 1935, comes to life again next month. A weekly, selling for five cents, the sheet will supplement radio stories with theatre, films and night club items. Distribution will be for local consumption by the Norman Publishing Co.

What He Thinks

Chicago, Jan, 25.—Eddie Silverman of Essaness Theatres, large Chicago circuit, thinks this about radio and films:

"There is no question but when a radio artist becomes popular he has value in motion pictures—even though it may not be consistent, I feel that steady use of big picture names on the air, particularly on nights when there are three or four big attractions on the national networks, constitutes decided compeition to the theatres."

NBC Changes in Chicago

Bill Hay continues as Amos 'n' Andy's announcer, but has resigned from the NBC Chicago sales department. He is being replaced by E. K. Hartenbower. The latter is being replaced by Charles L. Hotchkiss, who comes from California to handle local sales.

"Vocal Varieties" Set

"Vocal Varieties" is the title of a new program to be inaugurated shortly over the NBC-Red for "Tums," a product of the Howe Medicine Co. The series begins Jan. 28 at 7:15 P. M., E.S.T. and will be heard each Tuesday and Thursday thereafter. H. W. Kastor, Inc., is the agency.

New "Vox Pop" Announcers

Beginning today, Ford Bond and Milton Cross will replace Wallace Butterworth and Ben Grauer as announcers on the "Vox Pop" program, heard weekly at 9 P. M., E.S.T. on the NBC-Red. Stack-Goble is the agency; Molle Shaving Cream sponsors.

Harvey Joins Agency

George W. Harvey joins the Mutual sales staff in Chicago beginning Jan. 25. Formerly with WGN, Harvey replaces Pete Nelson, who resigned from Mutual to accept a position as time buyer at Blackett-Sample-Hummert, Inc.

Hit Court Broadcasts

DAYTON, Jan. 25.—A resolution against radio programs from courtrooms was adopted by the committee on unauthorized practice of law at the Ohio State Bar Ass'n. convention here.

◀ *Radio Personals* ▶

HILDEGARDE has been set for an appearance on Ed Wynn's program Feb. 6. . . . Bob Brenner, formerly of WHN, has presented a program idea at CBS that is receiving serious consideration. . . . Ed Reynolds, CBS sales promotion department is another in the brigade of flu sufferers. . . . Dorothy Lamour is to be Jack Oakie's guest Jan. 26. . . .

* * *

Martha Raye appeared on the Rinso program last week with a doctor and a nurse by her side. She came fresh from the hospital, where she was bedded with flu and was taken to the broadcast in an ambulance. . . . Herman Bernie has arranged for Jack Benny to appear as guest star on the American Can Co. program March 2. In return, Bernie will appear with Benny in the near future. . . . Gracie Barrie has been set for the Hammerstein program Feb. 2. . . .

* * *

Leonard Braddock, who left NBC for a department store job some months ago, is back at the network as secretary to Wayne Randall. . . . John Monks, Jr., co-author of Broadway's "Brother Rat," and Eddie Albert, one of the leading players, are both NBC personalities. Monks is an actor who has been appearing anonymously on several NBC programs; Albert is a member of the network "Honeymooners" team. . . .

New Shows On the Air

"The Guiding Light"

Procter & Gamble, sponsors of yesterday's debut, "The Guiding Light," promised something different to the listeners in the introductory address, but like so many other "different" script programs, this adheres to the "sweetness and light" pattern that characterizes so many of the afternoon "talkie" efforts.

The program traces the noble deeds of a Dr. John Rutledge, a minister of a parsonage in a melting pot neighborhood. In the opening chapter Dr. Rutledge attempts to save a wayward, car-stealing youth from the "cops." During the parson's temporary absence, a stranger enters the church and surprises his daughter, Mary, at the organ. When he discovers the identity of the rector, the intruder emits a sinister, derisive laugh. Which promises the excitement for subsequent episodes.

"The Guiding Light" is a Monday through Friday presentation over the NBC-Red, beginning at 4:45 P. M., E.S.T., and sponsored by Procter & Gamble for P & G Soap. BANNER

Arbitrators End Strike at WBNX

The first strike ever to effect a radio station, WBNX, New York, engineered by the American Radio Telegraphists Ass'n, an independent union claiming to represent the technicians at WBNX, has been settled under terms of an agreement set up by an arbitration board comprising three of the station's major sponsors. The main features of the agreement are:

1.—The A. R. T. A. demanded recognition of its association as the sole representative of its technicians. The board set up a committee to pass upon any disputes. The committee is comprised of one technician in the employ of the station, one representative of the A. R. T. A.; two members of the station, and three members of the arbitration board. This committee is to function until the end of the arbitration agreement—one year.

2.—The demand made by the association that radio technicians be recruited from its own membership is to be left to the discretion of WBNX.

3.—The A. R. T. A. demand that no employes be discharged without the association's consent was compromised under the ruling that no technician can be discharged without four weeks' notice except for some flagrant offense.

4.—The A. R. T. A.'s demand that no radio technicians be required to work at any place where non-union employes were employed was ruled out by the arbitration board.

5.—On the demand for a 40-hour, 5-day week, the board ruled for a 40-hour week and not more than 8½ hours in any day and not more than six days per week except for emergency work.

6.—The wage scale set by the board granted $35 per week for returning employes. New employes are to be

(*Continued on page* 12)

More Radio—Page 12

Radio Acceptance

BENTON & BOWLES, INC.
444 MADISON AVENUE, NEW YORK
ADVERTISING

January 13, 1937

Mr. Red Kann
Motion Picture Daily
Rockefeller Center
New York City

Dear Mr. Kann:

You have a winner in the radio column. In just a few minutes' reading, I can get all the news about what is going on in the field in which my interests lie.

The material is as timely as the newspaper left at my door with the milk each morning.

My morning reading is not complete without a perusal of this radio column.

Sincerely,

Helen Strauss

Helen Strauss
Publicity Director

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

Radio

Arbitrators End Strike at WBNX

(*Continued from page* 10)

started at $30 with an automatic increase to $32.50 at the end of the first six months.

7.—The A. R. T. A. demanded that its members should not be discriminated against because of their membership, which was agreed upon.

The agreements are effective for one year beginning Feb. 1.

Morgan in N B C Post

Clay Morgan, formerly assistant to NBC President Lenox R. Lohr, has been made director of programs, a new post.

The new director of programs has been with NBC since Oct. 1, 1936, and formerly was publicity director for the French Line.

Lohr on N B C Tour

Lenox R. Lohr, NBC president, left New York yesterday on a transcontinental inspection tour of NBC stations. Lohr's stopovers will include Denver, San Francisco, Seattle, Spokane, Sacramento, Los Angeles, Hollywood, and San Diego.

FCC Asks $350,000 For A. T. & T. Study

WASHINGTON, Jan. 25.—An additional $350,000 will be required to complete the investigation of A. T. & T. by the Federal Communications Commission, the House Appropriations Committee was told by Commissioner Paul A. Walker during its recent hearings on the first deficiency appropriations bill, it was indicated today with the introduction of the measure.

With the amount mentioned, the commission will be able to complete the investigation after having spent $1,500,000 on the work. Unless the funds are provided, Walker declared, about half the reports will be left unfinished, much field work will be left uncompleted and final inquiries will have to be abandoned.

Walker pointed out that one of the reports yet to be completed and introduced at the hearings is that bearing on the investigation of Erpi.

Feher Conducts at "Robber Symphony"

Frederich Feher, author, composer and director last night conducted a symphony orchestra at the Venice, where excerpts from "The Robber Symphony" were rendered as a prelude to the picture. The special show was held for the benefit of the Social Service Auxiliary of the Cancer Institute. Following the screening, Magda Sonja and Hans Feher, stars of the film, made a personal appearance. The picture will open today to the public.

Among those who attended last night's benefit were Nino Martini, Vivienne, Segal, Walter Damrosch and numerous persons identified with the industry. Cobina Wright sponsored the showing.

Lord & Thomas Tops Spenders with NBC

(*Continued from page* 10)

Mill Co., $22,760; Clicquot Club Co., $33,570; Ford, $553,766; International Silver Co., $35,988; Kellogg Co., $562,203; Nat'l Dairy Products (Sealtest), $107,800; Harold F. Ritchie and Co. (Eno Salts), $137,123.

Wade Advertising: Miles Laboratories, $1,220,132.

Erwin Wasey and Co.: for Carnation Co. Albers Brothers Milling, $20,992; Evaporated Milk, $366,068; Crusaders, $952; Republican Nat'l Committee, $160,472; for Wasey Products Co.—Barbasol, $53,745; Bost, $27,790; various drug products, $424,355; Young Business Men's Ass'n of Chicago, $2,912.

Stack-Goble: Lady Esther Co., $674,568; Molle Co., $217,139; Packers Mfgr. Co., $41,544.

Benton and Bowles, Inc.: for Best Foods, Inc.—Nucoa, $38,192; Colgate-Palmolive-Peet Co., $20,800; for General Foods—Diamond Salt, $14,400; Log Cabin, $66,360; Maxwell House Coffee, $717,295.

Roche, Williams and Cunnyngham: Good Neighbor League, $2,896; Studebaker Sales Corp., $248,088; Sun Oil Co., $523,882.

Campbell-Ewald: for General Motors—Chevrolet, $131,424; institutional, $625,500.

McCann-Erickson, Inc.: Langendorf United Bakeries, $50,637; National Biscuit, $121,345; Pacific Coast Borax Co., $248,810; Regional Advertisers, Inc., $80,870; Standard Oil of California, $81,290.

Pedlar & Ryan: for Procter & Gamble—Camay Soap, $572,543.

Lennen & Mitchell: Andrew Jergens Co.: Lotion, $77,238; Soap, $443,690; Modern Mazines, Inc., $11,700.

Federal Advertising Agency, Inc.: Sinclair Refining Co., $517,231.

Sweeney and James Co.: Firestone Tire and Rubber Co., $511,506.

Biow Co.: Humphries Homeopathic Medicine, $24,560; Krueger Brewing Co., $28,800; Philip Morris & Co., $430,264.

Hutchinson Advertising: Pillsbury Flours, $476,130.

Witman, Gilman in L. A.

HOLLYWOOD, Jan. 25.—Ray Witmer, vice-president in charge of sales for NBC, arrived here from San Francisco today accompanied by Don Gilman.

Paley on Coast

HOLLYWOOD, Jan. 25.—William S. Paley, president of CBS, arrived here today from Idaho. He is said to be vacationing.

WPA Spent $143,000 On Films and Radio

By CLARENCE LINZ

WASHINGTON, Jan. 25.—More than $100,000 has been spent by the WPA for films and another $43,000 for radio publicity, it was revealed by Harry Hopkins, Works Progress Administrator, during recent hearings before the House Appropriations Committee made public today with the introduction of a bill appropriating funds to carry the agency through the remainder of the current fiscal year.

The figures submitted by Hopkins which, specifically, are: $101,055.56 for films and $43,106.15 for radio, represent the total expenditures for those activities up to the end of last November. Sixteen pictures, ranging in length from 400 to 1,700 feet, depicting various activities of the WPA, have been made and many have been shown in theatres.

Information Service Maintained

In addition to the expenditure for the production of films, the WPA currently employs four persons in its information service whose duties relate to radio and films and whose annual salaries total $16,600.

The Federal theatre project, at the close of last year, had 11,496 actors, directors, scenic and costume designers and others on its payrolls. These employes maintain 100 companies in 28 states and attract an average attendance of 1,214,000 persons per month. A total of 28,191 stage performances were given between Dec. 2, 1935 and Dec. 31, 1936.

Sales Tax Appeal Decision Reserved

(*Continued from page* 1)

the distributors, with the appellate division ruling that the city sales tax is applicable to rentals derived from theatres located within the city limits but not to rentals originating with theatres located elsewhere. The city contends that the tax is applicable to all revenues of the film exchanges located within the city, and is appealing from the latter part of the lower court's ruling.

Small Town Play on Labor Fumbles, Proves No Point

(*Continued from page* 1)

circumstance into the pivotal situation, has himself declared sheriff, locks the mills and temporarily has the situation at bay. His son, nevertheless, is killed for his pains and Tamara, the widow, offs it into the night, grief-stricken but apparently determined to champion the cause of labor in a more fruitful clime.

The play and its argument prove nothing. It is true Mitchell seemingly ends the fracas, but, while that gives the play by George Brewer, Jr. an excuse on which to conclude, as plain as the nose on your's or anybody else's face is it that here is not even the beginnings of a solution for the social problem presented.

Largely much ado about something timidly advanced and then not solved, "Tide Rising" seeks to demonstrate that the rights of the white-collared class, so often ignored, stand ahead of both the vested interests and the labor groups. Seeks to demonstrate this, we said, but does not.

Mitchell, returning to the stage after seven years in Hollywood, does a nice enough job within the limitations his part foists upon him. Tamara strives for the fire which you might expect would imbue a lofty-planed labor organizer, but fails. Seeing her again last night revived memories of "Roberta" and suggested that musical comedy, not the drama, might be better geared for her temperament. The others in a long cast were alternately satisfactory and just plain acceptable.

Frank McCormack, in a gruff comedy bit, was a highlight in a part which looked as if it had been padded for laugh purposes. The laughs were there, if the character did appear blown up beyond its proper girth in the construction of the play.

Italian Film Gains Achieved During '36

(*Continued from page* 1)

of 350-400 features as against 237 released in 1935-36 and 316 in 1934-35. During the earlier year 285 of the total were foreign and 31 Italian, and in the more recent period 201 were foreign and 31 Italian. American product still dominates the Italian field, and is extremely popular with all types of Italian audiences.

The successful conclusion of negotiations for the continued importation of American product, which was in danger for a time as a result of the Government monetary policy on the exportation of funds, has been greeted with enthusiasm by film interests here. The 1936 total imports of American product to Italy were 101, but in the closing three months of the year there were only 18, with only two in December.

Indicative of the popularity of American product is the instance where "Mutiny on the Bounty" did extremely well in spite of increased admission prices at the Corso Cinema to a top of 14 lire as against a usual price of eight to 10 lire.

Show "Rainbow" Abroad

HOLLYWOOD, Jan. 25.—Harry Leason, sales manager for RKO in Europe, has arranged special trade showings of "Rainbow on the River," in Paris today, in Vienna on Jan. 27 and in Stockholm on Jan. 29.

Kraska Gets French Film

BOSTON, Jan. 25.—The American distribution rights to "Beethoven," French film, have been acquired by George Kraska, manager of the Fine Arts here.

London Architect Dies

LONDON, Jan. 16.—Bertie Crewe, 74, architect of the Tivoli, Piccadilly, Phoenix and many other famous British entertainment places, is dead here.

Wall Street

Board Losses Continue Lightly

	High	Low	Close	Net Change
Columbia	38	37½	37½	— ⅜
Consolidated	5½	5¼	5¼	— ⅛
Consolidated, pfd.	17⅝	17½	17½	— ¼
Gen. T. Equip.	33¾	33	33½	+ ⅜
K.-A.-O., pfd.	110	110	110	.....
Loew's, Inc.	75	73½	73½	— ½
Loew's, Inc., pfd.	109	109	109	—1
Paramount	27¼	26⅝	26¾	— ½
Paramount 1 pfd.	188	188	188	—2⅜
Paramount 2 pfd.	24⅝	24⅛	24⅛	— ½
Pathe Film	10	9⅝	9⅝	— ⅛
RKO	8¾	8½	8½	— ¼
20th Century-Fox.	37¼	37	37	— ½
20th Century, pfd.	47	47	47	+ ⅛
Universal, pfd.	101	101	101	.....
Warner Bros.	15⅞	15¾	15⅞	.....
Warner, pfd.	68½	68	68	—1½

Fractional Curb Movement

	High	Low	Close	Net Change
Grand National	4⅛	3¾	3⅞	— ¼
Sentry Safety	1⅛	1⅛	1⅛	.....
Sonotone	2⅛	2	2⅛	— ⅛
Technicolor	22	21¾	21¾	— ¼
Trans-Lux	4½	4⅜	4½	+ ⅛
Universal Pict.	17	17	17	+1

Little Bond Activity

	High	Low	Close	Net Change
Loew's 3½s '46	100⅞	100½	100⅞	— ⅛
Paramount B'way 3s '55	74¾	74	74	—1
Paramount Pict. 6s '55	100½	100⅜	100⅜	.....
Warner Bros. 6s '39 wd	100¼	100	100⅛	.....

(Quotations at close of Jan. 25)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 22 NEW YORK, WEDNESDAY, JANUARY 27, 1937 TEN CENTS

Cincinnati's Branches All In Operation

But Theatres There Are Completely Closed

All exchanges in Cincinnati are open and operating with skeleton forces, a survey of home offices revealed yesterday. Although all theatres in that city are reported closed, major film branches in Columbus, Washington, Cleveland and Pittsburgh are shipping prints to theatres in the Cincinnati zones not affected by flood waters.

Home office executives are in daily communication with Cincinnati and according to some exchange managers there, shipments are being made in a few situations. There is no indication when normal business will be restored. Little damage has been done to exchanges, it was stated yesterday, because of their location on high ground.

CINCINNATI, Jan. 26.—All theatres and amusement places here are closed as the Ohio River rose to the 80-foot stage, 28 feet above flood level. The water supply is so low that rationing is necessary. The entire Ohio valley

(*Continued on page* 10)

Bad Weather Hurts K. C. Area Business

KANSAS CITY, Jan. 26.—Bitterly cold weather throughout the area, together with sleet, rain and snow, have cut sharply into theatre grosses the past two weeks. Several theatres have closed until the weather moderates. A contributing factor has been— and continues to be—a widespread epidemic of influenza and bad colds. The city health director estimates that half the population of Kansas City, Mo., had one or the other last week. Almost 4,000 cases of flu were reported in Kansas. Health directors of both

(*Continued on page* 10)

Tells of Job Done In Restoring WCKY

Advices received by MOTION PICTURE DAILY from Elmer H. Dressman of WCKY, Cincinnati told a thrilling story of the superhuman efforts by the engineers and technical staff of the station to maintain radio communication between the stricken

(*Continued on page* 4)

Radio — Pages 4 and 9

Loach to Be Named Treasurer of Pathe

Thomas P. Loach, assistant treasurer, will be elected treasurer of Pathe when the board of directors meets today. The appointment will fill the vacancy created when Willis C. Bright quit the post some time ago.

Loach has been with Pathe about five years, coming from Price, Waterhouse & Co., where he was an auditor for many years.

The directors will be told today that December was the best month in point of business since the Bound Brook laboratory reopened in November, 1933. The plant was closed for more than a year.

Within the next 30 days Pathe is expected to resume financing of independent production. Several deals are now being considered with consummation expected by the end of next month. Up to six months ago the company financed a number of small producers.

London's Costs Not Affected by Slashes

Production costs will not be affected by the recent order whereby employes of London Films will receive cuts from five to 15 per cent, it was stated yesterday by Stephen Pallos, general manager.

"We will continue to make big pictures," he said. Pallos talked to Alexander Korda by transatlantic telephone yesterday and was advised that "Elephant Boy" has been completed after being in production two years. Robert Flaherty, who co-directed with Zoltan Korda, spent about a year and a half in India. This is said to be one of the biggest films on London Films' program this season.

New 7-Year Pact Is Signed by Wurtzel

HOLLYWOOD, Jan. 26.—Sol M. Wurtzel, veteran executive producer for 20th Century-Fox, today signed a new seven-year contract with the company.

Wurtzel has been with the Fox and 20th Century-Fox companies for 23 years. His producing units recently moved from the Western Ave. studio to the main 20th Century-Fox plant at Beverly Hills.

See 750,000 Joining Loew's Game Splurge

Approximately 750,000 patrons are expected to participate in the two-day Bank Night to be staged by 55 Loew theatres in Manhattan, Bronx, Brooklyn and Queens on Feb. 9-10. The State, Mayfair, Lexington, 72nd St.

(*Continued on page* 10)

"B" Label on Films Hit by C. R. Rogers

HOLLYWOOD, Jan. 26. — Charles R. Rogers, Universal vice-president in charge of production, today fired a broadside at the producers' custom of classifying pictures with a B label prior to films preview. The producer stated:

"It is little short of idotic to handicap a production with a B label, especially when no one can tell how good a picture it may turn out to be."

Rogers feels that exhibitors are entirely justified in resenting the harmful publicity emanating from Hollywood on this type of picture. He pointed out that experience proves that spending a million dollars or more on a picture and labeling it "epic" does not guarantee it will catch the public's fancy. On the other hand, he said, the simplest and most unpretentious story often develops into a box-office smash. He declared that

(*Continued on page* 9)

Circuit Heads Are Schaefer Sponsors

Veering from the usual sales drive formula, the United Artists force under the supervision of A. W. Smith, Jr., general sales manager, has formed a special honorary committee of leading circuit operators throughout the country to sponsor the 14-week drive for George J. Schaefer, vice-president and general manager. The drive also will commemorate Schaefer's first year with the company.

Among those on the committee are Joseph Bernhard, general manager of Warner Bros. Circuit Management, Inc.; N. L. Nathanson, head of Famous Players Canadian; Mike Kincey, head of the Kincey circuit in North

(*Continued on page* 10)

Name Short Subjects For Academy Awards

HOLLYWOOD, Jan. 26.—Nominations in the short subjects department for Academy awards for 1936 have been divided into four classes. Departing from the procedure followed in previous years the nominations in the four classes are:

1. Black and white subjects not exceeding 1,000 feet in length: "Wanted A Master," M-G-M; "Bored

(*Continued on page* 10)

Skouras, RKO Pool Here Is Discussed

The pooling of a dozen or more Skouras and RKO theatres in the metropolitan area is being discussed by heads of the two organizations with a probability that final details may be ironed out during conferences

(*Continued on page* 12)

IA Includes Checkers in Planned Drive

See Only Question Now As Starting Date

Theatre checkers will be included in the I.A.T.S.E.'s impending drive to organize all classifications of employes from the front to the rear of the house, according to reports reaching here yesterday from the coast where the organizing move was again considered during the meeting last week of I.A.T.S.E. officials.

The move would take in ushers, cashiers, doormen, janitors, cleaners, scrubwomen, ticket takers and checkers, according to the coast reports. Indications are that the I.A.T.S.E. has made no definite decision on the start of the new organizing activity but there appears to be no basis for doubt that the move is actively in mind and now is just a question of when the organization decides to make its first move.

Some of the stronger locals of the I.A.T.S.E., such as those in Chicago, Los Angeles or Kansas City, most probably will be selected to make the first move. The New York territory is not likely to see any of the new organizing activity until the current mergers of the rival operators' organizations have been disposed of, according to present indications.

The I.A.T.S.E. was granted sole jurisdiction over all theatre employe groups by the A. F. of L. two years ago. Since then, in labor quarters, at

(*Continued on page* 9)

Allied Union Votes To Back Agreements

Complete settlement of the multiple union situation here and the establishment of a "permanent peace" were a step nearer conclusion yesterday as the membership of the Allied Union, after an all-night session, voted to support the stand of its own committee in its negotiations with the com-

(*Continued on page* 9)

Yamins Elected by N.E. Exhibitor Unit

BOSTON, Jan. 26.—Nathan Yamins today was unanimously elected President of Independent Exhibitors, Inc., at the annual business meeting of New England Allied held in the Hotel Bradford, Boston. Exactly 50 members attended.

Max Levenson was elected first vice-

(*Continued on page* 10)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

Vol. 41 January 27, 1937 No. 22

MARTIN QUIGLEY
Editor-in-Chief and Publisher
MAURICE KANN, *Editor*
J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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Cron's Mother Dies

Mrs. Florence Cron, mother of James A. Cron, advertising manager of MOTION PICTURE DAILY, died late Monday evening of a paralytic stroke. She was 80.

Another son, Louis, survives. The funeral will be held at Cedar Rapids, Ia., original home of the family, on Friday. Louis Cron will take the body west. "Jimmy" is ill at his New Rochelle home with a heavy cold and will be unable to go.

Frankie Lyons Killed

HOLLYWOOD, Jan. 26.—Frankie Lyons, who was working in Columbia's "Racing Luck," as a racing driver, was killed at Gilmore Stadium. Lyons' car went into a skid and crashed into a fence. He is survived by his wife.

Col. Drive Starts Big

Columbia's home office declared yesterday that 165 per cent of the weekly quota was reached in the first week of the "Columbia Montague Sweepstakes," sales drive. The campaign will continue until May 1.

Purely Personal

AL STEFFES returns this morning from Boston where he talked before the Independent Exhibitors of New England. He may stay on for the Louis-Pastor fight, and then again he may leave for Minneapolis tonight.

•

The EDWARD L. KLEINS will not sail for London today, as planned. Telephone contact with members of Mrs. KLEIN'S family in Louisville was established finally at six o'clock yesterday morning. Arrangements are under way for them to leave the flooded city.

•

HOWARD ESTABROOK'S original story and screenplay of "The Port of Missing Girls" has been purchased by Monogram from Brenda Pictures Corp. It will be produced for 1937-38.

•

ANDRE KOSTELANETZ yesterday was awarded a silver cup by American Airlines for being the outstanding air traveler in 1936. He made 13 round trips to the coast in as many weeks.

•

MARGARET SPEAKS, radio singer, will leave for the coast today via American Airlines. Ditto MRS. MACK MILLER, wife of the Hollywood restaurant publicity head.

•

GERTRUDE MERRIAM, her illness behind her but still weak in the pins, is back at the Managers' Round Table department of *Motion Picture Herald.*

•

SAM GOLDSTEIN, treasurer of Guarantee Pictures, left yesterday on the *Manhattan* for a two-month business trip to England and the Continent.

•

STEPHEN PALLOS, general manager of London Films, will leave for Miami the end of the week. He plans to sail for London the end of next week.

•

JIMMIE LUNCEFORD and his orchestra will play Loew's State the week of Jan. 29 and will sail for Europe on the *Batory* on Feb. 13.

•

MARSHA HUNT, Paramount player, arrives here today en route to Washington to attend President Roosevelt's birthday ball on Saturday.

•

COL. H. A. COLE, who came up from the two-day Allied directors meet in Baltimore, is expected to leave for Dallas today.

•

FRANK DOWNEY, Loew's Detroit branch manager, has returned to his territory after a short visit at the company's home office.

•

MRS. LELA ROGERS, head of Radio's talent school, left yesterday for the coast studio after looking at numerous Broadway plays.

•

LOU IRWIN is due in from Hollywood today. His office here reports he has placed the DIAMOND BOYS with Universal.

•

TEDDY TRUST, publicity head for the Brooklyn Strand, is recuperating at Christ Hospital, Jersey City, from an operation.

•

CHARLES SAMUELS, formerly of King Features, has joined the U. A. home office publicity department under MYER BECK.

•

MARLENE DIETRICH sails from England on the *Berengaria* today, arriving here next Wednesday, en route to the coast.

•

GEORGE J. SCHAEFER will leave next Wednesday for Bimini, 40 miles east of Miami, on a 10-day to two-week fishing trip.

•

HAROLD ECKERT, dramatic critic of the Columbus, O., *Journal,* is in town for a two-week looksee at plays and films.

•

ETHEL WALTERS, secretary to Abe Montague, leaves today on the *Empress of Australia* for a 16-day cruise.

•

MARTIN BECK has been discharged from the Mt. Sinai Hospital and hies to Miami in a few days to recuperate.

•

LAMAR TROTTI, 20th Century-Fox writer, left yesterday for the coast after a New York vacation.

•

SOL EDWARDS, Grand National eastern division sales head, returned yesterday from Boston.

•

ROBERT TAYLOR and JEAN HARLOW arrived in Washington from the coast yesterday by plane.

•

LOU DIAMOND, Paramount short subject head, is due to arrive today from the coast.

•

S. E. APPELGATE, branch manager of Loew's in Philadelphia, was in town yesterday.

•

EDWARD PESKAY, general sales manager of Grand National, is in the south.

•

C. C. MOSKOWITZ and OSCAR DOOB returned yesterday from Washington.

•

NORMA SHEARER and CONSTANCE BENNETT left for the coast yesterday.

•

DOUGLAS and MRS. FAIRBANKS left New York for Hollywood yesterday.

•

GRADWELL L. SEARS is due from the south either tomorrow or Friday.

•

ARLINE JUDGE is in from Florida and at the Waldorf-Astoria.

•

ERICK CHARELL arrived from the coast yesterday.

•

CLYDE ELLIOTT of Screeno is in from Chicago.

•

AL LICHTMAN returns from Miami tomorrow.

Extra Copies

Following publication in *Motion Picture Daily* on Jan. 18 of the blow-up at the New York Strand on Red Kann's review of "Black Legion," Dinty Moore, Metropolitan district manager for Warners, received an air mail request from H. C. Federer of the Chief Theatre in Greeley, Colo., and three Warner houses in Philadelphia for similar enlargements.

Moore has ordered extra copies and will send them to each theatre.

Earnings of Extras Down Sharply in '36

HOLLYWOOD, Jan. 26.—Extras earned $2,420,453.55 in 1936, showing a decrease of $150,840.29 from the 1935 figures, according to information made available by Campbell McCulloch, general manager of Central Casting.

The total placements for the year were 268,436 against 278,486 for 1935. A breakdown of the statistics shows the average daily placement for 1936 was 858 against 889 for 1935. The average daily wage paid was $9.02 which was 21 cents less than the previous year's average.

Feminine placements showed an increase of approximately 7,000 over the previous year while for men it showed a corresponding decrease. The total average daily placement was 558 men and 259 women. Forty-one child extras had daily employment.

Aronson U. S. Agent For Capitol Films

Al Aronson, one-time general manager of distribution for M-G-M in Central Europe, has been appointed American representative of Capitol Films of London, of which Max Shach is the head. Aronson arrived on the *Manhattan* earlier in the week.

Loew's Drop New Game

Bulls Eye, the new game sponsored by Loew's, will be dropped by the circuit after tomorrow night when it will make its final appearance at the Lincoln Square. Loew's booked the game one night a week and planned to extend it in the event it clicked. After several trys, executives decided to supplant Bulls Eye with either Screeno or Bank Night. Up to yesterday no decision had been made.

J. L. Warner Heads Club

HOLLYWOOD, Jan. 26.—Jack L. Warner has been named chairman of the board of directors of the Hollywood Turf Club. Alfred E. Green, director, is president of the organization. They will operate a new track now being constructed in Inglewood if permission is granted by the California Horse Race Board.

Notables Seeing 'Plough'

A distinguished group of Irish notables will attend the opening of "The Plough and the Stars" at the Music Hall tomorrow night. Leo T. McCauley, Irish consul, and Sean Nunan, vice-consul, and Erin O'Brien-Moore, who has a role in the film, will be among them.

M-G-M Signs Six

HOLLYWOOD, Jan. 26.—M-G-M has closed contracts with Sophie Tucker, Bruce Cabot, Noel Langley, writer; Leonid Raab, arranger, and Robert Wright and Chester Forrest, composers.

Blumberg Starts East

HOLLYWOOD, Jan. 26.—Nate Blumberg left by train today for San Francisco. He will stop at Salt Lake City en route to New York later.

Board Luncheon Feb. 6

The 22nd annual luncheon of the National Board of Review will be held at the Hotel Pennsylvania, as usual, on Feb. 6.

POWELL • LOY

LOVE
LOVE
LOVE

There's millions in it

it's the world's greatest industry

ASK ANY EXHIBITOR WHO IS PLAYING **"AFTER THE THIN MAN"** and **"CAMILLE"**

ALL THE WORLD LOVES METRO-GOLDWYN-MAYER

GARBO • TAYLOR

◂ Radio Personals ▸

DR. MAX A. JORDAN, European representative of NBC, sails for London today . . . Dave Driscoll, of Mutual's special events staff, left by plane for the flood area late yesterday . . . The Ritz Brothers are out of Friday's "Hollywood Hotel" cast and Irving Berlin is in. Berlin will sing the first song he ever wrote, "Marie From Sunny Italy," which was composed in 1907 . . . Erin O'Brien-Moore, prominently cast in "The Plough and the Stars," the CBS "Hammerstein Music Hall" guest for the Feb. 2 broadcast. . . .

✚

Alan Roberts of WMCA is slated for a new night spot. Formerly heard Sunday afternoons, Roberts will now broadcast from 9 to 9:15 P. M., E.S.T. . . . Jean Parker, sister of Frank Parker, will be Bide Dudley's WOR guest tomorrow at noon . . . General Mill's "Gold Medal Feature Hour" will feature a short-waved talk from Europe by Sarah Pennoyer, stylist, on the Feb 5 broadcast . . . "Dan Hardin's Wife," popular NBC serial will be heard hereafter from 1:45 to 2 P. M., E.S.T. beginning Feb. 1. The program is heard Mondays through Fridays . . .

✚

The new Gladys Swarthout series for the ice and refrigerator industry is set at long last. The program begins Feb. 10 at 10:30 P. M., E.S.T. over the NBC-Red . . . Maggy Rouff, Paris fashion expert, has been signed by John H. Woodbury, Inc., as style and color consultant . . . The Joe Louis-Bob Pastor fight Friday will be broadcast exclusively over WHN . . . Betty Vandenberg, daughter of the Michigan senator, will appear as guest piano soloist with the NBC symphony orchestra Feb. 4 on the NBC-Blue . . . Joseph Martin, singer from Cleveland, has been signed by NBC's Artists Bureau.

Two Stations Added To NBC's Networks

NBC has added two additional stations to its networks, it became known yesterday. The stations are WBOW, Terre Haute, and WGBF, Evansville, Ind. Both stations will join NBC Feb. 1. The two additions will bring the NBC station total to 115. It is not known at the moment with which network the stations will become affiliated, the Blue or the Red.

WBOW is a 100 watter, owned and operated by Banks of Wabash, Inc. WGBF is a 500 watt station, owned and operated by the Evansville on the Air Co., Inc.

Construction of 3 Stations Approved

WASHINGTON, Jan. 26.—Construction of three new broadcasting stations, at La Junta, Colo., Corpus Christi, Tex., and Ashtabula, O., today was authorized by the F. C. C. The first will be of 100 watts power, the other two of 250 watts power each.

The commission also awarded operating licenses to three new stations located at Evansville, Ind., Newport News, Va., and Dublin, Tex., all to use 100 watts at night and 250 watts daytimes.

$42,497,970 Spent by 20 Agencies with NBC and CBS

The following chart shows the 20 leading advertising agencies ranked by the total network billings with both major networks, NBC and CBS:

Agency	*Time Buys*
Blackett-Sample-Hummert	$6,011,665
Lord & Thomas	5,573,278
J. Walter Thompson	5,148,557
N. W. Ayer & Son	3,276,155
Batten, Barton, Durstine & Osborn	2,716,819
Benton & Bowles	2,419,182
Young & Rubicam	2,244,484
Blackman	2,018,344
Stack-Goble	1,501,678
Erwin Wasey	1,467,959
F. Wallis Armstrong	1,256,154
Ruthrauff & Ryan	1,237,926
Wade Adv. Co.	1,220,132
Newell-Emmett	1,189,426
Roche, Williams & Cunnyngham	1,048,683
Wm. Esty & Co.	1,047,534
Campbell-Ewald	854,279
Lennen & Mitchell	782,043
Hutchins Adv. Co.	745,020
Paris & Peart	738,652
Total 20 agencies	$42,497,970

The leading 20 agencies at CBS for 1936 made the following time purchases:

Agency	*Time Buy*
Batten, Barton, Durstine & Osborn	$2,360,292
Blackett-Sample-Hummert	1,963,086
N. W. Ayer	1,822,945
Benton & Bowles	1,562,135
F. Wallis Armstrong	1,256,154
Ruthrauff & Ryan	1,192,704
Newell-Emmett	1,095,810
Lord & Thomas	1,080,908
Wm. Esty Co.	1,047,534
J. Walter Thompson	997,181
Hutchins Advertising Co.	745,020
Stack-Goble	568,427
Paris & Peart	566,060
Young & Rubicam	499,300
Erwin Wasey	410,673
J. Stirling Getchell	344,437
Knox-Reeves	341,410
Frances Hooper	324,596
Arthur Kudner	321,390
Maxon	306,006

Forty-two advertising agencies bought Mutual time in 1936 to an aggregate of $1,881,316. This is the breakdown for that network:

Agency	*Time Buy*
Blackett-Sample-Hummert	$282,976
Sehl Advertising	184,356
William Esty	118,589
Erwin Wasey	99,055
Young and Rubicam	85,630
Stack-Goble	85,165
Ruthrauff and Ryan	72,252
Lennen and Mitchell	61,668
Chas. Daniel Frey	61,324
H. M. Kiesewetter	60,737
De Garmo Corp.	59,897
Marschalk and Pratt	54,460
U. S. Advertising Corp.	54,028
H. W. Kastor and Sons	51,605
Hanff-Metzger	41,807
Albert M. Ross	41,660
Lord and Thomas	40,496
Luckey Bowman	37,942
Kelly Stuhlman	37,644
Kenyon and Eckhardt	34,968
Reinecke, Ellis, Younggreen and Finn	30,950
Geyer, Cornell and Newell	30,851
Dorland Inter'l	29,500
Baggaley, Horton and Hoyt	27,691
Roche, Williams and Cunnyngham	23,257
Donahue and Coe	21,936
Batten, Barton, Durstine and Osborn	21,403
Neisser-Meyerhoff	19,892
Presba, Fellers and Presba	15,902
Ralph H. Jones	14,697
Henri, Hurst and MacDonald	14,277
Aitkin Kynett	9,031
Rogers and Smith	8,652
Aubrey, Moore and Wallace	7,867
Vanderbie and Rubens	7,631
Brooke, Smith and French	7,482
James R. Flanagan	6,201
Newell-Emmett	5,279
Samuel C. Croot	4,032
Guenther-Bradford	3,536
Franklin Bruch	3,487
Neff-Rogow	1,503
Total, 42 agencies	$1,881,316

Couldn't Keep Well

Memphis, Jan. 26.—Station WNBR contracted recently for a daily five-minute program on "How To Keep Well" under sponsorship of a local chiropractor. The sponsor was to conduct the program personally. He went on the air with his health talk the second day—after missing the first broadcast because of illness—but on the third day had to suspend indefinitely as he was taken to a Memphis hospital with an internal ailment.

Rector Signed for Series

George Rector has been signed for a new daytime series featuring food talks with recipes over CBS beginning Feb. 17 and continuing three times weekly for Phillips Packing Co., Inc.

The series will be heard Wednesdays, Thursdays and Fridays from 1:30 to 1:45 P. M., E. S. T., over 31 CBS stations. Blackman Advertising, Inc., is the agency.

Lord & Thomas, First at NBC, Moved from 3rd Place in '35

Lord & Thomas, largest agency time buyer at NBC in 1936, moved up from third to top spot, nosing out J. Walter Thompson & Co. and Benton and Bowles. Lord & Thomas, on behalf of its clients, spent $4,492,369, an increase of 47.9 per cent over 1935. Benton and Bowles was 10th in 1936, its expenditures with NBC reflecting a shrinkage of 75.5 per cent. Erwin Wasey and Co. and Stack-Goble moved into the first 10, while McCann-Erickson which was seventh in 1935, dropped to 13 in 1936. Cecil, Warwick and Cecil, 10th in 1935, fell to 18th.

The statistical picture follows:

1936 Rank		1936	1935 Rank	1935	% Change from 1935
1.	Lord & Thomas	$4,492,369	3	$3,037,441	+47.9%
2.	J. Walter Thompson Co.	4,151,376	1	4,198,113	— 1.1
3.	Blackett-Sample-Hummert, Inc.	4,048,579	4	2,273,512	+78.1
4.	Blackman Advertising, Inc.	2,018,344	5	1,304,886	+54.7
5.	Young & Rubicam, Inc.	1,745,184	8	1,032,041	+69.1
6.	N. W. Ayer & Son, Inc.	1,453,210	6	1,141,565	+27.3
7.	Wade Advertising Agency	1,220,132	9	858,671	+42.1
8.	Erwin Wasey & Co., Inc.	1,057,286	11	683,538	+54.7
9.	Stack-Goble Advertising Agency	933,251	13	540,429	+45.7
10.	Benton & Bowles, Inc.	857,047	2	3,499,439	—75.5

Name Mrs. Van Loon To Do Federal Show

WASHINGTON, Jan. 26.—Plans of the U. S. Office of Education to undertake broadcasting in a big way were made public today by Secretary of the Interior Harold L. Ickes with announcement of the appointment of Mrs. James Van Loon to the script department of the educational radio project.

Daughter-in-law of Hendrik Willem Van Loon, writer and NBC commentator, Mrs. Van Loon will write a series of radio scripts on the functions of municipal government, the first to cover some community near New York. The initial program will be offered over a local station. If sufficiently popular, similar programs will be offered to stations all over the country.

Yankee's Official Entity Authorized

WASHINGTON, Jan. 26.—Establishment of the Yankee Network as an entity in radio was accomplished today when the F. C. C. approved applications of the Shepard Broadcasting Service to change its name to Yankee Network for both of its stations, WNAC, Boston, and WEAN, Providence and the Southern Connecticut Broadcasting Corp. assigned its license for WICC, Bridgeport, to the Yankee Network.

Noonan 'Cathedral' Revived by WMCA

WMCA has revived one of radio's earliest "hit" programs, "The Cathedral of the Underworld." The program was originally made famous by the late Tom Noonan, the "Bishop of Chinatown," and was abandoned shortly after his death in 1934.

Homer Rodeheaver, an ex-associate of Bill Sunday, is now charge of the series, which returned last Sunday over WMCA and the Inter-City network stations.

Tells of Job Done In Restoring WCKY

(Continued from page 1)

city and the outside world. The station went on the air at 9:17 A. M. yesterday powered by a Diesel electric unit after having been silent since Monday morning as a result of a burned generator bearing. Studio staffs worked by the light of candles until current could be supplied by their portable unit. The staff worked without rest, day and night, in dark and cold, surmounting terrific odds at both the studio and transmitter.

"In addition to our power being off," said Dressman, "our telephone lines to the transmitter were down and only monumental efforts on the part of our engineers and the phone company's men restored them to use, again bringing the news to the outside world. The cellar of the studio building is being slowly flooded and the river waters which inundate the streets are within half a block of us. Many machines have been transferred from the studio to the Wilson Theatre, where current is still available. Here at the

(Continued on page 9)

More Radio—Page 9

For Busy Showmen

Here's how

20TH CENTURY-FOX

plans to keep you happy

during

FEBRUARY • MARCH

APRIL

We've kept it brief to save you time. The box office will do our talking anyway!

Please begin . . .

February

DICK POWELL and **MADELEINE CARROLL**

in

IRVING BERLIN'S

ON THE AVENUE

with **ALICE FAYE · RITZ BROTHERS · GEORGE BARBIER**
Alan Mowbray, Cora Witherspoon, Stepin Fetchit, Sig Rumann.

•

JANE WITHERS

in

THE HOLY TERROR

with Anthony Martin, Leah Ray, Joan Davis, El Brendel, Joe Lewis.

•

WILL ROGERS

in

DOCTOR BULL

with Rochelle Hudson, Marian Nixon, Ralph Morgan, Berton Churchill, Andy Devine.

•

ANNABELLA · HENRY FONDA
LESLIE BANKS

in

WINGS OF THE MORNING

in Natural Technicolor
Presenting the world-famous tenor
JOHN McCORMACK

•

The Jones Family

in

OFF TO THE RACES

with
SLIM SUMMERVILLE and the screen's foremost box-office family.

VICTOR McLAGLEN **WALTER CONNOLLY**
PETER LORRE
in

NANCY STEELE IS MISSING

with **JUNE LANG, ROBERT KENT** and Shirley Deane, John Carradine, Jane Darwell, Helen Jerome Eddy, Frank Conboy.

March

FAIR WARNING

with J. Edward Bromberg, Betty Furness, John Howard Payne, Victor Kilian, Billy Burrud.

•

TYRONE POWER • LORETTA YOUNG • DON AMECHE
in

LOVE IS NEWS

with

Slim Summerville, Dudley Digges, Walter Catlett, George Sanders, Jane Darwell, Pauline Moore, Stepin Fetchit.

•

TIME OUT FOR ROMANCE

with **CLAIRE TREVOR, MICHAEL WHALEN,** Joan Davis, Douglas Fowley, Bennie Bartlett.

•

SIMONE SIMON and
JAMES STEWART
in

SEVENTH HEAVEN

with Jean Hersholt, Gregory Ratoff, Gale Sondergaard, J. Edward Bromberg, John Qualen, Victor Kilian, Thomas Beck, Sig Rumann.

20th CENTURY FOX
Darryl F. Zanuck
in
Charge of Production

April

MIDNIGHT TAXI

with **BRIAN DONLEVY**, Alan Dinehart and a cast of noted players.

•

SHIRLEY TEMPLE

in

Rudyard Kipling's

WEE WILLIE WINKIE

with

VICTOR McLAGLEN

JUNE LANG, MICHAEL WHALEN

C. Aubrey Smith, Douglas Scott, Constance Collier, George Hassell, Cesar Romero

•

STEP LIVELY, JEEVES!

with **ARTHUR TREACHER**, Patricia Ellis, Robert Kent, Alan Dinehart, George Givot, Helen Flint. Based on the character "Jeeves" created by P. G. Wodehouse.

•

WARNER BAXTER *and* **WALLACE BEERY**

in

SLAVE SHIP

with

ELIZABETH ALLAN, MICKEY ROONEY

George Sanders, Helen Westley, Miles Mander, Joseph Schildkraut, Arthur Hohl, Minna Gombell.

•

MARRIED LADY

(Tentative Title)

Based on a smash showmanship idea, the kind 20th is famous for, this picture is destined to pay off big in box-office dividends. Watch for further news.

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

Radio

Tells of Job Done In Restoring WCKY

(Continued from page 4)

studio we may soon be isolated but, having water, food and candles on hand, we intend to carry on as long as possible. With our present, though limited, facilities we certainly can hold out for several days."

L. B. Wilson, listening in to WCKY at Miami Beach yesterday, wired his congratulations to the staff for the excellent job done.

The technical men principally responsible for the achievement at WCKY are: Charles Topmiller, chief engineer; Arthur Gillette, Harvey Glatstein, Clyde Wend, Wesberry Galvin and Ed Reed. Bill McClure, of International Harvester Co., also was of great assistance in restoring the station to the air.

Renews McConnell

The Acme White Lead and Color Works Co. yesterday renewed "Smiling" Ed McConnell for an additional two years of broadcasting, effective immediately. McConnell has been featured by the company for the past five years.

Henri, Hurst & MacDonald, Inc., is the agency.

Seeking Flood Relief

WNEW has come through with an idea which may intrigue other stations. At the conclusion of all programs to which studio audiences are invited, WNEW staff workers will pass the hat among the onlookers, asking for contributions for flood sufferers.

Philco Re-Signs Carter

Boake Carter, news analyst and commentator, has been re-signed for 52 weeks by his sponsor, Philco Radio & Television Corp., effective Feb. 22. The extension of the contract marks Carter's fifth year with Philco.

Lee Network Dickers For Picture Players

Hollywood, Jan. 26.—The Don Lee network, through KHJ, is now negotiating with two major studios with the ultimate purpose of closing with one for the appearance of a film star on a mutual hookup. The deal under discussion calls for the exclusive air rights to the star name on the studio roster.

This is the first move of Mutual to compete with NBC and CBS for the use of top screen names. The Lee network at the same time is planning to bring to the air a prominent male star not previously heard on a broadcast. This star will head his own show.

Current plans include preliminary release over 10 Lee stations in California with a tryout later for the extension of the program to the entire Mutual network. Both deals are expected to be closed momentarily.

Cut Power Because of Flood

Because of the flood and its necessary conservation of electrical power, WLW, Cincinnati, has reduced its power from 500,000 to 50,000 watts.

"Hams" to Aid Flood Relief

New Orleans, Jan. 26.—Amateur short-wave broadcasters, commonly known as "hams," have organized in the area between here and Baton Rouge to cooperate in the handling of flood relief messages in the event that the Baton Rouge River, which is rising rapidly, reaches flood stage.

Wilbur T. Golson of Baton Rouge, is organizing the amateurs.

Writer Joins KTAR

Ida Grove, Ia., Jan. 26.—Harold Roach, formerly on the editorial staff of the *Pioneer Record* here, has joined KTAR at Phoenix, Ariz., as continuity writer and announcer.

I.A.T.S.E. Includes Checkers in Drive

(Continued from page 1)

least, it has been merely a question of when the organization would decide to assert that jurisdiction by bringing the unorganized theatre employee groups within its membership. Many I.A.T.S.E. officials are of the opinion that current public sentiment toward labor favors the immediate launching of the contemplated organizing drive.

Is Argentine Agent

The Rador Cinema Bureau has been appointed representative in charge of equipment purchases and distributors for Metropolitan Prod., an Argentine company, in North America, Central America, the West Indies and parts of South America.

Goldwyn-Baker Deal Set

Hollywood, Jan. 26.—Phil Baker is due here from New York in August to start work in the first picture for Samuel Goldwyn under a three-year pact.

Plan Dinner for Drew

Cleveland, Jan. 26.—A testimonial dinner in honor of Frank Drew's 10th year as local M-G-M branch manager is set for Feb. 1 at the Statler Hotel. Arrangements are in the hands of David Miller, Universal branch manager; Col. Harry E. Long, Loew division manager; Nat Holt, division manager for RKO theatres, and Fred Meier of the *News*.

U. A. Australia Top

United Artists led the annual check-up of performance conducted by *Everyones,* Australian trade paper, according to the home office. The point ratings were: United Artists, 4.76; M-G-M, 4.17; and G. B., 4.13. The score is based on the ratings given films by polls taken of paper's critics.

Two Branch Heads Ill

Portland, Ore., Jan. 20.—James Beal, local Columbia manager, and Jack Kloepper, manager for United Artists, are ill with flu.

See $60,000 in Week For "Girls" at Roxy

"Three Smart Girls" and Borrah Minevitch and his rascals on the stage garnered $39,700 in the first four days at the Roxy with indications that the week will end with approximately $60,000. According to the management, Monday's take was the largest for any week day. Standing room was the rule yesterday. The picture is being held a second week and may go a third.

The Criterion yesterday decided to hold "Great Guy" a fifth week. This picture grossed about $10,000 for the third week. Although "Man of Affairs" is dated into the house for Feb. 5, there is a possibility "Great Guy" may be held a sixth week. The picture now holds the record for long runs at the house.

After tallying $60,000 in the first seven days, "The Plainsman" and Ray Noble on the stage wound up a second week at the Paramount with slightly over $40,000. The same picture is on a double bill at the Paramount, Brooklyn, and took in $21,000 in four days. Estimated gross for the week is $31,000.

The Strand got $28,000 on the first week of "Black Legion." On Saturday, "Stolen Holiday" will open for a week's run.

"Men Are Not Gods" at the Rivoli got $21,000 for the first week. "You Only Live Once" opens there Saturday.

"Fire Over England," the Eric Pommer production directed by William K. Howard, will start an engagement at the Music Hall on March 4.

The Capitol will hold "Camille" for a second week. "After the Thin Man" finished its fourth week there by grossing $25,000.

"B" Label on Films Hit by C. R. Rogers

(Continued from page 1)

no producer or director is ever justified in aiming at a B category, and added that Universal certainly will not countenance the intentional planning of second rate productions. Rogers stated that all the skill, care and resourcefulness of which the producers are capable will be put into Universal pictures regardless of their place on the program.

Rogers pointed out that the budget on "Three Smart Girls" was increased three times during production to achieve the desired result. Budgets are now being rearranged to conform to the new production policy, he said.

James R. Grainger and Charles B. Paine arrived today.

Fuller Suit Starts Soon

New Orleans, Jan. 26.—The suit of George Fuller against major distributors here charging conspiracy is expected to get under way within 10 days, with distributor executives rather than just their local managers answering interrogations of Judge Borah.

Rome Going to Boston

R. W. Rome, assistant to E. C. Mills, Ascap general manager, leaves for Boston today where he will be in charge of the Ascap office there. Rome succeeds Paul Amundson, who had been in charge of the Boston office for the past 15 years and who resigned recently because of ill health.

Allied Union Votes To Back Agreement

(Continued from page 1)

mittee of Local 306 on an agreement between the two unions. The two or three points still unsettled were described yesterday as of minor nature, and susceptible of ready solution.

"Things are going smoothly," was the comment of a representative of Mayor LaGuardia's survey board, charged with a solution of the union problem. It is expected that a roll call meeting of the membership of 306 will be held in a day or two, to act similarly on the negotiations of the union's committee. Support of the 306 committee procedure is expected, and it is anticipated that a formal and final contract form will be drawn and signed by the two unions early next week.

Since the major 306 agreement with the I. T. O. A. merely awaits the conclusion of the 306-Allied agreement, it is anticipated that the complete agreement will be made effective sometime next week.

Rose Decision Reserved

Decision was reserved by Justice John E. McGeehan in N. Y. Supreme Court yesterday on a motion to require Billy Rose, creator of "Jumbo," to submit to an examination before trial in a $2,300 suit against him and others brought by Ben Hecht and Charles MacArthur, playwrights. The plaintiffs claim they were not paid for use of their Jumbo material on radio programs broadcast on Jan. 21 and 28, 1936. The defendants deny that the programs in question were adopted from material of the plaintiffs.

Orders Details in Suit

An order requiring William S. Weinberger, an inventor, to submit a bill of particulars in connection with his $50,000 suit against Thomas A. Edison, Inc., and others was handed down in N. Y. Supreme Court yesterday by Justice Salvatore A. Cotillo. The other defendants are Eastman Kodak, Inc., International Mutoscope Reel Co., Inc., and William H. Hays. They are charged with having appropriated certain of the plaintiff's models without his permission for use in the making of films.

Orders Examination

Justice Richard P. Lydon in N. Y. Supreme Court has directed that Ralph S. Peer, president of Radio Orchestra Corp., and Edward Fishman, representative, submit to examination before trial in an action brought against them by Mills Artists, Inc. The plaintiff asks $100,000 from each defendant, asserting they caused Carlos Molina, orchestra leader, to disregard a contract made with Molina in February, 1936.

Postpone Kelban Trial

The trial of Joseph Kelban, Brooklyn business agent of Local 306, arrested recently on the complaint of Paul Weintraub, manager of the Folly in Brooklyn, yesterday was postponed for two weeks in Brooklyn Special Sessions. The complaint was based on the alleged action of Kelban in having the theatre's lights turned out because of the alleged non-payment of back wages due union projectionists.

Cincinnati's Branches All In Operation

(Continued from page 1)

is completely paralyzed, many situations being under martial law or its equivalent. Practically every community in the lower valley is flooded and no theatres or amusements are operating. The majority of radio programs have been suspended and those stations still in operation are confining themselves for the most part to flood relief messages.

A benefit performance will be given at midnight tomorrow at the RKO Colonial in Dayton with the cooperation of the *Journal Herald* and the Red Cross. The entire cast of "The Scandals of 1937," current stage show, plus the talent from Dayton's WHIO and WMSK will take part. The performance will be managed by Millard M. Blattner, RKO city manager, and Nathan Wise, publicity director. Top price has been set at $1.50.

Other houses in Dayton are also arranging benefits.

Memphis Area Is Hit

MEMPHIS, Jan. 26.—Owing to the impossibility of transporting film in this section because of flood conditions, theatres are known to have suspended operations in Princeton, Owensboro, Mayfield and Hickman, in Kentucky; Tiptonville, Ridgely, Martin, Union City and Dyersburg, in Tennessee; Kennett and Senath in Missouri; Caraway, Manila, Monette, Leachville, Marked Tree and Lepanto, in Arkansas.

The extent of the damage suffered by houses in these situations cannot be determined owing to lack of communications.

Mississippi has not been affected by flood conditions as yet and the theatres of this city itself are not yet in danger.

Pittsburgh Danger Past

PITTSBURGH, Jan. 26.—The level of the rivers here has started to fall after having reached a crest of 35 feet. Theatre men are hoping that the danger has passed and business is again assuming a semblance of normalcy.

The Stanley reopened late this afternoon after having been shut for 24 hours. The house yesterday took the precaution to remove seats, carpets and valuable electrical equipment to avoid the possibility of a loss such as was suffered last year.

The Alvin, Penn and Barry are still manning pumps night and day in an effort to clear flooded basements.

May Use Planes in South

NEW ORLEANS, Jan. 26.—A river rise of 15 feet, bringing it within two feet of flood stage, is expected here about Feb. 1., according to a bulletin of the U. S. Weather Bureau. Damage to upstate points is already high and it is reported that film distributors are considering servicing the area by plane.

Benefit in Indianapolis

INDIANAPOLIS, Jan. 26.—An elaborate benefit show will be held at the Indiana here Thursday night for the relief of flood victims, with a minimum admission of $1. The entire proceeds will be turned over to the Red Cross. Virtually all theatres, exchanges and the Variety Club will participate. The performance will run for four hours.

Mayor John W. Kern is chairman of the committee in charge, assisted by Charles M. Olson, Carl Niesse, Marc J. Wolfe, Arthur Baker, Harry Markum, Roy R. Bair, George Landis, Kenneth T. Collins, Ted C. Nichols, and L. Ward Farrar. About 8,000 refugees are housed in public buildings and homes here. All theatres in Evansville, the largest Indiana city affected, are closed.

Home Grown Films

Denver, Jan. 26. — Sixteen mm. films are being shown by theatres in several Colorado cities. L. J. Finske, district manager for J. H. Cooper Enterprises, Inc., has installed in theatres in Greeley, Grand Junction, Pueblo and Colorado Springs high-priced 16 mm. projectors, for showing films taken by local 16 mm. enthusiasts, The pictures for the most part are of local sport events, festivals, fairs, and the like.

Report 50 Houses Closed

ST. LOUIS, Jan. 26.—About fifty theatres in 35 towns served by exchanges here are known to have ceased operations as a result of flood conditions. Among the localities affected are: Cairo, Rosiclare, Shawneetown, Cave-in-Rock and Galconda, in Illinois; New Madrid, Hornersville and East Prairie, in Missouri; Paducah, Bardwell, Wickliffe, Morganfield, Dixon and Marion, in Kentucky.

President Fred Wehrenberg of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois, assured the Red Cross that theatres in this area will cooperate to the utmost in the work of raising funds.

Name Short Subjects For Academy Award

(Continued from page 1)

of Education," Hal Roach; "Moscow Moods," Paramount.

2. Cartoons, black and white and color, one and two reels: "Country Cousin," Walt Disney; "Sinbad the Sailor," Paramount; "Old Mill Pond," Harmonizing.

3. Subjects in color not more than 3,000 feet: "La Fiesta de Santa Barbara," M-G-M; "Popular Science J-6-2," Paramount; "Give Me Liberty," Warners.

4. Black and white between 1,000 and 3,000 feet: "Dummy Ache," Radio; "The Public Pays," M-G-M; "Double Or Nothing," Warners.

Spanish Versions Set

HOLLYWOOD, Jan. 26.—George Hirliman has completed arrangements for the domestic and foreign release of Spanish versions of three Hirlicolor productions. Jack Barnstyn, Grand National foreign sales manager, left last week with prints to arrange for European distribution. The productions are "Devil on Horseback," "Captain Calamity," and "We're in the Legion Now."

Yamins Elected by N.E. Exhibitor Unit

(Continued from page 1)

president, Francis Lydon, second vice president, Adolph Bendsley, secretary, and Harold Stoneman treasurer. The executive committee will be composed of Edward Ansin, Elias M. Loew, Charles Hodgdon, Irving Isaacs, Walter Littlefield, William McLaughlin, Daniel Murphy, Francis Perry, Morris Pouzzner, George Ramsdell, Richard Rubin, Philip Smith and William Viano.

A local legislative committee to function on New England film bills was named. It includes Ansin, Levenson, Littlefield, Lydon and Business Manager Arthur K. Howard who was chosen unanimously to serve another year. Members voted to support legislation for the divorcement of producing and exhibition and to pledge a sum equal to one year's dues to be assessed one-eighth quarterly for two years. Lydon, Ramsdell, Jack Findley and Howard were named as a local defense committee.

Yamins presented Al Steffes who addressed the meeting, which was a closed session. Steffes outlined national defense plans, after which the annual report was submitted by Howard and accepted.

The substantial increase in the organization's membership during recent months was attributed largely to the insurance deal with Lloyds of London which was originated here by Howard and later extended nationally.

Reports Allied Meeting

NEW HAVEN, Jan. 26.—Jack B. Fishman today reported to the Allied Theatres of Connecticut the resolutions passed at the recent national Allied directors' meeting favoring the Duffy bill with Allied amendments and the Pettengill bill. A committee was appointed to investigate the Boston independent group insurance plan for possible adoption here.

Circuit Heads Are Schaefer Sponsors

(Continued from page 1)

Carolina; Frank C. Walker, vice-president of the Comerford circuit; Edward Beatty, general manager of the Butterfield circuit; George W. Trendle, president of United Detroit Theatres; John Balaban, vice-president of B. & K.; and Vincent McFaul, general manager of Buffalo Theatres.

With the drive in its first week, eastern branch managers yesterday conferred with Smith and Charles Stern, district manager, at the home office. Attending were Charles Kranz, Washington; Lou Wechsler, New Haven, Sidney Lehman, Buffalo; John Dervin, Boston; Harry Bodkin, Philadelphia; Charles Rosenzweig, New York. Salesmen from the local exchange and other home office representatives at the session included Moe Streimer, Nat Beier, Sam Rifkin, Eddie Mullins, Larry Brown, Sam Stern, Arthur Weinberger, Monroe Greenthal, David Burkan, Seymour Poe, Phil Dow, and John Wrege.

After the morning session, the men lunched at the Tavern. In the afternoon they attended a showing of "Kid From Spain," and in the evening the group saw "The Women," the Max Gordon show which is to be produced by Gordon and Harry Goetz under the Reliance banner for U. A. release.

Bad Weather Hurts K. C. Area Grosses

(Continued from page 1)

Kansas Cities and of other cities in the area have been warning persons to avoid crowds, which doesn't stimulate film attendance any. Even with good pictures, Kansas City first runs have felt the bite of the bitter weather.

Among the theatres closing are the Mida, D. J. Foley's house at Sweet Springs, Mo., permanently; L. E. McClelland's Rex at Gilman City, Mo., which has gone dark for a month. Both these houses depend somewhat on their trading areas for support, and bad weather has closed practically all country roads. The 41st Street Theatre in Kansas City, Mo., is remaining closed until moderation of the weather, according to H. A. Parker. **A. H.** Shafer has darkened the Strand, Kansas City, Mo., for reconditioning at the present time.

Close Omaha Paramount

OMAHA, Jan. 26. — With business handicapped by below-zero temperatures, hazardous streets and undue radio publicity on possibilities that Bank Nights may be declared illegal, Tri-States has been forced to close its 2,900-seat deluxe Paramount, effective tomorrow. After being dark a year, the house reopened last Oct. 22 and for a time appeared to be successful.

See 750,000 Joining Loew's Game Splurge

(Continued from page 1)

and Loew theatres in New Jersey and Westchester will be excluded. Cash awards totaling $3,500 will be given away on the second night.

A telephone hookup will be used to announce the winners simultaneously in the 55 houses. With the Metropolitan, Brooklyn, as the base, 75 telephone operators, each to serve nine houses, will be on the job. More than 5,000,000 coupons are expected to be deposited in lobby boxes.

Wall Street

Board Recessions General

	High	Low	Close	Net Change
Columbia, vtc.....	37¼	36	36	—1½
Columbia, pfd. ...	44¾	44⅛	44⅛	—1⅞
Consolidated	5⅝	5¼	5¼	.....
Consolidated, pfd..	17¾	17⅜	17⅜	— ⅛
Eastman	172½	171¼	171¼	—1¼
Loew's, Inc.	73	70⅝	71	—2½
Paramount Publix	27⅜	26⅛	27	+ ¼
Paramount 1 pfd..	190	183¾	190	+2
Paramount 2 pfd..	24⅝	23½	24⅛	.....
Pathe Film	9¾	9½	9½	— ⅛
RKO	8½	8¼	8¼	— ¼
20th Century-Fox.	37½	36½	36⅝	— ⅜
Warner Bros.	12	11⅛	11⅛	— ⅝
Warner, pfd.	34	34	34	— ¾

All Curb Issues Decline

	High	Low	Close	Net Change
Grand National ...	4	3¾	3¾	— ⅛
Sentry Safety	1¼	1	1	— ⅛
Sonotone	2¼	2⅛	2⅛	.....
Technicolor	21⅝	21⅜	21⅜	— ⅜
Trans-Lux	4½	4⅜	4⅜	— ⅛

Paramount Bonds Lone Gain

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	100¾	100½	100¾	— ⅛
Paramount Pict. 6s '55	100½	100¼	100½	+ ⅛
RKO 6s '41 pp....	121	120½	120⅛	—3⅛
Warner Bros. 6s '39 wd	100⅛	99⅞	100	— ⅛

(Quotations at close of Jan. 26)

Out —another large issue of

TEATRO AL DÍA

ADMINISTRACIÓN · EQUIPO · PROYECCIÓN · ACÚSTICA

PUBLISHED QUARTERLY

As part of the international service of the Quigley publications, Teatro al Día is published in Spanish and circulated to all the industry in the Spanish reading markets.

Devoted to the maintenance, equipment, construction and kindred phases of motion picture theatre operation, Teatro al Día is the only publication of its kind serving the industry in the Spanish World.

NEXT ISSUE APRIL, 1937

QUIGLEY PUBLICATIONS

NEW YORK • HOLLYWOOD • CHICAGO • LONDON

"Plainsman" Best Chicago Picture Draw

Chicago, Jan. 26.—Palace had the outstanding draw, with "Women Alone" doing $28,300 against an average of $19,000, thanks to George White's Scandals on the stage. The best film business was done by "The Plainsman," with $8,500, $3,000 over par.

"After the Thin Man" went over par by $1,500 at the United Artists, to do $16,500 in a third week, while "One in a Million" also was $1,500 over, grossing $33,500 at the Chicago.

Snow, sleet and rain cut heavily into grosses. The first cold spell of the year hurt to some extent but checked the flu epidemic which had been keeping many people away from theatres.

Total first run business was $136,100. Average is $115,000.

Estimated takings:

Week Ending Jan. 19:

"AFTER THE THIN MAN" (M-G-M)

UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 3rd week. **Gross:** $16,500. (Average, $15,000)

Week Ending Jan. 21:

"WOMAN ALONE" (G-B)

PALACE—(2,509), 35c-55c-75c, 7 days. Stage: George White's Scandals. **Gross:** $28,300. (Average, $19,000)

"ONE IN A MILLION" (20th-Fox)

CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: "June in January" Revue. **Gross:** $33,500. (Average, $32,000)

"JUNGLE PRINCESS" (Para.)

ORIENTAL—(3,490), 35c-55c, 7 days. Stage: Buddy Doyle and Revnue. **Gross:** $16,500. (Average, $15,000)

"LLOYDS OF LONDON" (20th-Fox)

ROOSEVELT—(1,591), 35c-55c-75c, 7 days, 2nd week. **Gross:** $12,000. (Average, $11,000)

"THE PLAINSMAN" (Para.)

APOLLO—(1,400), 35c-55c-65c, 7 days, 3rd loop week. **Gross:** $8,500. (Average, $5,500)

"MAN OF AFFAIRS" (G. B.)

GARRICK—(900), 35c-55c-65c, 7 days. **Gross:** $5,800. (Average, $5,500)

Week Ending Jan. 22:

"FLYING HOSTESS" (Univ.)

STATE-LAKE—(2,776), 20c-35c-40c, 7 days. Stage: "Spices of 1937" Revue. **Gross:** $15,000. (Average, $13,000)

Set Nat Furst Party

New Haven, Jan. 26.—A testimonial dinner for Nat Furst, recently promoted from the management of the New Haven Warner exchange to a similar post in Boston, and John Pavone, promoted from salesman to manager in New Haven, will be held Feb. 1 at the Hotel Taft. Harry Shaw, Poli New England, division manager, will handle the affair with a committee headed by Barney Pitkin, RKO, and including Harry Shaw, Edward Ruff, Paramount; B. E. Hoffman, Warner Theatres, and Sam Rosen, of Rosen Film Deliveries. Morris Roche has been named Warner salesman here in Pavone's place.

1,000 at K. C. Party

Kansas City, Jan. 26.—More than 1,000 attended the Variety Club-Film Row annual charity ball at Pla-Mor her last night. The affair included an elaborate floor show, for which George Baker, Lawrence Lehman, John McManus, Ralph Lawler, Bill Reinke, Stanley Chambers and Barney Joffee were responsible. Barker Arthur Cole was general chairman. The film industry is one of the few in this section that takes care of its own charity needs, and the money is raised by the annual ball.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Mama Steps Out"

(*M-G-M*)

Hollywood, Jan. 26.—Despite the fact that the situations are trite, this has been built into amusing program entertainment by the direction of George Seitz, the production of John Emerson and the screen play of Anita Loos, based on a play of John Kirkpatrick.

The plot revolves about Alice Brady, who is attempting to inject European culture into Guy Kibbee, her retired husband, and Betty Furness, their daughter. Moving the family to a foreign villa in order that Continental manners may be absorbed more readily, the family soon becomes involved in the petty chiseling and intrigues of Gregory Gaye, Ivan Lebedeff and Heather Thatcher. Later, complications are added by the development of a romance between Miss Furness and Stanley Morner. To this trouble is added a sit-down strike by the servants of the house. When things finally adjust themselves the family is glad to return to its native Indiana convinced that the American standards of living are the best after all.

An able supporting cast includes Gene Lockhart, Edward Norris, Mitchell Lewis and Frank Puglia. As good farce entertainment the picture should give satisfaction in the smaller towns and neighborhood houses.

Reviewed without production code seal. Running time, 71 minutes. "G."

"Park Avenue Logger"

(*Hirliman-Radio*)

Hollywood, Jan. 26.—A pleasing combination of stirring drama and light comedy make this one of the better B productions with special drawing power for neighborhood and small town audiences. Based on a *Saturday Evening Post* story by Bruce Hutchinson, adapted by Dan Jarrett and Ewing Scott, the story has those attributes that go to make a quality action picture.

George O'Brien is sent to his father's logging camp under an assumed name to receive a few hard knocks and to learn what real work is like. Immediately he learns of crooked dealings between Willard Robertson, his father's field boss, and Ward Bond, field boss of Lloyd Ingraham, a competitor, in which an effort is being made to secure the holdings of Ingraham. O'Brien secures evidence which exposes the conspirators and which wins him the hand of Beatrice Roberts, Ingraham's daughter.

Comedy relief supplied by Bert Hanlon and Gertrude Short is pleasing. O'Brien, who has ranked high as a western favorite in recent polls, should not lose any of his popularity through his efforts in this film. The photography by Frank B. Good is effective, especially in the logging camp sequences. David Howard directed and kept the picture running at an even pace throughout.

Production Code Seal No. 2,985. Running time, 64 minutes. "G."

Study Sunday Film Bills

Raleigh, N. C., Jan. 26. — The House measures to legalize Sunday films and baseball in Cherokee County have been referred to the Senate Judiciary Committee.

Offers Two Mass. Bills

Boston, Jan. 26.—A censorship and a Sunday film bill have been introduced into the Massachusetts legislature by Charles Hiller of Newton. The first calls for censorship of the use of allegedly obscene and sacrilegious language films and on the stage, and the second would ban vaudeville shows in theatres on Sunday from opening until 7 P. M.

See Mo. Tax Rate Hike

Jefferson City, Mo., Jan. 26.—Little opposition is expected from legislators gathered here to the increase from one to two per cent in the Missouri sales tax rate as recommended by Governor Stark. The one per cent rate has been in effect since 1935.

No Toronto Sunday Ball

Toronto, Jan. 26.—A move to permit Sunday baseball in Toronto has been squelched by the Civic Board of Control in turning down a proposal by Alderman Percy Quinn to amend the statutes.

The question was of paramount importance to theatre owners because of the general belief that the lifting of the lid on Sunday activities would pave the way for the operation of theatres on that day.

Bill on Passes Killed

Columbia, S. C., Jan. 26.—The House has killed the Witherspoon bill to prohibit theatres from giving free passes to certain groups, members of the General Assembly among them.

Kalmine to Vacation

Pittsburgh, Jan. 26.—Harry Kalmine, zone manager for Warners here, and his wife will sail on the *Britannic* tomorrow on their annual winter vacation.

Short Subjects

"Reel Vaudeville"

(*Vitaphone*)

A collection of routine acts, readed by Harry Rose, do their turns in this item. As the m.c., Rose introduces, with no great wit or novelty, the Three Queens, Carroll and Howe and the Bee Hee Rubyatee Troupe, dancers, comic singers and an acrobatic troupe, respectively. Production Code Seal No. 01,393. Running time, 11 minutes. "G."

"See Uncle Sol"

(*Educational*)

A comic burlesque of the perennial "good-will court" radio programs, Eddie Lambert plays the judge with heavy accent and, as he seeks to give advice, a number of well-timed and snappy acts are presented, giving an entertaining account of themselves. Production Code Seal No. 01,413. Running time, 11 mins. "G."

"The Land of Genghis Khan"

(*Twentieth Century-Fox*)

A Magic Carpet trip through the interior of Mongolia. Handsomely filmed and accompanied by an up-to-the-minute narrative, it manages some highly interesting moments. Reviewed without production code seal. Running time, 10 mins. "G."

"Free Rent"

(*Columbia*)

Comedy centering around life in a trailer is responsible for standard situations which, however, will supply the required laughs. Monty Collins and Tom Kennedy do the slapstick. Production Code Seal No. 2,767. Running time, 18 mins. "G."

Skouras, RKO Pool Here Is Discussed

(*Continued from page 1*)

to be held in Los Angeles this week between Leo Spitz, president of RKO, and Spyros Skouras.

Involved in the discussions are houses operated by the two interests on upper Broadway, Manhattan, and the Newark, N. J., and Jamaica, Queens, theatres. The list is reported to include Proctor's Palace and the Terminal, Newark; the Jamaica and Alden, Jamaica, and the Riverside, Nemo, Riviera, 81st St., Colonial, Hamilton, Coliseum and others in Manhattan.

Preliminary discussions are understood to have been held here between George Skouras and Nate Blumberg, earlier, and what may be final decisions are expected to be reached in the course of the conferences on the coast. Blumberg is now en route back to New York after conferences with Spitz.

Set Commonwealth Meet

Kansas City, Jan. 26.—The 25 managers of Commonwealth theatres in Missouri, Kansas and Iowa, will meet here Jan. 27-28 with C. A. Schultz, head of the circuit; O. K. Mason, and other circuit executives.

Managers will discuss the new tax laws (social security, unemployment, etc.) and Schultz will outline the new 13-week campaign which begins Jan. 31.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 23 NEW YORK, THURSDAY, JANUARY 28, 1937 TEN CENTS

New Season's Films Trend Toward Drama

All Studios Leaning on Vivid, Strong Yarns

By GUS McCARTHY

HOLLYWOOD, Jan. 27.—Production schedules for early 1937 definitely point to drama as the element in entertainment upon which all picture makers are concentrating. Not only is the trend toward drama, but it is swinging towards vivid and vigorous melodramatic drama.

A few already well identified pictures, "Parnell," "Michael Strogoff," "The Good Earth," "Souls at Sea," "Maid of Salem" and "The Black Legion," clearly indicate the pathway being followed. While the production mill will continue to grind out a grist encompassing the full entertainment gamut and there will be no lack of comedies, romances and musicals, three stages of picture making—those in preparation, presently shooting and recently completed—emphatically indicate the swing towards drama.

Naturally, as in any season wherein a particular form of production is receiving major attention, there is a

(Continued on page 6)

Greta Garbo's 1935 Salary Was $332,500

WASHINGTON, Jan. 27. — Greta Garbo received $332,500 in 1935 from M-G-M, it was revealed today in a supplementary income report filed by the Treasury Dep't with the House Ways and Means Committee.

Other high salaried M-G-M players included: Wallace Beery, $278,749; Joan Crawford, $241,403, and William Powell, $238,750. Salaries of others above $15,000 follow:

Clark Gable, $211,552; Madge Evans, $43,-

(Continued on page 6)

Equity Report Will Commend WPA Play

The work of the WPA theatre project will be commended as a means of popularizing the stage in a report to the council of Actors' Equity Ass'n to be submitted in the near future by Alfred Harding, editorial representative of Equity, who returned recently from a six-month study of theatre conditions in central Europe.

Subsidization of the theatre in Austria, Hungary, Poland, Czecho-Slo-

(Continued on page 6)

Radio News—Page 8

Freeman Sees Cut In B Film Output

That major studios will reduce the number of B pictures now being made as a result of exhibitor-distributor protests was the opinion expressed yesterday by Y. Frank Freeman, vice-president of Paramount in charge of the company's theatre operations, on his return to the city after a three-week trip which included production conferences at the studio and visits to some of the Paramount theatre operators in various sections of the country.

"There is no question about there being a definite place in the industry, and some real need for B product,"

(Continued on page 6)

Allied Urges Delay In Product Buying

WASHINGTON, Jan. 27.—Independent exhibitors are urged to defer 1937-'38 film buying until after the Allied States convention to be held in May at Milwaukee, in the current bulletin of the exhibitor organization which summarizes recommendations and action taken by the board of directors at the Baltimore meeting last week.

The bulletin makes it clear that Allied is not advocating a buyers' strike or the boycotting of distribution companies in urging exhibitors to defer their new season buying.

"The buying season should normally

(Continued on page 6)

Seek Statewide Open Sunday in Delaware

WILMINGTON, Jan. 27.—Delaware's Sunday film bill which is being drawn up by the law and legislative committee of the M. P. T. O. A. for presentation in the Legislature this session will call for statewide Sunday films and not local option, several exhibitors indicated.

Samuel Schwartz, representative of Warners, is chairman of the committee. Other members are Benjamin Shindler of Wilmington and Reese Harrington of Harrington, Del.

Several exhibitors pointed out that

(Continued on page 5)

Universal to Hold Coast Meet in May

Universal will hold its first international sales convention under the new regime in Los Angeles some time in May. All branch and division managers in this country and approximately 12 foreign exchange heads will attend.

A number of home office executives

(Continued on page 6)

Korda Deal Off

London, Jan. 27.—Alexander Korda's deal to produce a series of B pictures at Denham for Sam Smith of British Lion has been called off. The B program previously announced will be made by Robert T. Kane for 20th-Century-Fox release here.

No New Closings In St. Louis Area

ST. LOUIS, Jan. 27.—No additional theatres were added today to the list of those closed in this area as the Ohio River apparently had reached its crest west of the Indiana line.

The entire local industry determined to assist in a fund-raising drive at a special meeting today of the M.P.T.O. with exchange managers. Each of the 400 houses in this district not affected by the floods will participate in the drive which will open Friday night. A special sound trailer, with Leo Carrillo, now appearing at the Ambassador here, making the personal appeal for donations, will be used by every theatre.

C. D. Hill, Columbia manager, was named campaign manager by Fred Wehrenberg, M.P.T.O. president. Special benefit shows are planned by many houses in addition to the planned Friday night shows. Local first runs will join in a show at the Fox at an early date, at which a $1 admission will be charged. About $10,000 has

(Continued on page 7)

Thirteen More Loew Spots Shift Opening

With five theatres already opening on Thursday instead of Friday, 13 more Loew houses today will adopt this policy. They are the Tri-Boro, Kings, 116th St., Victoria, Rio, Inwood, Delancy, Commodore, New Rochelle, Mt. Vernon, Yonkers, Sheridan and Orpheum. "Rembrandt" and "Pennies from Heaven" will be the combination show in all units.

The five theatres which inaugurated the policy last week are the 83rd St., 72nd St., 175th St., Ziegfeld and Lexington.

Two Openings Make Century's Total 30

With the reopening of the Manor, Brooklyn, under the name of the Vogue, and the Bellerose, Bellerose, L. I., on Feb. 5, Century will have all 30 of its houses in operation.

The Vogue is undergoing alterations which include reducing the number of seats from 1,800 to 1,200. The

(Continued on page 7)

Philadelphia Police Halt Theatre Games

Exhibitors Get Two-Day Respite After Talks

PHILADELPHIA, Jan. 27.—Police descended on neighborhood theatres last night and forced the abandonment of Bank Night, Lotta, Bingo, Radio and other games of chance. The order was issued by Superintendent of Police Hubbs, said to be acting for Mayor Wilson.

Fifty independent exhibitors, representing part of the 75 theatres affected by the ruling, held a stormy session today at U.M.P.T.O. headquarters and sent a committee to confer with Director of Public Safety Emanuel in the Mayor's absence. Lewen Pizor, U.M.P.T.O. president; Norman Lewis, Emanuel Lewis, Herb Elliott, Samuel Kantor, Samuel Somerson and David Milgrim acted for the exhibitors and secured a two-day respite on the order.

Games will be undisturbed tonight and tomorrow night, but the campaign will be resumed Friday unless the order is rescinded. If the order holds, exhibitors will seek an injunction or launch a test case.

Mayor Wilson said the order had

(Continued on page 7)

Frels' Dallas Suit Comes Up on Feb. 17

Rubin Frels' anti-trust suit against Jefferson Amusement Co. and major distributors for triple damages amounting to approximately $500,000 is scheduled to come to trial on Feb. 17 in the Dallas Federal Court, it was learned yesterday.

Last May a demurrer by the defendants was sustained with the proviso that Frels could file an amended petition, which he has done.

Representing Frels will be Pat Russel, Dallas attorney; Touchstone,

(Continued on page 5)

Playdate Promises Denied by Rodgers

William F. Rodgers, general sales manager of Loew's, disclaims any knowledge of his sales force making promises to independent exhibitors to the effect that Loew's would play M-G-M product a specific number of days, it was revealed yesterday.

Rodgers has sent a letter to the I.T.O.A., in response to a telegram protesting the Loew theatre plan for

(Continued on page 6)

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Blumenthal Sailing

A. C. Blumenthal, who has been acting as intermediary in the Loew's-20th Century-Fox-G. B. deal, is scheduled to sail for London tomorrow on the *Aquitania.* He is understood planning to spend four weeks in England for conferences with the Ostrers on the three-company alliance.

Skouras in Portland

Portland, Jan. 27.—Spyros Skouras, William Powers and Edward Zabel are holding midwinter conferences here with Hamrick-Evergreen officials of this city and Seattle.

James Thornton Dead

Providence, Jan. 27.—James Thornton, operator of the Palace, Majestic and Gem theatres at Arctic, R. I., died yesterday.

Loach Pathe Treasurer

Thomas P. Loach yesterday was elected treasurer of Pathe by the board of directors. He also is secretary of the company.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Outcast"

(Major Prod.-Paramount)

Hollywood, Jan. 27.—Aptly titled, this is human interest drama with powerful audience appeal. Intelligently produced, directed and acted, it contains those down-to-earth qualities in dialogue, action and situations that appeal alike to mass and class, leaving memorable impressions. Pointing a stern but compassionate moral, it is an indictment of worldly judgment fired by savage fury. In its atmosphere a blend of "The Country Doctor" and "Fury" motives, it features Warren William, Karen Morley, Lewis Stone, Esther Dale, John Wray and Jackie Moran in skillfully handled and realistic performances.

William, a doctor acquitted of a murder charge, is shunned by his brother physicians. Broken in spirit, he lands in a small town where, heartened by the inspirational guidance of Stone, he sets up as a country doctor. He is pursued by Miss Morley, sister of the allegedly murdered patient, bent on revenge and determined to completely wreck his career. He wins her respect, however, when he performs the doctor's greatest duty of bringing a new life into the world under most difficult circumstances.

Idolized by his townsfolk, William is detested by Miss Dale, mother of Moran, and a dealer in quack nostrums. Miss Dale, on the day that Miss Morley is ejected from her boarding house as a bad woman, finds the clippings concerning the earlier murder trial of William. At the same time, Moran, her son, falls grievously ill. Responding to the appeal of Wray, the boy's father, William operates to save the lad's life as Miss Dale publishes the scandal and later causes her son's death by destroying the results of William's operation.

Infuriated by the written and spoken words of Miss Dale, the townspeople are convinced that William is a murderer and plan mob violence against him. William and Miss Morley are saved from lynching only by the masterful plea of Stone, which shames Miss Dale into the confession of her mad act.

Built from those qualities which invoke audience sympathy for all the characters, the film avoids artificial theatrics. It generates interest quickly and holds it constantly. Based on an original by Frank R. Adams, the screenplay is the work of Doris Malloy and Dore Schary and is intelligently prepared to include those elements having definite entertainment value. In his direction, Robert Florey elected to concentrate on unvarnished human drama, permitting the leads in the cast to act in a natural manner as human beings rather than merely as shadows on the screen.

Production Code Seal No. 3,007. Running time, 75 minutes. "G."

Looking 'Em Over

"High Treason"

(Treo-Real Art)

Offering little differing from the treatment accorded the story as written by Ethel M. Dell, this English film is barely suitable for double billing.

The trite tale, with situations that are only possible in Miss Dell's romantic novels, concerns the plight of a young, mischievous English girl who falls in love with a French officer while visiting on the continent. Forced to spend the night with him when a landslide blocks the passage to a cave where they were celebrating her birthday, the girl, reproved by her guardian, is sent home. John Garrick, the lover, fights a duel with one who would defame her. The defamer frames the robbery of Garrick's rapid fire gun plans and sells them to foreign agents. Garrick is degraded following a trial and sent to Devil's Island. Later the girl marries her long-ignored champion and 10 years later the spectre of blackmail looms. But Garrick, pardoned, arrives in time to settle with his betrayer and the piece ends accordingly. The story is told in flashback. It starts when Winifred Shotter, who plays the leading feminine role, many years later visits her old lover's deathbed. Following the relating of the tale, she dies.

The performances by the leads are passable. Lewis Shaw as Miss Shotter's brother gives the only standout characterization. The cast includes Leslie Perrins, Michael Shepley and Athene Seyler. Henry Edwards directed.

Production Code Seal No. 0,706. Running time, 62 minutes. "G."

(Additional reviews on page 5)

Security Ruling Is Made on Operators

By BERTRAM F. LINZ

Washington, Jan. 27.—Substitute projection machine operators are employes of the exhibitor for the purpose of the taxes of the Social Security Act, it was held today in a ruling published by the Internal Revenue Bureau.

The bureau's opinion was rendered in answer to an inquiry as to the status under the tax for unemployment compensation of an operator who substituted for a regular man. The regular man under a contract between the theatre and the union was permitted to work 36 hours a week. During a certain week he worked only 30 hours, being relieved by another operator. The regular operator was paid by the exhibitor for 36 hours and paid to the union the amount received for the six hours' work performed by the substitute, to whom the union turned over the money.

Records for Both Necessary

The ruling held that the wages received by both operators were with respect to employment and that both were under the control of the theatre during their respective periods of employment. It was held, therefore, that the relief operator as well as the regular operator was an employe of the theatre, and that the theatre "must deduct from the wages paid by it the amount of the income tax on employes imposed by Section 801 and must pay the excise tax imposed by Section 804 in respect of the wages paid to both employes, with a proper allocation of the tax to cover the wages received by each. The theatre is required to carry both men as its employes and to keep such records and make such reports as will show the employment of both."

The foregoing rule, it was stated, also applies to the taxes under Title IX of the Act relating to old-age pension taxes.

Flash Preview

"Masquerade in Vienna"—Being the Austrian-produced version of the same picture made in 1935 by M-G-M, this offers equally strong entertainment value.

This film will be reviewed in full in a coming issue of Motion Picture Daily.

20th-Fox Signs Styne

Jule Styne, formerly Harry Richman's pianist, has been signed to a long term contract with Twentieth Century-Fox to handle vocal arrangements and coach singers. Lou Irwin acted in the deal.

Danielle Darrieux Contracted

Hollywood, Jan. 27.—Universal has signed Danielle Darrieux, European player, on a five year contract. She recently finished the lead opposite Charles Boyer in "Mayerling" in London.

Selznick Casts March

Hollywood, Jan. 27.—Selznick International has signed Fredric March for "Let Me Live," to be produced by E. Lloyd Sheldon in Technicolor.

Hudson Joins G. N.

Portland, Jan. 27.—Edward Hudson, formerly with Paramount, has been named Oregon manager for Grand National.

"'STOLEN HOLIDAY' possesses ALL the attributes that have given KAY FRANCIS a wide and loyal following!"

Daily Variety

Selected by

WARNER BROS.

As the Production Big Enough

To Follow 'BLACK LEGION'!

KAY FRANCIS in 'STOLEN HOLIDAY'

With an Exceptionally Brilliant Cast of Supporting Artists

CLAUDE RAINS • IAN HUNTER • Alison Skipworth

Alexander D'Arcy • Directed by MICHAEL CURTIZ

A First National Picture

Eytinge Loses Suit To Regain Negatives

Justice James T. Hallinan in Brooklyn Supreme Court yesterday denied a motion by Bruce Eytinge, a World War aviator, for an order to compel H. E. R. Laboratories and its subsidiary, Aladdin Pictures, to turn over to him the negatives and all prints of "The First Ten Years of Flying" and "Exhibition Days."

Eytinge stated in his complaint that the films were being held on a lien which he alleged was invalid. He had a five-year contract with the defendants, he said, for distribution of the films and a 60 per cent royalty for himself. The defendants submitted that they had gone into bankruptcy and had foreclosed on the liens on the pictures to satisfy expense and service charges amounting to $16,829.

In dismissing the motion the court held that it lacked jurisdiction and was powerless to force the litigants to do anything. The plaintiff has a suit pending for an accounting and an injunction to restrain the defendants from further commercial use of the films.

Coast Testimony in N. Y. Suit Ordered

An order was granted by Judge William Bondy yesterday to have a commissioner take the testimony in California of certain witnesses in the suit of Mihran K. Andreasin against Warner Bros. Pictures, Inc. The plaintiff is a retail rug and carpet merchant. In Dec., 1933, Warners produced a picture called "From Headquarters" in which appeared an Armenian rug dealer called Anderzian and described as a thief and blackmailer.

The plaintiff asks for $100,000 damages, claiming that his reputation was hurt. The parties to be examined are the author of the play, Robert N. Lee, and Peter Milne, the director, William Dieterle and the associate producer, Hal B. Wallis.

Enjoin Bruno Laboratories

A consent decree was signed yesterday by Judge William Bondy permanently enjoining William A. Bruno and Francis T. Kopple who are doing business as the Bruno Laboratories from using certain patents. The action was brought by RCA for an injunction and damages for infringement of three patents covering microphones.

Extend Knickerbocker Stay

An order was signed yesterday by Judge William Bondy extending to Knickerbocker Theatres, Inc., time to file its record of appeal to March 1, 1937. On July 16, 1936, Louis Schneider, as president of Knickerbocker, filed a bankruptcy petition for the corporation. Charles Steiner, vice-president, opposed the bankruptcy, saying that the president had no authority to file such a petition. On Oct. 5, 1936, Judge Samuel Mandelbaum dismissed the proceeding and an appeal is now being taken.

Terre Haute Hard Hit

Terre Haute, Jan. 27.—Terre Haute's street car and bus strike, which has tied up transportation in this city and in West Terre Haute for more than a week, seems to be deadlocked.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Two Wise Maids"

(Republic)

Hollywood, Jan. 27.—The fight of an old maid school teacher to keep her position in spite of a trend toward younger teachers fostered by a principal and school board and accusations of a student's mother that the teacher had struck her son go to make this excellent entertainment.

Things look dark for Alison Skipworth, the teacher, until at a school board meeting which is to decide her fate a body of former students, including bakers, actors, a prizefighter and truck drivers arrive in time to give character testimonials which make Jackie Searl, accusing student, so ashamed of himself that he confesses he received his black and blue marks in a fall from a transom while trying to steal examination questions. Miss Skipworth is exonerated and given back her job.

Phil Rosen's direction packs the picture with human and touching sequences that will take most anyone back to school days. Ample comedy relief is furnished by Harry Burns and Louis Alberni. These qualities supply smooth-running entertainment which will hold up any double bill and should help Republic at the box-office.

Marcia May Jones, juvenile actress, received acclaim from a preview audience in her big scene. Polly Moran as Miss Skipworth's running mate, and Jackie Searl are both good, as are Hope Manning, Donald Cook, Lila Lee and Maxie Rosenbloom.

The story is by Endre Boehm, the screenplay by Sam Ornitz and the photography by Ernest Miller. Exploitation should be aimed at the kids.

Production Code Seal No. 2,984. Running time, 84 minutes. "G."

Overseas Previews

"Thunder in the City"

(Atlantic-Columbia)

London, Jan. 18.—Alexander Esway's production for Atlantic Films is being distributed in England by United Artists and in America by Columbia. Edward G. Robinson is the big selling value and it is a strong cast all around with Nigel Bruce, Constance Collier, and Ralph Richardson supporting Robinson and the woman lead, Luli Deste.

There are good audience values in the story of an American go-getting salesman, who loses his job and takes his ex-employer's hint to try England and learn the value of dignity in business. Contacting a duke who is a distant relative, the salesman finds that he owns mines of a metal lighter than aluminum and stronger than steel and that an English financier is after the metal, also the duke's daughter. Without a cent in his pocket, the American "buys" the mines and then by the wildest stunt methods persuades the public to put $5,000,000 in a company to work them. Then he finds his English rival controls the only process of working the metal. However, his luck and his love hold.

Robinson's role is comedy, slickly presented. There is a lot of good-humored joking about American and English business methods with the pokes evenly divided. Bruce gives a very good picture of the unconventional duke. Ned Mann provokes some clever effects, including a convincing presentation of Zeppelins flying over London, in one of the ingenious Ed's publicity stunts.

It's a lively skit of the high-pressure salesmanship, well directed by Marion Gering, and gives the showmen a chance to put over some salesmanship in his turn with the ballyhooing duke as the most obvious peg to hang the talk on.

Running time, 76 minutes. "G."

Allan

"The Plough and the Stars," this morning's opener at the Radio City Music Hall, was previewed by wire from the coast on Dec. 23.

"Three Smart Girls" at the Roxy, "The Plainsman" at the Paramount, "Camille" at the Capitol and "Great Guy" at the Criterion, are holdovers.

"Stolen Holiday," reviewed by wire from Hollywood on Dec. 17, will open Saturday morning at the Strand.

Elliott to Leave Soon

Hollywood, Jan. 27.—Clyde E. Elliott and his technicians will leave Los Angeles on the *Asama Maru* Feb. 1 for Malaysia to be gone seven months in the production of "Asia Roars."

A contract for sponsorship of the expedition by the California Zoological Society was signed by Edgar Rice Burroughs.

Frels' Dallas Suit Comes Up on Feb. 17

(Continued from page 1)

Wight, Gormely & Price and Abram F. Myers. For the defense will be the Dallas legal firm of Thompson, Knight, Baker & Harris, for the distributors, in addition to personal counsel for Sol E. Gordon and Joe Clemmons.

Theatres operated by Frels are in Victoria, El Campo and Yorktown, all in Texas. The Belleville, Belleville, which Frels dropped some time ago, is included in the complaint.

The trial is expected to last a week.

Modify Bruce Grant Suit

An order was signed yesterday by Federal Judge Clancey discontinuing action against all defendants except Jack Lait in the suit of Bruce Grant against Lait, Paramount, Charles R. Rogers and Midtown Theatre Corp. The suit is for $50,000 damages, Grant asserting that he wrote "The Girl Without a Room" in 1929 and submitted it to Lait who was then connected with King Features. In 1931 Lait sold the story to Paramount which produced it, acording to Grant, who adds that it is an infringement on his story.

Fuller-Rock Action Starts

London, Jan. 27.—Leslie Fuller's suit against Joe Rock for £2,050 claimed due as salary started today before Justice Charles.

The defense is that Fuller misrepresented the takings on his B. I. P. pictures as £40,000 to £60,000. Rock says he later discovered the take was only £20,000. Wardour was subpoenaed, but was allowed to state the actual grosses on paper instead of publicly.

Seek Statewide Open Sunday in Delaware

(Continued from page 1)

the bill should be statewide instead of local option because a number of downstate exhibitors complained that Wilmington would easily secure Sunday films under referendum while many downstate communities are doubtful. In this event, downstate exhibitors argued, the rural population would attend first run shows in Wilmington on Sundays which would arrive in lower Delaware houses later.

Hint New Phila. Taxes

Philadelphia, Jan. 27.—Films here are threatened with new tax levies. Hinging on anticipated revenue from the state that would give Philadelphia a larger share in returns from gasoline and automobile license taxes, Mayor S. Davis Wilson foresees the possibility of additional local levies before the end of the year.

Should new taxes be necessary, the mayor said, levies will be placed on vending machines, conduits used by utility companies and possibly on films.

Flu Closes Two Houses

Ainsworth, Neb., Jan. 27.—Because of the flu epidemic, local authorities have ordered Roy Syfert's New Ainsworth and R. R. Baily's Royal to close for the duration of the emergency. Public schools also are closed.

New Season's Films Trend Toward Drama

(*Continued from page 1*)

cleavage. This year the pictures are being divided between dramas and films that follow the "My Man Godfrey," "Theodora Goes Wild" and "Libeled Lady" vogue in the majority of cases.

Analyzing production schedules from four angles, films just finished, currently in work, set for shooting and in preparation, especially considering the show window and Class A features, dramas account for almost three-quarters of the product. Every leading studio is included in the list. In the business of fortune telling, reading the public's mind and anticipating its desires in advance, the following tabulation shows how production is pre-interpreting theatre-goer desire.

Drama

Title	Company
The Drag Net	Burroughs-Tarzan
Lost Horizon	Columbia
23½ Hours Leave	Grand National
Borrowed Time	Invincible
Captains Courageous	M-G-M
The Good Earth	M-G-M
Man of the People	M-G-M
Parnell	M-G-M
Madame Waleska	M-G-M
Night Must Fall	M-G-M
Espionage	M-G-M
They Gave Him a Gun	M-G-M
A Doctor's Diary	Paramount
The Love Trap	Paramount
Internes Can't Take Money	Paramount
The Years Are So Long	Paramount
John Meade's Woman	Paramount
Maid of Salem	Paramount
Souls at Sea	Paramount
Spawn of the North	Paramount
Beau Geste	Paramount
Buccaneer	Paramount
Angel	Paramount
I, James Lewis	Paramount
Bluebeard's Eighth Wife	Paramount
Gambler's Maxim	Paramount
Kid from Paradise	Paramount
The Woman I Love	Radio
Michael Strogoff	Radio
Rough, Ready and Handsome	Radio
Wings of Mercy	Radio
Gunga Din	Radio
She Sang for Her Supper	Radio
A Love Like That	Radio
Slave Ship	20th Century-Fox
Nancy Steele Is Missing	20th Century-Fox
Dead Yesterday	20th Century-Fox
Seventh Heaven	20th Century-Fox
That I May Live	20th Century-Fox
Private Enemy	20th Century-Fox
Think Fast, Mr. Moto	20th Century-Fox
Midnight Taxi	20th Century-Fox
Wee Willie Winkle	20th Century-Fox
Drums Along the Mohawk	20th Century-Fox
You Only Live Once (Wanger)	U. A.
Castles in Spain (Wanger)	U. A.
Wuthering Heights (Wanger)	U. A.
Personal History (Wanger)	U. A.
Stella Dallas (Goldwyn)	U. A.
Hurricane (Goldwyn)	U. A.
I Give You Life (Selznick)	U. A.
Gone With the Wind (Selznick)	U. A.
Billy, the Kid (Selznick)	U. A.
The Stones Cry Out	Universal
Night Key	Universal
Black Legion	Warner
Another Dawn	Warner
San Quentin	Warner
Marked Woman	Warner
Slim	Warner
Story of Emile Zola	Warner
Stolen Holiday	Warner
Green Light	Warner
White Bondage	Warner
Total	64

Dramatic Romance

Title	Company
When You're in Love (music)	Columbia
Nightingale Flies Home (music)	Columbia
Devil's Playground	Columbia
I Promise to Pay	Columbia
Women of Glamor	Columbia
Two Shall Meet	Grand National
Wife vs. Secretary	M-G-M
Outcast	Paramount
Quality Street	Radio
Toast of New York	Radio
Criminal Lawyer	Radio
50 Roads to Town	20th Century-Fox
Wings of Morning	20th Century-Fox
History Is Made at Night (Wanger)	U. A.
Summer Lightning (Wanger)	U. A.
Prisoner of Zenda (Selznick)	U. A.
A Star Is Born (Selznick)	U. A.
Call It a Day	Warner
Kid Galahad	Warner
Her Husband's Secretary	Warner
Mountain Justice	Warner
Total	21

Comedy Romance

Title	Company
College Hero	Columbia
Weather or No	Columbia
You Can't Take It With You	Columbia
Night Before Christmas	Columbia
Last of Mrs. Cheyney	M-G-M
Dangerous Number	M-G-M
Man in Her House	M-G-M
High, Wide and Handsome	Paramount
Outcasts of Poker Flat	Radio
Satisfaction Guaranteed	Radio
Women Are Poison	Radio
You Can't Beat Love	Radio
Love Is News	20th Century-Fox
Cafe Metropole	20th Century-Fox
Wake Up and Live	20th Century-Fox
Woman's Touch (Goldwyn)	U. A.
World's Our Oyster (Selznick)	U. A.
Girl Overboard	Universal
She's Dangerous	Universal
The Go-Getter	Warner
King and The Chorus Girl	Warner
Total	21

Musicals

Title	Company
Maytime	M-G-M
Broadway Melody of 1937	M-G-M
Nobody's Baby (Roach)	M-G-M
Pick a Star (Roach)	M-G-M
Swing High, Swing Low	Paramount
Waikiki Wedding	Paramount
Mountain Music	Paramount
Cuckoo College	Paramount
Double or Nothing	Paramount
Big Broadcast of 1937	Paramount
One More Spring	Paramount
Madame Butterfly	Paramount
Victor Herbert	Paramount
Show Business	Paramount
Stepping Toes	Radio
New Faces of 1937	Radio
Radio City Revels	Radio
On the Avenue	20th Century-Fox
Goldwyn Follies (Goldwyn)	U. A.
Vogues of 1938 (Wanger)	U. A.
Ready, Willing and Able	Warner
Singing Marine	Warner
Golddiggers of 1937	Warner
Total	23

Comedy

Title	Company
A Day at the Races	M-G-M
Saratoga Chips	20th Century-Fox
Mrs. Merica	Radio
Harold Lloyd Picture	Paramount
Artists and Models	Paramount
Bag o' Tricks	Paramount
Marry the Girl	Warner
Total	7

Historic Adventure

Title	Company
Marco Polo (Goldwyn)	U. A.
Tom Sawyer (Selznick)	U. A.
Man from Kimberly	Warner
Total	3

Substantiating these 139 leading productions scheduled for early year activity is a full complement of secondary features. Westerns are not ignored as all the cowboy stars are slated to ride again many times. Nor have the character stories been forgotten as the Charlie Chans, American Family series, the Perry Masons, Oscar Piper, Hildegrade Withers and Jeeves will again appear. With the number of pictures set for production greatly exceeding that of any other year's first quarter, Hollywood won't have much time for any kind of business this season than that of turning out pictures.

U. A. Sets Far East Deal

United Artists will distribute in the Orient and Far East a series of six one-reel color shorts titled "Popular Science Featurettes," produced by Jerry Fairbanks for Scientific Films, Inc., of Hollywood.

No Profits

Boston, Jan. 27.—"Neither your films nor any other major product has made any money for me during the last couple of years. The percentage pictures eat up all I make on the regulars." So stated a New England theatreman to a salesman.

"No. I can't see you next week. I'm leaving for Florida."

Allied Urges Delay In Product Buying

(*Continued from page 1*)

open in May," the bulletin points out, "and the suggestion that exhibitors postpone buying until after the convention certainly is not unreasonable."

The bulletin also asks independent exhibitors to contact their Congressional representatives to enlist their support for the Neely-Pettengill Bill and the Allied approved copyright legislation. It also asks exhibitors to ascertain the chances for passage by state legislatures of measures to prevent producers-distributors from owning or operating theatres and to prevent compulsory designation of playdates. The introduction of such measures will be confined for the time being to those states where their chances of being passed are good, according to the bulletin.

Equity Report Will Commend WPA Play

(*Continued from page 1*)

vakia and Roumania has succeeded in making drama available to even the poorest classes and in the smaller cities and towns of those countries, Harding said. Extending and making permanent the WPA theatre projects in this country could accomplish the same results, he believes.

Theatre seasons of from six weeks upwards are the rule in all corners of central Europe, Harding found. During the seasons, well produced and directed plays, with professional casts, are available at admissions ranging from 20 cents to $2.00.

American films, Harding said, account for more than half of the screen fare of the people in the countries visited. The Paramount and M-G-M organizations in central Europe impressed him as being particularly strong.

Harding's visit was made at the invitation of the Kosciusko Foundation and with the cooperation of central European governments who want their theatre activities better understood in this country.

Playdate Promises Denied by Rodgers

(*Continued from page 1*)

five-day bookings instead of four. The letter is being turned over to Milton C. Weisman, attorney for the independent exhibitor unit.

Although similar complaints were sent to Columbia, United Artists, Universal and Paramount no word has been received from any company.

Freeman Sees Cut In B Film Output

(*Continued from page 1*)

Freeman said. "Pictures of that kind fill a definite need of the smaller theatres and of double featuring. However, so many of them are being made now in proportion to the number of A pictures being produced that the larger theatres are forced to exist on them from time to time. They cannot do so successfully."

Freeman pointed out that major studios were turning out from three to five B pictures for every A picture produced, and expressed the opinion that, from the theatre operator's viewpoint, there should be not more than one B picture for every A picture, and that even fewer would be preferable.

The first significant protest against the mounting proportion of B pictures was registered by Paramount theatre operators meeting with home office and studio officials in product conferences held earlier this month in conjunction with the silver jubilee dinner to Adolph Zukor at the studio.

Calls for United Action

"The studio has not advised us yet what it proposes to do about B product," Freeman said, "but I think some attention will be paid to the views expressed, not only by our own studio but by other studios, as well. The problem is not created by the policy of any one company. It is the result of similar policies being pursued by all, and it cannot be solved by one company, alone."

Freeman vacationed for a time in Phoenix with Harry Nace of Publix Rickards & Nace circuit, and E. V. Richards of the Saenger circuit, and visited with Paramount theatre operators in Salt Lake City, Chicago and other centers in the far west and middle west before returning here.

Greta Garbo's 1935 Salary Was $332,500

(*Continued from page 1*)

733; W. C. Fields, $50,000; Jean Hersholt, $48,712; William K. Heyward, director, $108,083; Jerome D. Kern, song writer, $78,000; Frank Lloyd, director, $156,000; Herbert Marshall, $67,883; Una Merkel, $37,916; Frank Morgan, $70,995; Chester Morris, $56,200; Ramon Navarro, $62,500; Edna Mae Oliver, $58,166; Maureen O'Sullivan, $26,700; May Robson, $33,499; Lewis Stone, $58,083; Gloria Swanson, $53,000; Franchot Tone, $73,124; Spencer Tracy, $36,250; Elizabeth Allan, $40,041; Robert Benchley, $28,250; Charles Butterworth, $56,124; Maurice Chevalier, $53,000; James Durante, $45,437; John Emerson and Anita Loos, $89,750.

Samuel Goldwyn, Inc., salaries included: Walter Huston, $16,000, and Edward G. Robinson, $41,666.

Eddie Cantor received $150,000 for the 1936 fiscal year from Samuel Goldwyn, Inc., while Samuel Goldwyn, as president, received $182,000. The same company paid Howard Hawks, $61,055; Miriam Hopkins, $171,416; Jane Murfin, $92,625; Joel McRea, $78,000; Norman Taurog, $80,000. Louis K. Sidney of Loew's, stage presentations, $61,250; Floyd B. Odlum, Atlas Corp., $100,000.

Universal to Hold Coast Meet in May

(*Continued from page 1*)

will be on hand for the annual sales palavers, including Nate Manheim, foreign head.

The company has already picked "Wild West Days," adapted from W. R. Burnett's novel, "Saint Johnston," as one of its four serials for next year.

No New Closings In St. Louis Area

(*Continued from page 1*)

already been raised by local theatres and exchanges, including $7,000 by Station KMOX, through the efforts of Johnny Perkins, master of ceremonies at the Ambassador.

Camera Crews Busy on Flood

Covering a flood the entire length of the Ohio River has the Movietone News outfit run ragged, according to Truman Talley. Twelve of the regular men are in the field and free lance cameramen are being used. One of these, Robert Butler, Indianapolis, suffered a head injury requiring 12 stitches when his car crashed in an undermined area.

Webber Hall and J. Crochett of the Memphis crew drove 52 hours between Little Rock and Louisville to relieve Phil Hardden for duty in Indianapolis. Jack Barnett, Kansas City staff man, was marooned for 20 hours in the Ohio before being rescued by Coast Guardsmen.

Edmund Reek, news editor, and Jack Haney, assignment editor, have had little sleep for a week.

Air crews have averaged 10 hours each in the air in bad weather.

Universal Newsreel has a camera staff of almost a dozen men stationed at strategic points along the Ohio River flood course, operating under the direction of Charles Ford, editor, and Norman Alley, his assistant, who is covering the Indiana territory by plane and flying the film collected from the cameramen into New York.

Alley recently switched his headquarters from Dayton to Indianapolis. Howard Winner, cameraman, is at Evansville, using a 12-foot rubber boat to get closeup shots of the flood scenes. Ted Schaefer is covering Cincinnati; Max Markman, Jeffersonville; Sam Savit and Thomas Proffitt, New Albany; Irving Smith, Evansville, and other cameramen are stationed at Cairo, Portsmouth and Marietta.

Use Houses as Hospitals

Theatres accessible to the flood areas are being converted into temporary hospitals and refugee camps, it was learned here yesterday. While most of the theatres in Louisville and Cincinnati are not in operation, damages, according to home office circuit representatives, are said to be slight.

Terre Haute Gives Benefit

Terre Haute, Jan. 27.—Many local theatres are planning to give relief benefit shows to assist the American Red Cross to care for the sufferers of the Ohio valley flood district. The Rex and Fountain were the first to announce these benefit shows here.

Fred Beetson Heads Industry Flood Relief

Hollywood, Jan. 27.—Fred W. Beetson today was named to supervise solicitation of flood relief funds within the industry by D. C. MacWaters, chairman of the Los Angeles American Red Cross.

M.P.P.D.A. has already subscribed $5,000 to the local fund.

A benefit performance, presided over by Charles Butterworth, was held tonight at the Knickerbocker.

Purely Personal

S. Barret McCormick and Howard Benedict will leave today for Washington where they will meet Joe E. Brown arriving from Hollywood.

•

J. J. Unger and Milt Kusell are due today from Philadelphia. They have made a tour of Paramount exchanges after attending the Zukor Jubilee birthday party at the studios.

•

Louis Astor, circuit sales supervisor for Columbia, leaves Saturday for a tour of exchanges in connection with the "Columbia Montague Sweepstakes."

•

Lou Irwin didn't get in yesterday, after all. He was scheduled to leave the coast by air, but changed to the train the last minute and is now due on Monday.

•

Harry Moskowitz, head of Loew's construction department, has gone to Pittsburgh and from there will head for Louisville and Evansville.

•

Mack D. Weinberger, general sales manager of General Pictures, returns today from a trip to Philadelphia and Washington.

•

John Trent, erstwhile transport plane pilot, who has a role in "A Doctor's Diary," will arrive today by the air route.

•

Harry M. Warner and S. Charles Einfeld returned from the coast yesterday. Warner had been gone about two months.

•

Sol Lesser and Mrs. Lesser are returning to this country on the *Berengaria.* Joe Pollak is on the *Washington.*

•

Arthur Menken of Paramount News left via American Airlines last night for Memphis to cover the flood.

•

Helen Jaffe of the 20th Century-Fox eastern scenario department will be married today to Aaron Klinger.

•

Harlan and Mrs. Thompson (Marian Spitzer), Boris Morros and T. J. Lesser are at the Waldorf-Astoria.

•

Matt Taylor yesterday sold his short story, "Loser's End," to Loew's. It will appear shortly in *Collier's.*

•

Col. H. A. Cole will leave today for Washington and after a few days there will head for Dallas.

•

Eddie Duchin yesterday made some scenes at the Biograph studios for Republic's "Hit Parade."

•

Harry Weiner, Philadelphia Columbia manager, was in town for the day yesterday.

•

A. H. Schwartz will sail next week on the *Statendam* for a West Indies cruise.

•

Louis Phillips, Paramount attorney, got back yesterday from New Orleans.

•

Herman Gluckman is scheduled to return from Hollywood on Feb. 8.

•

Mitchell Klupt is down with the flu.

Al Steffes left yesterday for Minneapolis. He arrived earlier in the day from Boston where he spoke before Independent Exhibitors, Inc., of New England.

•

Cyril Von Baumann, recently returned from Ecuador where he flew over Mt. Chimborazo, is editing the film of the trip. When released the short will be known as "Flight Over Chimborazo."

•

Lamar Trotti, formerly Hays office attache and for some time a scenarist for 20th Century-Fox, left for Hollywood yesterday following a visit here.

•

James Clarke, who has joined the RKO home office accessory staff, is making a circuit of the company's exchanges.

•

Robert Robinson of TWA will fly to the coast Friday for a week's vacation.

•

Arthur T. Horman's story, "Ballyhoo Artist," has been purchased by Radio.

•

Jackie Cooper, in from the coast, is at the Waldorf-Astoria.

•

Lynn Farnol back from the coast.

British Nat'l Unit Here Is Abandoned

British National of America, Ltd., originally formed late in November as an American producing firm chiefly financed by British banking and film interests, has been abandoned, it was learned yesterday. The dropping of the plan has resulted from the decision of Lord Ragnor of England, chairman of the board of British Colonial Trust, London, and listed as president of the new company, to withdraw his financial support from the American venture.

Major national distribution was said originally to have been planned for the product of the company with a budget of more than $1,000,000. Preferred bookings were said to have been assured the company's product through British National Pictures.

"God's Country" Big

Portland, Jan. 27. — Following heavy exploitation by Managers Sabottka of the Paramount and Stewart of the Warner exchange. "God's Country and the Woman" opened here to capacity business despite a heavy snowfall and the maritime strike which has been in existence for 11 weeks. Color effects in the picture have been acclaimed by experts here.

Set Dissolution Vote

Wilmington, Del., Jan. 27.—Stockholders of the Radio Corp. of Oklahoma, a Delaware corporation, will hold a special meeting tomorrow to consider and act upon final dissolution of the corporation, agents for the company revealed here.

Wins Warner Drive

Portland, Ore., Jan. 27.—Manager Vete Stewart of Warners is receiving congratulations for his office which captured first place in the Warner Sears sales drive.

Giveaways Halted by Philadelphia Police

(*Continued from page 1*)

been sent out after his office had received numerous complaints that the games encouraged children to gamble.

Bill Aimed at Bank Night

Boston, Jan. 27.—A bill for legislation to prohibit the "allotment to seat holders of money or property of value in connection with exhibition of films" has been filed in the House by Charles Hiller.

It would make illegal Bank Night, dish and silverware awards and even bags of candy usually given away at Saturday matinees. The bill has not been printed, only the printed summary in the legislative bulletin being available at present.

Hiller also seeks legislation "to prohibit the conducting of vaudeville entertainment on the Lord's Day before 7 o'clock in the evening."

Would Tax Bank Night

Little Rock, Jan. 27.—The State will receive for old age pensions one-fourth of every cash "Bank Night" award given, if a bill passed by the Senate Jan. 22 becomes law.

Two Openings Make Century's Total 30

(*Continued from page 1*)

Bellerose will be operated only on Fridays, Saturdays and Sundays. Last Friday, the circuit added the Elm in Brooklyn, a new 1,000-seat house. On Jan. 29, the Freeport, Freeport, L. I., now operating three days a week, will be opened the other four days in the week.

Brumberg in Atlanta

Atlanta, Jan. 27.—W. W. Brumberg has been transferred to Florida from South Texas by Warners.

Wall Street

Paramount Issues Lead Board Gains

	High	Low	Close	Net Change
Columbia	37¼	35⅝	37¼	+1¼
Columbia, pfd.	44	44	44	— ⅛
Consolidated	5⅜	5¼	5¼	.....
Consolidated, pfd.	17½	17¼	17¼	— ⅛
Eastman	172⅛	171	172⅛	+ ⅞
Eastman, pfd.	163	163	163	+1½
Gen. T. Equip.	33¼	32¼	33⅛	+ ⅝
Loew's	72⅞	71¼	72⅞	+1⅞
Paramount	28⅜	27	28⅜	+1⅜
Paramount 1 pfd.	198	190	198	+8
Paramount 2 pfd.	25⅜	24¼	25⅝	+1½
Pathe Film	9¾	9½	9½	.....
RKO	8¾	8¼	8¾	+ ½
20th Century-Fox.	37	35¾	36⅞	+ ¼
20th Century, pfd.	45½	45½	45½	—1½
Warner Bros.	15¾	15½	15½	.....

Curb Has Small Gains

	High	Low	Close	Net Change
Grand National	4	3¾	4	+ ¼
Sentry Safety	1⅛	1	1⅛	+ ⅛
Sonotone	2¼	2⅛	2¼	+ ⅛
Technicolor	21½	21⅜	21½	+ ⅛
Trans-Lux	4⅜	4¼	4¼	— ⅛

Little Bond Activity

	High	Low	Close	Net Change
Loew's 3½s '46	100½	100¼	100¼	— ½
Paramount B'way 3s '55	74½	74½	74½	+ ½
Paramount Pict. 6s '55	100⅝	100⅜	100⅝	+ ⅛
Warner Bros. 6s '39 wd	100	99⅞	100	.....

(Quotations at close of Jan. 27)

◂ Radio Personals ▸

IF CLEM McCARTHY gives evidence of some nervousness during his NBC broadcast of the Santa Anita Derby Feb. 22, it will be due to a memory of what happened to him two years ago while engaged at the same chore.

At that time Clem took his microphone into the paddock for a close-up of the horses. Azucar kicked McCarthy all over the lot, trampled on him, and completely demolished the mike. . .

+

It's all right for Major Bowes to declare Honor Cities, but not so oh kay for Gracie Allen, who has been burlesquing the major's practice.

The other day Gracie received requests from the mayors of Akron and Troy not to honor their cities with the burlesques. . .

+

Jeanette Smits of the Bob Taplinger publicity office resigned yesterday to join Earl Ferris . . . Bob Baral, ex-of *Variety,* yesterday joined the NBC press staff . . . Smiling Ed McConnell leaves today for a Florida vacation trip and will not be heard on the air this Sunday . . . Carl Hoff takes over the CBS "Hit Parade" series this Saturday. . .

+

Howard Barnes and Dave Driscoll of Mutual fly to the flood area today to offer their services to stations in the affected area, all of which are short of manpower . . . Also, Bud Rainey, WHN announcer, will leave for Louisville this Saturday on a similar mission . . . Walter O'Keefe "subs" for Johnny Weismuller on the "Speedshow" this Saturday, Weismuller having been recalled to Hollywood . . .

National Biscuit to Go Over to CBS Net

From McCann-Erickson last night came word that the National Biscuit Co. program, currently heard Fridays on the NBC-Blue, would shift to the CBS network beginning March 28 at 8 P. M., E.S.T. The program stars Helen Broderick and Victor Moore.

The off-the-record explanation for the shift is that the sponsor desired a Sunday night spot, unavailable on the Red network, and undesired on the Blue. The CBS Sunday opening becomes open when Vick's "Open House" fades.

New Borden Program Set

The Borden Milk Co. yesterday closed contracts for a new program entitled 'Borden's Special Edition," which will be heard locally over WEAF from 1:30 to 2 P. M., E.S.T. beginning tomorrow. Featured on the program will be Gabriel Heatter, Dr. Arthur Frank Payne, Fannie Fitzwater, fashion expert of the New York *Herald-Tribune,* and Janet Howell, of *Screen Guide Magazine,* all commentators. J. P. Muller & Co. is the agency.

Additionally at NBC, Blackett-Sample-Hummert yesterday renewed for 26-weeks the "David Harum" program heard Mondays through Fridays in the interests of Babbitt Co., Inc.

Radio Stations Have Heavy Flood Losses

To the almost incalculable physical losses wrought by the midwest flood disaster, add the losses entailed by the cancellation of programs on stations in the flood cities.

Due to the confusion still existing, no complete estimate can be made at the moment. However, the following network stations have either completely or, in part, scrapped commercial programs for the duration of the emergency: WHAS and WAVE, Louisville; WKRC, WLW, WSAI, WCKY, Cincinnati; and WSM, Nashville.

Additionally, many other stations not in the flood area have kept their channels free in order to broadcast pick-ups from the flood area stations.

WBOW Aids Victims Of Ohio River Flood

TERRE HAUTE, Jan. 27.—In an effort to aid victims of the Ohio valley flood area WBOW has practically suspended all activities to solicit aid and to rush supplies and money to the territory. The call for help went out over WBOW Sunday afternoon and by early evening the first load of food was on its way to New Albany. Several other loads were dispatched later in the evening.

Calls for relief are directed over WBOW to crews throughout the city. Donors telephone the radio station, which then sends out the calls to radio equipped cars over the city. Nearly $3,000 in cash has already been collected for the Red Cross through efforts of WBOW.

NBC Aiding Flood Victims

NBC has invited the Red Cross to collect funds from visitors to Radio City for the relief of flood victims. Representatives of the Red Cross will be stationed at strategic points throughout Radio City and at the studio doors to solicit contributions.

WNEW was the first station locally to solicit funds for the flood sufferers.

And in Hollywood

Short Shots—CBS has arranged a gigantic tieup with the *Los Angeles Examiner* whereby the paper has a drive on to install radios in schools, parks and other public places and puts in a CBS plug at the same time. . . . Mary Martin is due for one more Friday as vocalist on the Victor Moore-Helen Broderick program. . . . Tom Wallace of the Aubrey-Moore-Wallace Agency in Chicago is on the coast for awhile. . . . Eddie Cantor has a guest spot on Jack Oakie's College Feb. 2 and Dr. Rockwell goes in the same show Feb. 19. . . .

KFWB Signs John Daggett

HOLLYWOOD, Jan. 27.—John Daggett, veteran radio player, who has been broadcasting for years over local stations as Uncle John, has been signed to an exclusive contract by KFWB. He will handle the Junior Broadcasters' program and also the "Adventures of Dick Tracy."

Dutton, an NBC Producer

HOLLYWOOD, Jan. 27. — NBC has given a producer's contract to Myron Dutton, former free lancer. Dutton has just completed a radio adaptation of J. P. McEvoy's "Potter Family," which will probably be his first for NBC.

Schenck's Slant

Hollywood, Jan. 27.—Joseph Schenck, chairman of the board of 20th Century-Fox, thinks this about radio and films:

"I would say that where a radio broadcast is tied up with a specific picture, as in 'One in a Million' and as we are again doing with 'On the Avenue,' there is a distinct value to the screen and, of course, the appearance of picture personalities on a radio program is of immeasurable value to the latter."

Indiana Bill Would Delay Libel Actions

INDIANAPOLIS, Jan. 27.—A bill introduced in the Indiana Senate would require three days' written notice before an aggrieved party can file a libel or a slander suit against a radio or television station. A retraction within 10 days by the station would prohibit recovery, except for actual damage to character, business or occupation.

Hollywood Activity Of NBC Jumps 332%

NBC's activities in Hollywood for 1936 shows a phenomenal increase of 332 per cent over 1935 as reckoned by hours on the air. A total of 790 program hours were broadcast from the film capital during the past year.

New *Liberty* Program

Liberty began sponsorship of a new WABC program last night, featuring Andre Baruch in a program entitled "Tomorrow's News Tonight." The program will be heard Mondays through Fridays at 11 P. M., E.S.T. over WABC only.

Applies on New Stations

COLUMBUS, O., Jan. 27.—The following petitions have been filed with the F. C. C. by the Ohio Broadcasting Co., for new stations, daytime operation only: Salem, 1,420 kilocycles, 100 kilowatts; Steubenville, 780 kilocycles, 250 kilowatts; Youngstown, 1,350 kilocycles, one kilowatt, and East Liverpool, 1,350 kilocycles, 250 kilowatts.

Hix Ends; "Circus" Starts

HOLLYWOOD, Jan. 27.—"Strange As It Seems," CBS coast network program of the Gilmore Oil Co. and featuring John Hix, will leave the air Jan. 29 and will be replaced by "Gilmore Circus" on Feb. 15. The circus was formerly a coast feature.

The Hix program has been on the air only four weeks.

Conn to Do Two for Jolson

HOLLYWOOD, Jan. 27.—Harry Conn will write the next two Al Jolson air shows. Al Boasberg did the last one. Gil and Moss, the writing team that did the initial programs, have left the staff.

Set Hearing Date

OKLAHOMA CITY, Jan. 27.—The F. C. C. has set Feb. 26 for hearing an application of station KFXR, in the Hightower Building here, to assign its license to the Plaza Court Broadcasting Co.

Wallace Quits FHA To Take an NBC Job

Dwight G. Wallace, yesterday resigned his executive post in the Housing Division of the PWA to become personnel manager of NBC. Wallace succeeds C. W. Fitch, who was recently made manager of the program department.

Prior to his affiliation with the Housing Division, Wallace was a member of the executive department of the Century of Progress.

Demand Air Rights Fee

Unless J. Walter Thompson or Lever Bros. deliver $1,500 for the air rights to "Mr. Deeds Goes to Town" the story will not be presented on the Lux "Radio Theatre" Feb. 1, as announced. Cora Wilkenning, agent for Clarence Buddington Kelland so claims.

Columbia Pictures do not own the commercial air rights to "Mr. Deeds," according to Miss Wilkenning, and therefore should not have negotiated the deal without obtaining a fee for the author.

"Coffee Time," New Show

The Owens Illinois Glass Co. of Toledo yesterday signed Richard Himber's orchestra and G. G. DeLys and Stuart Allen, vocalists, for a new program entitled "Coffee Time." The series begins Feb. 5, from 8 to 8:30 P. M., E.S.T., and will be heard over Mutual stations WOR, Newark; WGN, Chicago; and WAAB, Boston. The Don Lee stations and KWK, St. Louis, may also carry the series if time can be cleared. U. S. Advertising Corp. of Toledo is the agency.

And in San Francisco

Harry LeRoy, formerly with Warners in Hollywood, has joined KGGC as announcer-producer. . . . Lenox Lohr, NBC president, is due here shortly. . . . It is rumored that NBC's expansion program may shift Lou Frost, assistant to NBC's western vice-president, Don Gilman, to Los Angeles. . . . Dave Glickman off to Hollywood to organize a coast news bureau for *Broadcasting,* radio magazine. Pat Kelly, KFRC press chief, will take over Glickman's post as local correspondent for *Billboard,* while Ed Dunne will handle *Broadcasting's* local news. . . .

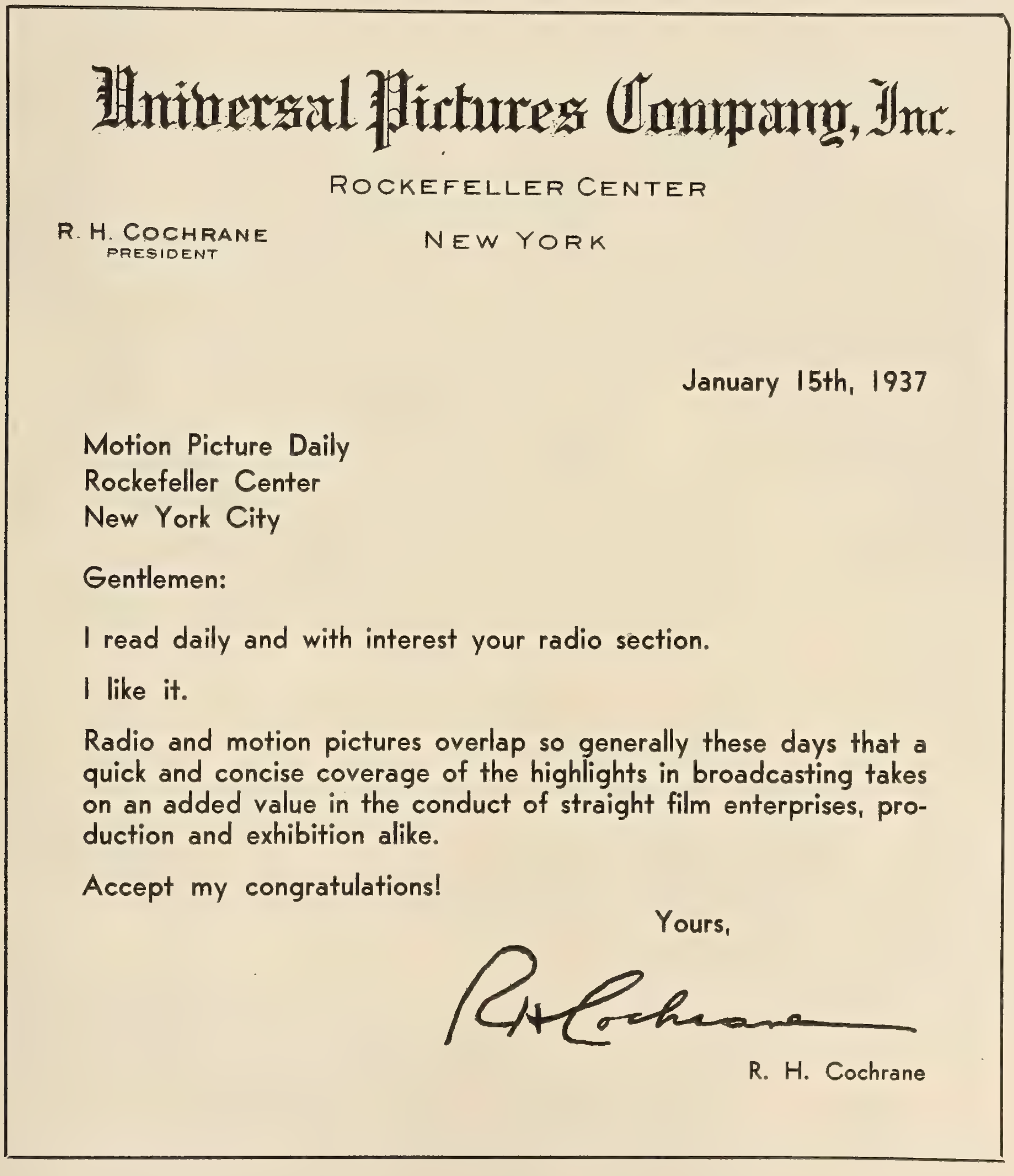
And in Chicago

Short Shots—During 1936, 1,515,901 pieces of mail were received by WLS, topping the 1935 record of 1,300,012. . . . The WBBM "Nutty Club" has had the S. R. O. sign out every week. Requests for tickets are such that the studio is booked solid for 12 weeks ahead. . . . Vivian Della Chiesa celebrates her second anniversary in radio work by joining the Carnation Contented program Feb. 1. Two years ago she won a contest for "unknown singers" on a Chicago radio station. . . . New contracts handed out to radio shows included: Smiling Ed McConnell, Amos 'n' Andy, Kaltenmeyer's Kindergarten, the Contented program, "Welcome Valley," "Girl Alone" starring Betty Winkler and "A Tale of Today" starring Joan Blaine. . . . Bess Flyn, WGN scripter will be Hollywood bound in March.

Air Version of *Reader's Digest*

SAN DIEGO, Jan. 27.—KGB will start a radio version of *Reader's Digest* next Monday. This is a Don Lee station.

Radio Acceptance



Universal Pictures Company, Inc.

ROCKEFELLER CENTER

R. H. COCHRANE
PRESIDENT

NEW YORK

January 15th, 1937

Motion Picture Daily
Rockefeller Center
New York City

Gentlemen:

I read daily and with interest your radio section.

I like it.

Radio and motion pictures overlap so generally these days that a quick and concise coverage of the highlights in broadcasting takes on an added value in the conduct of straight film enterprises, production and exhibition alike.

Accept my congratulations!

Yours,

R H Cochrane

R. H. Cochrane

QP

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

There's No Use Talking—

...we've got all the answers...a grand product...swell copy angles...a service that can't be beat and more than 900 employees all working together to see that you get a seat-selling trailer for every picture you book...and always on time.

NATIONAL SCREEN SERVICE

prize baby of the industry!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 24 NEW YORK, FRIDAY, JANUARY 29, 1937 TEN CENTS

Bill Aims to Bar Newspaper Radio Control

Estimate Papers to Own Fourth of Stations

By BERTRAM F. LINZ

WASHINGTON, Jan. 28.—Legislation to divest newspapers of broadcasting stations was introduced in the House of Representatives today by Congressman Wearin of Iowa.

Pointing out that approximately one-fourth of all the stations licensed are owned, operated or controlled by newspapers, Wearin attacked publisher interests in radio as a means of molding public opinion.

Newspaper activities in the broadcasting field, which began on a large scale something over a year ago, have been the subject of considerable attention in Congressional circles, Senator Wheeler of Montana recently having asked the F.C.C. for data regarding newspaper ownership and for a legal opinion as to whether the commission has authority to deny applications from newspapers for stations, and, if not, whether legislation could be enacted.

Other developments in radio yesterday appear on page 14.

Orpheum's Creditors To Act on RKO Offer

Creditors of Orpheum Circuit are scheduled to act today on an RKO offer of $700,000 for uncontested title to all of the going assets of Orpheum at a meeting to be held before Referee Oscar W. Ehrhorn.

The meeting is also scheduled to consider motions by an Orpheum preferred stockholders' committee calling for the removal of Orpheum from bankruptcy for reorganization under Section 77-B and for the intervention of the company in the RKO reorganization proceedings. The stockholders' committee, for which Isidor J.

(Continued on page 8)

Selznick's Salary Was $194,000 in '35

WASHINGTON, Jan. 28.—David O. Selznick received $194,000 during 1935 as an associate producer for M-G-M, it was revealed here yesterday in a new list of salaries reported to Congress. M-G-M paid more than $100,000 each in the same year to Lionel

(Continued on page 12)

Conference Delays Philadelphia Case

PHILADELPHIA, Jan. 28.—Because local exhibitors are scheduled to meet with Mayor Wilson Friday morning to discuss the police ban on chance games, Judge William M. Lewis postponed a hearing on an earlier arrest which had been scheduled for today.

If exhibitors and Mayor Wilson fail to reach an agreement tomorrow, police will resume their drive against theatres using the games at once. The campaign was begun Tuesday night, but exhibitors were granted a two-day truce to discuss the situation with city officials.

The case scheduled for hearing before Judge Lewis today was that of Raymond O'Rourke, manager of the Doris, West Philadelphia, who was arrested last Dec. 7 on a charge of operating a lottery by using a Bingo game.

Omaha Bank Nights Get City Approval

OMAHA, Jan. 28.—City Attorney Seymour Smith has handed down a ruling that he considers Bank Night legal as conducted here on the ground that purchase of a ticket is not required for registration.

He qualifies the ruling that if intimidation is used against non-purchasers of tickets or veiled threats are made that tickets are necessary the plan becomes illegal.

A recent blast of the Ministerial Ass'n has brought no action, except a warning from Police Commissioner

(Continued on page 8)

Depinet Plans Sales Meeting for Frisco

Ned E. Depinet, now on the coast with Jules Levy for production conferences at the studio, will hold a sales meeting with RKO western branch managers in San Francisco on Jan. 31 to discuss sales and distribution plans.

Among those who will attend will be Harry Cohen, western district manager, and N. P. Jacobs, Los Angeles; G. William Wolf, San Francisco; J. H. Ashby, Denver; Ed Lamb, Seattle; N. Cory, Portland, and H. C. Fuller, Salt Lake City.

Free Film Offered For Flood Benefits

Distributors yesterday moved to make film available without charge to theatres willing to devote the entire proceeds to accredited flood relief agencies. Film Board secretaries were informed by the M. P. P. D. A. that the film would be supplied on the same policy which was placed in

(Continued on page 8)

Cups for Pups

A dog personality contest, something new in the way of exploitation campaigns, will make its bow at the Ziegfeld tomorrow.

Chelle Janis, manager of the Loew house, has arranged to give away four cups. The first will be awarded to the dog with the best personality. The second for the dog garnering the most points. The third for the cutest canine. The fourth for the animal which can do the best and most tricks.

The picture on the screen will be "After the Thin Man." Among the judges will be Cobina Wright, Vivienne Segal, Robert Brown, Jeanette McLeod, Frank Dole and Mischa Violin.

Report Delayed on Alien Actors Bill

WASHINGTON, Jan. 28.—Efforts of the House Immigration Committee to order a favorable report on the Dickstein alien actor bill, on which extensive hearings were held during the last session, were today defeated by Representative Kramer of California, who declared that the film industry would desire to be heard before any action was taken.

As a result of Kramer's protest against hasty action, the committee agreed to hold hearings on the bill, but probably will not reach it until late next month or early in March.

"U" Sets 7 Dramas For Coming Season

Ranking well up in Universal's current production plans are seven dramas, four grouped as dramatic romances, one comedy romance and three musicals.

The dramas are "The Road Back," "Wings Over Honolulu," "Delay in the Sun," "Madame Curie," "As Before Better Than Before," "Twenty-Four Hours" and "Live Alone and Like It." The dramatic romances are "We Have Our Moments," "When Love Is Young," "Girl Overboard" and "She's Dangerous." The comedy romance is "As Good as Married" and the musicals, "Top of the Town," "Hippodrome" and "Riviera."

20th-Fox Men Leave On Tuesday for K. C.

Approximately 20 home office executives of 20th Century-Fox will leave Tuesday for Kansas City to attend the two-day mid-season district managers' meeting which gets under

(Continued on page 8)

British Group For New Move By the Crown

Would Limit Authority Of the Commission

By BRUCE ALLAN

LONDON, Jan. 28.—Approval of the Moyne Committee's suggestion for a Government film commission is contained in a statement just presented by the film group to the Board of Trade.

The approval is qualified with the understanding that the commission shall have no right to interfere with individual companies' business and that the commission should include members experienced in the trade and be guided by an advisory body of leading members of the industry.

Approval is given the flexible quota suggestion, but the statement says it should never be less than 20 per cent for distributors and 15 per cent for exhibitors. A quality test would be applied only to films costing under £1 per foot. Any films not passed for the distributors' quota should still rank for the exhibitors' quota, the statement suggests.

Films made in the British Dominions should be given British registration only if British films are given equal status in the Dominion concerned. Abolition of existing restriction on advance booking is opposed and it is urged that block booking be made illegal.

Report Skouras Bid For Roxy Operation

Reports were current yesterday that George Skouras has made a bid to operate the Roxy as soon as the theatre is turned over to 20th Century-Fox under a 20-year lease as provided in the reorganization plan filed by the first mortgage bondholders.

Harry C. Arthur and F. & M. have been negotiating to assume the management for the distributor under a long-term management contract. No

(Continued on page 8)

More Film Measures Up in Massachusetts

BOSTON, Jan. 28.—Film bills are accumulating in the Legislature. The latest is described as a bill "for appointment of a board to supervise and regulate the exhibition of motion pictures." It has been introduced by Jacob A. Riis of the Youth Foundation, and it has been referred to the

(Continued on page 12)

MOTION PICTURE
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"Million," "Plough" For 42 RKO Houses

Starting Feb. 11, the RKO circuit in Greater New York will begin a week's showing of "One in a Million" and "Plough and the Stars." The same show will be featured in 42 houses. Although the booking is dated to open on a Thursday, circuit officials declare the policy will not be permanent, but is in line with plans which have been practiced from time to time.

Where special shows are available pictures will be dated for five days or more, it was stated.

Meanwhile, Loew will adopt a Thursday policy for the State on Broadway beginning Feb. 4.

Officers Reelected

KANSAS CITY, Jan. 28.—The I.T.O. of Kansas City reelected all officers today in one of the quietest elections on record. Officers are: Emanuel Rolsky, president; E. S. Young, vice-president; Mrs. Rosa Baier, second vice-president; Ed Hartman, secretary, and Charles Potter, treasurer.

Insiders' Outlook

By RED KANN

THERE is no thrill, neither is there any particular satisfaction, for us in paddling our own industry across the knuckles. It, nevertheless, appears necessary. Radio, apparently mindful of its obligation to the public and, moreover, recognizing the incalculable goodwill which rendition of help in widespread disaster must engender, has so far stepped far and away from films in its endeavors to aid the stricken areas. Here and there, but in woefully scattered fashion, theatre managers are running benefit shows for flood relief. . . .

▼

In an about-to-be four-hour radio show—there it is again—Hollywood players, no doubt, will be drafted in considerable array to further the fund-raising drive. Yet, neither have the major circuits embarked upon tangibilities for the same purpose nor have the major distributors evidenced any generosity to date when they might well. It is one thing to pass around the hat to a theatre audience and pick up the coins set loose by a generous heart. But only one, a paltry one. . . .

▼

It is entirely another, in cooperation with exhibitors, to set aside a percentage of receipts, no matter how small, to alleviate the distress of a public in an area to which this industry will soon again turn for support. Let it be said that way in all bluntness. In the very nature of this business, with its complete dependence on the public, the obligation to the common weal should be appreciated and recognized. So far, from a broad industry point of view, most conclusively it has not by a check made as currently as last night. . . .

▼ ▼

It's all within the quotes, this time from Pete Wood, secretary of the I.T.O. of Ohio:

"I, too, got a good laugh out of Paramount's statement, in which they tossed around $30,000,000 as a starter for their 1937-38 production budget.

"Indulging in another puff of the pipe, Metro, Warner and 20th Century-Fox could each hardly spend less than this, so we have $120,000,000 accounted for up to this point. This leaves RKO, Columbia, Universal and United Artists, as well as all independent production, which, inhaling again, brings forth at least another $80,000,000, or a total of $200,000,000.

"Now, for the awakening:

"Last year the film distributors garnered $12,000,000 from Ohio exhibitors. Ohio is a six per cent territory, so that $200,000,000 just about represents the total gross income from film distribution.

"It all means that the boys in Hollywood, who make the pictures, will have no need for either black ink, or red ink—the account is in perfect balance.

"I don't know why I write you this, but perhaps I am becoming like the Paramount officials who started to toss around the $30,000,000 mentioned in your editorial."

▼ ▼

A great deal has been written and even more cussings indulged conversation-wise about those damned New York film critics. But it should be said for them and we're saying it now that, collectively, the circle did a signal service for the business over the coast-to-coast air lanes last Sunday night. The occasion was the hour's broadcast built around their own winning pictures of 1936. Hollywood effort, at various points, was described as "distinguished" and full appreciation voiced for the superior efforts of the stratosphered production colony. Millions must have heard the encomiums. They must have registered with many. . . .

▼ ▼

Sidney Skolsky comes along with a published suggestion to Darryl F. Zanuck on ways and means of handling the opening phases of Gypsy Rose Lee's film career. Here goes:

"Gypsy Rose Lee is to make a picture for 20th Century-Fox and if they're wise she'll make a serial—and in every episode she takes off another garment."

Another thought. Maybe it was the friction engendered by the signing of her new contract that caused the studio blaze last Saturday. . . .

▼ ▼

Iowa has a state senator. His name, L. H. Doran and his town, Boone. The senator ponders a bill which would compel exhibitors in that state to refuse admittance of children under 19 at films in which appear actors and actresses who have been divorced.

Unfair to the newspapers. . . .

Jack Berman Heads ITO

LOS ANGELES, Jan. 28.—The I. T. O. of Southern California has elected Jack Berman, president; Irving Carlin, vice-president and executive chairman; C. A. Ferry, vice-president and treasurer, and Harry Vinnicof, vice-president. The new board of directors includes H. W. Bruen, Jay Sutton, Lou Bard and E. S. Calve.

Helen Burgess Married

YUMA, Jan. 28.—Helen Burgess, film player, was married here yesterday to Herbert Rutherford, a pianist.

Van Beuren to Move

The Van Beuren Corp. will move today from 729 7th Ave. to 580 5th Ave.

Academy Nominating Chairmen Are Named

HOLLYWOOD, Jan. 28.—The Chairmen of the Art Directors, Film Editors and Photographic Sections of the Technicians' Branch of the Academy have been completed with the appointment of nominating committees representing their respective sections. These committees will handle the nomination procedures for the various technical awards.

Membership of the Cinematographic Awards Committee comprises: Ray June, chairman; John Arnold, Joseph August, Norbert Brodine, George Crane, Edward Cronjager, Arthur Edeson, George J. Folsey, Jr., Fred Gage, Merritt B. Gerstad, Byron Haskin, Thomas Ingman, Charles B. Lang, Jr., Virgil Miller, Victor Milner, Ira Morgan, J. M. Nickolaus, L. William O'Connell, George Robinson, Karl Struss, John Swain, Joseph Valentine, Joseph Walker, Vernon Walker and Ray Wilkinson.

The Film Editing Award committee includes: Harold J. McCord, chairman, Martin G. Cohn, Ralph Dietrich, William Holmes, Harvey Johnston, Harold H. McCord, Gene Milford, Conrad Nervig, Murray Seldeen and I. James Wilkinson.

Art Direction Award Committee comprises: Bernard Herzbrun, chairman; Roland Anderson, Duncan Cramer, Perry Ferguson, Stephen Goosson, John Harkrider, Fred Hope, John Hughes, Willy Pogany and A. Toluboff.

Ascap Is Being Sued By Cafe Owner Unit

HOLLYWOOD, Jan. 28.—California Federated Institute, Inc., filed a copyright infringement suit against Ascap in Federal Court here today. The suit, which is brought under the fair practices section of the Sherman Anti-Trust Act, asks that Ascap be restrained from filing infringement suits against any of the Institute's 400 cafe owner members. It also seeks an injunction restraining Ascap agents from alleged unfair practices.

The complaint charges that Ascap agents entered cafes requesting songs under their copyright then filed infringement suits the following day and that members failing to pay the Ascap fees received threats of litigation.

Attorney John Van Aalst represented the plaintiff.

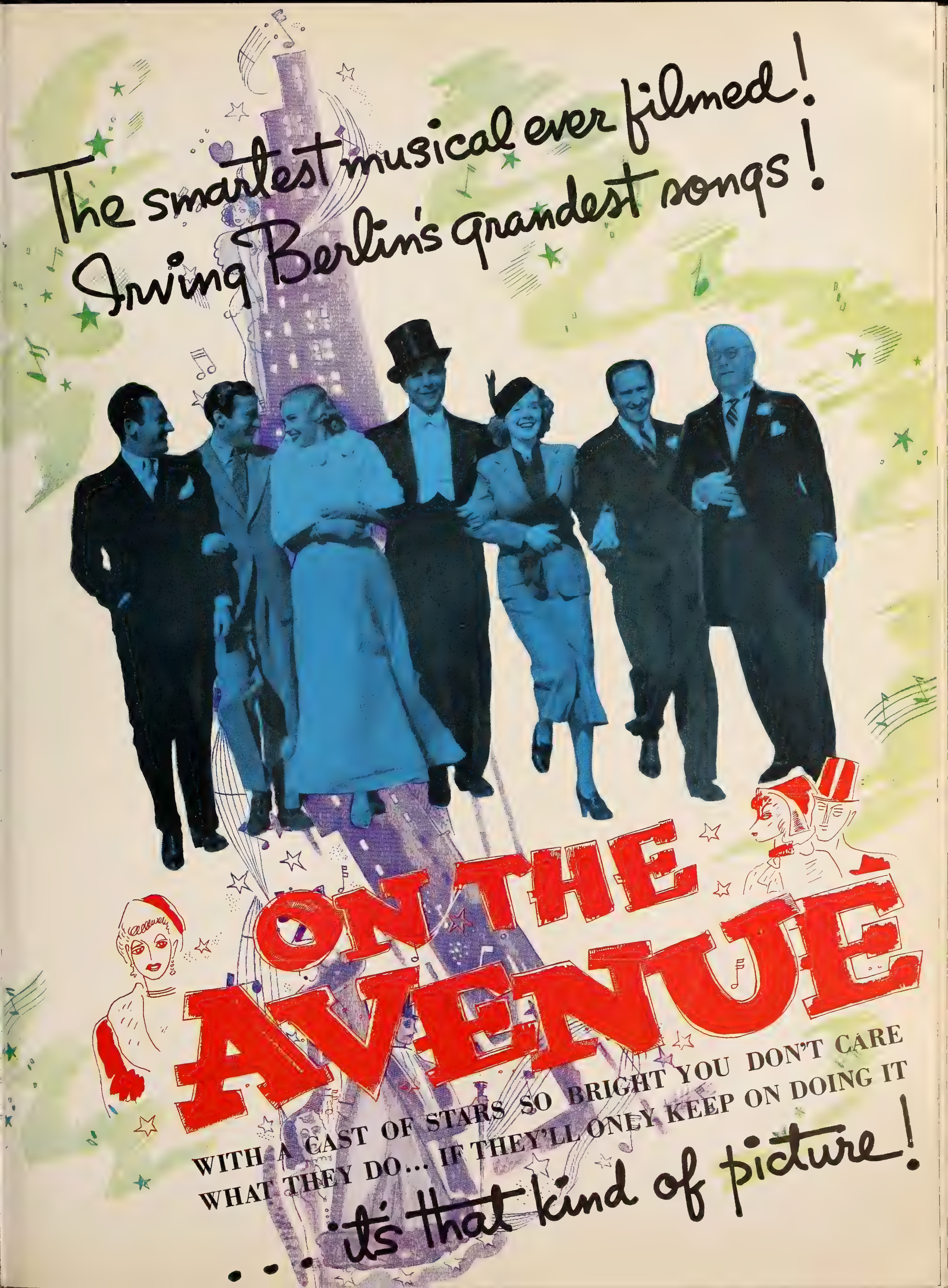
"Smart Girls" Seen By 178,500 at Roxy

Approximately 178,500 persons visited the Roxy during the first week of "Three Smart Girls," which today begins a second week and will most likely be held a third. The gross for the first six days was $53,000 and yesterday's take was expected to hit $7,000. Five shows are being given week days and six on Saturday and Sunday. Borrah Minevitch and his rascals are on the stage.

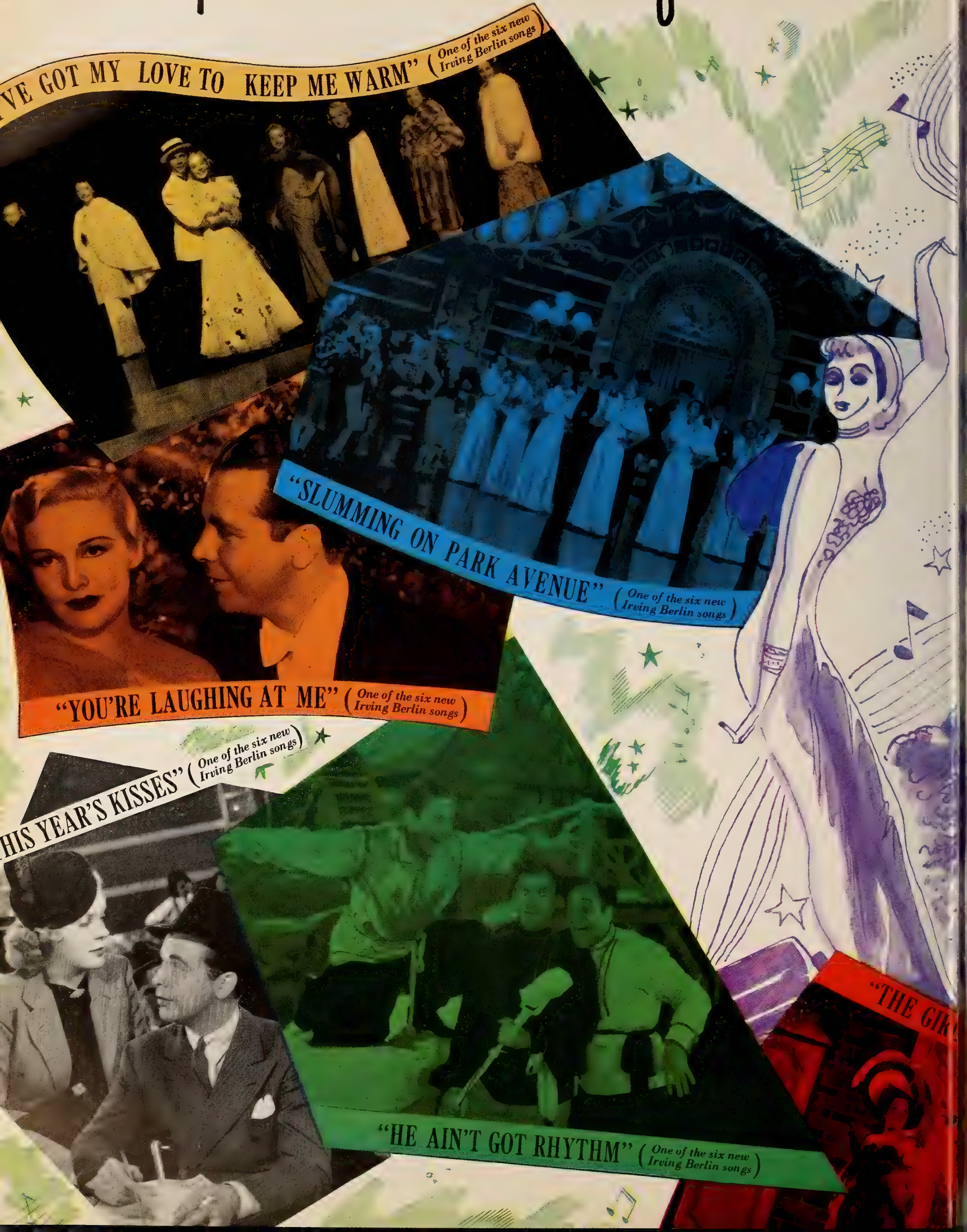
The second week of "Lloyds of London" wound up with $73,500 at the Music Hall. "Under Cover of the Night" got about $8,500 at the Rialto.

No Deal, Says Depinet

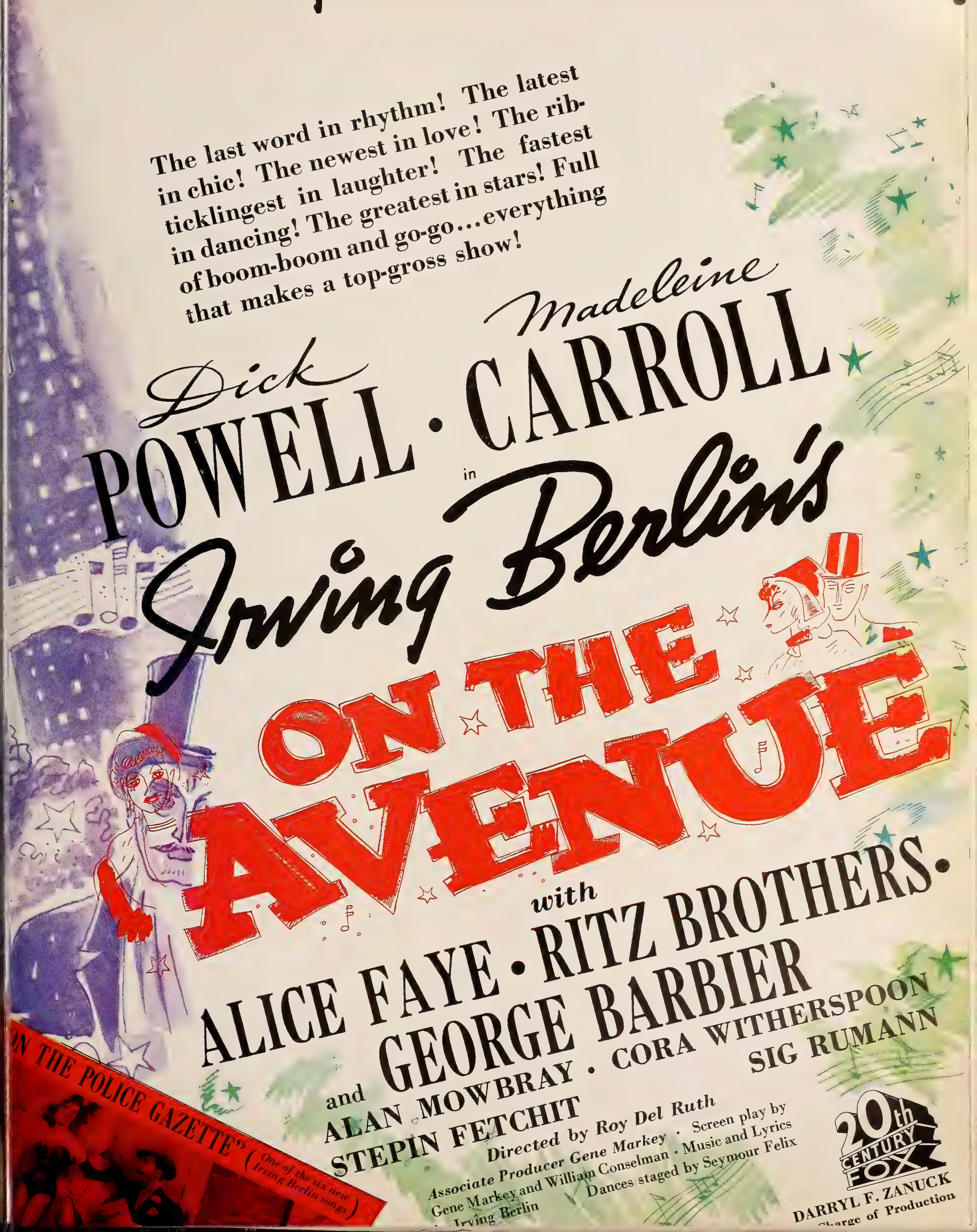
LOS ANGELES, Jan. 28.—Ned E. Depinet, questioned here today, disclaimed knowledge of any deal involving RKO and Metropolitan Playhouses.


The smartest musical ever filmed!
Irving Berlin's grandest songs!
ON THE AVENUE
WITH A CAST OF STARS SO BRIGHT YOU DON'T CARE WHAT THEY DO... IF THEY'LL ONLY KEEP ON DOING IT
... it's that kind of picture!

New York's latest real-life romance..


VE GOT MY LOVE TO KEEP ME WARM" (One of the six new Irving Berlin songs)
"SLUMMING ON PARK AVENUE" (One of the six new Irving Berlin songs)
"YOU'RE LAUGHING AT ME" (One of the six new Irving Berlin songs)
HIS YEAR'S KISSES" (One of the six new Irving Berlin songs)
"HE AIN'T GOT RHYTHM" (One of the six new Irving Berlin songs)
"THE GIR

set to Irving Berlin's music at its best!



The last word in rhythm! The latest in chic! The newest in love! The rib-ticklingest in laughter! The fastest in dancing! The greatest in stars! Full of boom-boom and go-go...everything that makes a top-gross show!

Dick POWELL · Madeleine CARROLL

in

Irving Berlin's

ON THE AVENUE

with

ALICE FAYE · RITZ BROTHERS ·

and GEORGE BARBIER

ALAN MOWBRAY · CORA WITHERSPOON

STEPIN FETCHIT

SIG RUMANN

Directed by Roy Del Ruth

Associate Producer Gene Markey · Screen play by Gene Markey and William Conselman · Music and Lyrics Irving Berlin

Dances staged by Seymour Felix

20th CENTURY FOX

DARRYL F. ZANUCK

Charge of Production

N THE POLICE GAZETTE" (*One of the six new Irving Berlin songs*)

The makers of your greatest musical hits give you the money honey of 1937!

"Thanks A Million"! "Sing, Baby, Sing"! "Pigskin Parade"! "One In A Million"! Only 20th Century-Fox can point to such an unbroken string of sensational musicals! Each bigger than the last! Each entirely different in theme and appeal! *And now . . .* the one that outshines them all . . . and will out-draw them all—

ON THE AVENUE

The high road to your biggest profits in years!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

PRINTED IN U.S.A.

Variety Club

Omaha

Omaha, Jan. 28. — At Variety Club's latest draw on its private Bank Night, District Manager Evert R. Cummings of Tri-States protested when D. V. McLucas handed the receptacle to Mrs. Cummings.

"Don't," protested Cummings, "she thinks she's going to win."

So another was found to make the draw and Cummings won.

St. Louis

St. Louis, Jan. 28.—Ray G. Colvin of the Exhibitors Supply Co., is the new chief barker of Variety Club. He was inducted at a recent annual meeting at the Coronado Hotel.

Other officers are: Joe Garrison, assistant chief barker; Harold W. Evens, second assistant chief barker; Clarence Hill, treasurer, and Ben B. Reingold, secretary.

The annual gathering attracted the entire membership. The next big event will be a stag get-together to be staged some time in March. This will be followed in short order by a testimonial dinner to Fred Wehrenberg, President of the M. P. T. O., who is celebrating 30 years in the business. The tentative date for the testimonial is March 21 and the scene will be the Gold Room of Hotel Jefferson.

Rescind Building Permit

London, Jan. 19.—The Bradford City Council has rescinded its decision to sell the Kirkgate Market site, on which it had been planned to erect a 4,000-seat house, and a news theatre, under the control of Arthur Segal, financial associate of Paramount. Odeon Theatres, Ltd., has obtained a license for a 3,000-seat house in Bradford despite the opposition of the local Cinematograph Exhibitors' Ass'n. branch.

Republic Starts Drive

Los Angeles, Jan. 28.—The Republic exchange has started a charge and collections drive in honor of Floyd St. John, Los Angeles and San Francisco franchise owner, who has been in the exchange business for 20 years this month.

St. John and Grover Parsons, western sales manager, are both in town completing plans for the drive.

Continue Aurelia Shows

Des Moines, Jan. 28.—Business men of Aurelia, Ia., who sponsored free pictures during the holiday at the Community Theatre, are continuing the project through the winter, as a trade promotion on Saturday afternoons. The three-story opera house at Carroll, Ia., owned by Albert McNabb, was recently sold at sheriff's sale to satisfy a $23,500 mortgage.

Flash Previews

"Sandflow"—Lively western material, sure to please youngsters or oldsters who like the hard riding stuff.

This film will be reviewed in full in a coming issue of Motion Picture Daily.

Two Houses Transferred

Thornton Kelly has taken over the Lyric, Bound Brook, N. J., and Edward Peskay has turned the Storm King, Cornwall, N. Y., over to Robert C. Kay.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Ready, Willing and Able"

(Warners)

Hollywood, Jan. 28.—With all the situations which have appeared in previous Warner musicals served up again, exhibitors can plot the selling campaign on this from their files and memories. The story is the usual backstage routine.

Pressing creditors will not permit the curtain to rise on a show produced by Ross Alexander and Lee Dixon, song writers, until their bills are paid. Addison Richards, for selfish reasons, is particularly opposed to the opening. Ruby Keeler induces Hugh O'Connell, her ardent suitor, to foot the bills, after which she leaves him for Alexander's arms. The curtain rises and the audience again is asked to believe that the massive Bobby Connolly musical number could be produced within the limits of a legitimate theatre although the filming routine required acres of space.

Although the plot offers few novelties, the performances by Dixon, Alexander and Miss Keeler, with good comedy support from Louise Fazenda, Allen Jenkins and Carol Hughes bring the picture well up to standard. Winifred Shaw, E. E. Clive, Teddy Hart and Adrian Rosley are also satisfactory in lesser roles. The screenplay by Jerry Wald, Sid Herzig and Warren Duff adds several risque lines which probably were not in the original Richard Macauley magazine story. Direction by Ray Enright is smooth and the production of Hal Wallis well up to the pace set by earlier Warner musicals.

Production Code Seal No. 2,751. Running time, 88 minutes. "G."

"Nobody's Baby"

(M-G-M)

Hollywood, Jan. 28.—Stretching a two-reel type of gag, dialogue and situation comedy into a feature length farce is unexpectedly relishable when Patsy Kelly and Lyda Roberti do the stretching as they have done in this film. Although much padding is introduced to gain time, the focal points are full of fun as the comediennes hop blithely in and out of the picture, a fact which creates the illusion of a speedy tempo in production.

Preceded by a satire on an amateur radio tryout and a take-off on the "White Parade" nurse recruiting idea with the interspersion of a night club musical episode, Miss Kelly and Miss Roberti become nurses. Rosina Lawrence, a night club dancer, after disappearing for a while turns up at the hospital to have a baby. As she wants to keep the birth of the child a secret from her husband, there ensues a series of hilarious mixups with Robert Armstrong and Lynne Overman, the girls' swains, each thinking that his sweetie is the mother. Everything winds up happily in the night club, however, with Miss Lawrence and Don Alvarado, her husband, reunited, and the two nurses wondering what will happen to them next with a public wedding in prospect.

Harold Law, Hal Yates and Pat C. Flick concocted the yarn which gives Miss Kelly and Miss Roberti plenty of opportunity to be legitimately funny. It also gives Miss Lawrence the chance to sing nicely and to dance well with Alvarado while Armstrong and Overman add much to the gayety of the occasion. The production specialties introduce Jimmy Greer's orchestra, The Rhythm Rascals and the Avalon Boys in music and songs prepared by Marvin Hatley and Walter Bullock. Gus Mein's direction concentrates on getting the most from the farcical situations.

Production Code Seal No. 2,719. Running time, 65 minutes. "G."

Chester Smith Dead

Chester J. Smith, former trade paper editor, died suddenly Wednesday morning at his home. "Chet," as he was known in the trade, had recently been associated with the A. S. P. C. A. He is survived by his widow, Helen Smith, and a daughter Barbara.

McCarthy, Showman, Dies

Minneapolis, Jan. 28.—J. J. McCarthy, 66, veteran theatre man in this area for 25 years, is dead at Brookings, S. D., of heart disease. He is survived by his three brothers, all theatre operators, and two sons.

Funeral arrangements have not been made.

U. A. Takes Mexican Film

United Artists will release the Mexican-made "Alla en el Rancho Grande" ("Down at the Big Ranch") in all Spanish-speaking countries except Mexico, according to Walter Gould, division manager for Latin America. Tito Guizar is starred in the film.

Chaplin a Contributor

Washington, Jan. 28.—Charlie Chaplin was today disclosed as having contributed $500 to the Democratic campaign fund last year in a report made public by the special Senate committee investigating 1936 campaign expenditures.

Short Subjects

"Fun's Fun"

(Educational)

Developing many bright and humorous situations, this latest by Jefferson Machamer, with its pretty models, clever lines and good production, maintains the entertaining standard set by the preceding comedies. Machamer decides to stop painting pretty girls and sends out a call for the homeliest girl in the world. The homely one finally does appear, but she is revealed to be his beautiful fiancee. A party is thrown in this one, too, and the entertainment introduces a tasteful selection of dance routines. It is first-rate entertainment. Production Code Seal No. 01,397. Running time, 19 mins. "G."

"The Golfers"

(Universal)

More monkeyshines by that trio of cartoon primates—Meany, Miny and Moe. In this offering they tackle golf with all the comic possibilities that they are capable of introducing. A robot golfing machine concludes the "business" with exciting pursuit. Thereafter the "boys" decide to take up the less arduous game of checkers. Production Code Seal No. 7,772. Running time, 8½ mins. "G."

"Nice Work"

(Vitaphone)

An issue of the Colortour Adventure series. Its subjects scattered widely, the film covers the Swedish weaving industry, Norwegian fisheries and the Hawaiian method of harvesting sugar cane; by burning the fields. Filmed in passable color, it should hold interest. Production Code Seal No. 01,265. Running time, 10 mins. "G."

"Fishing Thrills"

(Columbia)

From such mildly exciting game as trout, this issue of The News World of Sports continues on the bigger species. The taking of sailfish, tarpon, swordfish and finally whales are also shown with all the action and excitement attendant. Interesting. Production Code Seal No. 01,428. Running time, 10 mins. "G."

"Juliet" Given a Test

Chicago, Jan. 28.—M-G-M is testing out the drawing power of "Romeo and Juliet" with showing in Evanston this week on a raised admission two-a-day plan. Results of this tryout will determine the policy to be used in playing the film when it comes up for regular release.

A. H. Blank Returns

Des Moines, Jan. 28.—A. H. Blank, head of the Tri-States Theatre Corp., and Mrs. Blank have returned from a six-week trip to California. Raymond Blank, who met them in Arizona for the California trip, returned to Arizona for the winter.

Shift Conn. Managers

New Canaan, Conn., Jan. 28.—Max Schumann has succeeded William Ellis as manager of the Playhouse. Charles Lyons has been appointed supervising manager.

Free Film Offered For Flood Benefits

(*Continued from page* 1)

effect during the Pennsylvania, Ohio and West Virginia flood of last year. Under that policy the free film was limited to pictures already released in the territories involved.

So far as could be determined yesterday affiliated circuits had no definite plans for putting on flood benefit performances in their theatres. Loew's and Warners, however, reported that district and city managers in the flood states have been authorized to cooperate with local authorities and the Red Cross in connection with approved local activities. Red Cross collections in Warner theatre lobbies have been authorized.

A midnight benefit performance will be given in the Circle, Indianapolis, tomorrow, with Loew's, local exhibitors and film exchanges cooperating. The entire proceeds will be turned over to relief agencies. Loew's houses at Louisville and Evansville are still closed, although damage except in basements of the buildings is reported to be negligible.

Erpi yesterday notified exhibitors in flooded areas that service charges will be suspended until the affected theatres reopen.

Memphis Theatres Hit

MEMPHIS, Jan. 28.—While flood refugees continue to pour into this city by tens of thousands, theatre business in the surrounding territory is virtually at a standstill.

The city itself is still high and dry and likely to remain so even after the Ohio River flood waters are carried into this vicinity by the Mississippi, but in spite of this and excellent current attractions, business has slumped in all local theatres.

Among the towns where all houses have been darkened are Marked Tree, Monette, Miller, Lepanto, Leachville, Parkin, Earle, Clarendon, Cotton Plant and Holly Grove, in Arkansas; Senth, Mo.; Ridgely and Ripley, Tenn.; and Hickman, Ky. Schedules have either been interrupted or stopped entirely in Owensboro, Henderson, Fulton and Princeton, Ky.; Covington, Obion, Halls, Dyersburg, Newburn and Dyer, Tenn.; Wynne and Brinkley, Ark.; Kennett, Mo.; and Shelby, Miss.

Memphis exchanges apparently are suffering heavy losses in damaged or lost prints which are unaccounted for in transit. First run houses here are giving benefit performances for the refugees and flood sufferers in the vicinity.

Illinois Towns Flooded

ST. LOUIS, Jan. 28.—Breaking levees along the Ohio River last night caused the flooding of Mound City and Mounds, Ill., while Harrisburg, Ill., is flooded in low sections by back water from the Ohio 25 miles away. Three houses in the town continued to operate, however.

The theatres in Mounds and Mound City closed several days ago. Two theatres in Carbondale which closed temporarily to help prevent an epidemic among refugees have resumed operations.

St. Louis is not in the flood zone, but is a concentration point for refugees.

Under the direction of a special committee headed by C. D. Hill of Columbia and Fred Wehrenberg, M.P.T.O. president, theatres and exchanges in this territory have perfected plans for a special drive to raise funds for relief of flood sufferers.

Time 2 Years Old

March of Time celebrates its second anniversary with 9,982 theatres numbered among its customers, according to RKO. The first issue went to 400 theatres Feb. 1, 1935.

Flood Moves Southward

CINCINNATI, Jan. 28.—As the flood waters receded hereabouts today electric power was restored and citizens began to survey the damage wrought. The peak of the flood has now passed to the southward and was central tonight in the vicinity of Cairo, Ill.

Memphis became more optimistic as the official forecaster predicted a 48-foot level, considerably below the Army estimates of a few days ago.

Fears at present center on the latest forecast for more rain.

Late today the Red Cross was evacuating citizens at Paducah, Ky., in the path of the rushing waters.

Conditions are improving at Louisville, but the fear of an epidemic is still present. Memphis is preparing to care for 80,000 refugees. Charleston, West Va., is already crowded.

Damage hereabouts is estimated at $15,000,000, and Pennsylvania towns figure the cost at $1,000,000. The crisis is believed to be past in West Virginia.

Plan Hamilton Benefit

HAMILTON, O., Jan. 28.—The Paramount, Southio Unit, is giving a midnight benefit performance Saturday, showing "Hands Across the Table," and possibly some radio acts at a 25-cent admission, with all proceeds to be given the Red Cross. All theatre services donated.

Cincy Hopes to Open in 10 Days

CINCINNATI, Jan. 28.—City officials predict that it will be at least 10 days to two weeks before theatres and stores can be reopened here, and then, possibly, on limited schedules. This, however, is subject to modification, depending on conditions as they develop.

Hasselo Stages Benefit

LEMARS, Ia., Jan. 28.—Manager Raymond Hasselo of the March staged a benefit show for flood sufferers at which all patrons were admitted without charge and then gave a free will offering.

Variety Aids Flood Fund

CINCINNATI, Jan. 28.—The Cincinnati Variety Club, Tent No. 3, has donated $100 to the Red Cross for benefit of flood sufferers.

Film Men Contribute

Arthur M. Loew and Major Edward Bowes each have contributed $500 and Toby Gruen $100 to the Red Cross flood relief fund.

Zukor West Tomorrow

Adolph Zukor plans to leave for the coast tomorrow after a visit of about 10 days in the east. He presided yesterday at a meeting of the Paramount board of directors at which only routine business was transacted, according to company officials.

20th-Fox Men Leave On Tuesday for K.C.

(*Continued from page* 1)

way at the Muehlback on Feb. 4. The contingent is due back Feb. 7.

John D. Clark, general sales manager, will go to Kansas City directly from the coast where he is now conferring with Darryl Zanuck and other studio executives on new product for the coming season.

Gehring Is Dinner Guest

William C. Gehring, leader of the S. R. Kent Drive who was named recently as central division manager for 20th Century-Fox, was guest of honor at a dinner tendered by the sales department last night in the Terrace Room of the Hotel Astor.

Congratulatory wires were received from Kent, who is now in Texas, and John D. Clark, general sales manager, who is on the coast.

Home office representatives at the dinner were: W. C. Michel, William Sussman, W. J. Kupper, Felix Jenkins, Sidney Towell, William Eadie, W. J. Clark, Charles E. McCarthy, Earl Wingart, N. B. Finkler, Martin Moskowitz, Roger Ferri, E. H. Collins, C. A. Hill, Ted Shaw, Jack Bloom, Gene McEvoy, Lee Balsly, Arch Reeve, M. Goodman, Nat Brower, James Glynn, Al Levy, H. H. Buxbaum, J. J. Lee, Moe Saunders, Irving Maas, Clay Hake, Les Whalen, Otto Bolle, R. B. Simonson, Isadore Lincer, Morris Caplan, Harvey Day, Jack Skirball, Ed Jacobs and Harry Gluck. William Gehring, father of the guest of honor, also was among those present.

Report Skouras Bid For Roxy Option

(*Continued from page* 1)

action is said to have been taken on this deal, lending strength to the reports that Skouras may win out. In any event, the parent operating company for the Roxy will be National Theatres, a 20th Century-Fox subsidiary, of which Spyros Skouras is first vice-president. George Skouras now operates the Rivoli in addition to approximately 50 theatres in the Greater New York area.

A hearing will be held this afternoon before Federal Judge Francis G. Caffey on the bondholders' reorganization plan. A few minor objections to the plan are expected, but no decision by the court is scheduled for a few weeks, it is said.

Talk Booking Combine

MINNEAPOLIS, Jan. 28.—A group of small town exhibitors of Minnesota and Wisconsin are considering the formation of a booking combine to tie up product against undesired competition. They declared that purely promotional ventures also are threatening them.

Move to Dissolve Pacific

WILMINGTON, Jan. 28.—A resolution calling for the dissolution of Pacific National Theatres, Inc., a Delaware corporation, was adopted at a special meeting of the board of directors in Los Angeles, it has been announced here. The resolution calls for a meeting of the stockholders of the company in Los Angeles on Feb. 15 at 10:30 o'clock to take action on the resolution.

Omaha Bank Nights Get City Approval

(*Continued from page* 1)

Richard Jepsen and Fire Commissioner W. H. Dorrance that aisles must be kept clear.

Portland Suburbans Have B. N.

PORTLAND, Jan. 28.—Bank Nights are still universally used by suburban houses here. In many sections, with money becoming scarcer because of 12 weeks of the maritime strike, exhibitors state that Bank Nights here helped in keeping open.

With a continuance of cold weather and flu, it is now just a question of how long they can continue.

Theatres were closed this last week in Vancouver, Wash., because of flu.

Ministers Attack Awards

OKLAHOMA CITY, Jan. 28.—Bank Deposit Award Night in local theatres was condemned Jan. 25 by the Ministers' Alliance which passed a resolution calling upon law enforcement agencies to end the practice.

Orpheum's Creditors To Act on RKO Offer

(*Continued from page* 1)

Kresel is attorney, also has moved for rejection of RKO's $700,000 offer. If the creditors accept the offer, it would permit a liquidation of Orpheum in which the preferred stockholders could not participate. The stockholders would be entitled to a participation if Orpheum could be reorganized under Section 77-B, however.

Nestor Lao Arrives

Nestor Lao, president of the Cuban Exhibitor's Ass'n, arrived from Europe yesterday on the *Aquitania*. Lao brought 30 reels of film of the fighting in and around Madrid. He also had the last six features produced in Spanish studios before production was halted by the present war.

Wall Street

Small Increases on Board

	High	Low	Close	Net Change
Columbia	37	36½	36½	— ¾
Consolidated	5⅜	5¼	5⅜	+ ⅛
Consolidated, pfd..	17⅞	17⅝	17⅞	+ ⅝
Eastman Kodak ..	171½	169	169	—3⅛
Gen. T. Equip....	33½	32	32	—1⅛
Loew's, Inc.	73	71¼	71¼	—1⅝
Paramount	28¾	28⅛	28⅜	.....
Paramount 1 pfd..	200½	198	198⅝	+ ⅝
Paramount 2 pfd..	26¾	25⅝	25⅝	.....
Pathe Film	9¾	9⅝	9⅝	+ ⅛
RKO	9	8¾	8¾	.....
20th Century-Fox.	37	36⅝	37	+ ⅛
20th Century, pfd.	45¾	45½	45⅝	+ ⅛
Warner Bros.	15¾	15¼	15¼	— ¼

Little Curb Movement

	High	Low	Close	Net Change
Grand National ..	4	3⅞	4	.....
Sentry Safety	1⅛	1⅛	1⅛	.....
Sonotone	2⅛	2⅛	2⅛	— ⅛
Technicolor	21⅞	21⅜	21⅝	+ ⅛
Trans-Lux	4¼	4¼	4¼	.....

Bonds Change Slightly

	High	Low	Close	Net Change
Paramount B'way 3s '55	74½	74½	74½	.....
Paramount Pict. 6s '55	100¾	100⅜	100⅜	— ¼
RKO 6s '41 pp....	120⅞	120⅞	120⅞	+ ¾
Warner Bros. 6s '39 wd	100	99¾	99¾	— ¼

(Quotations at close of Jan. 28)

HOT ON THE RADIO

NOW *Sizzling* ON THE SCREEN!

SISTERS OF THE SKILLET

ED EAST and RALPH DUMKE bring their 500 pounds of rollicking fun to add another tasty dish to *Educational's* feast of big star comedy. And they're perfect laugh makers in

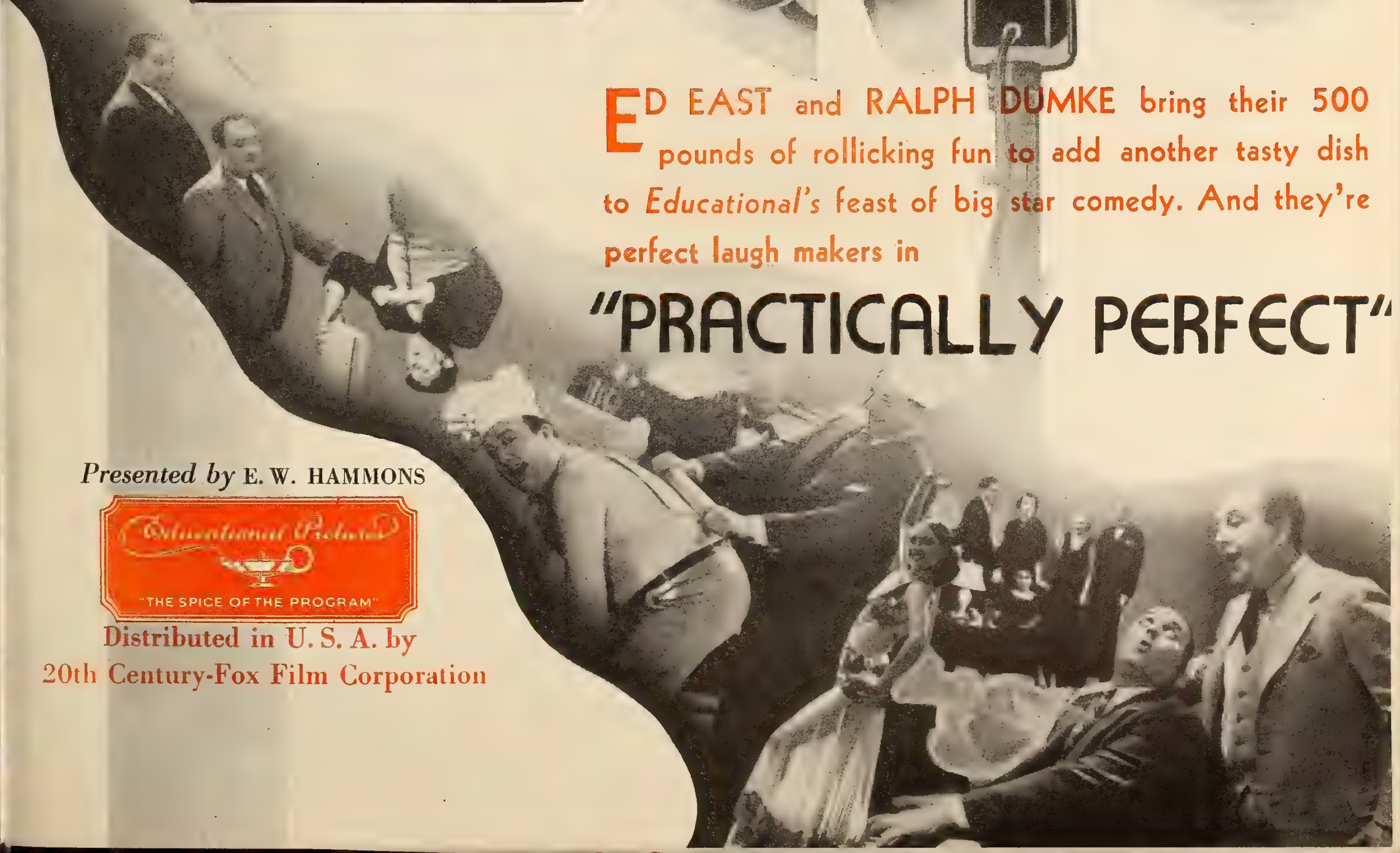
"PRACTICALLY PERFECT"

Presented by E. W. HAMMONS

Educational Pictures

"THE SPICE OF THE PROGRAM"

Distributed in U. S. A. by
20th Century-Fox Film Corporation



Walter Wanger

Fritz Lang

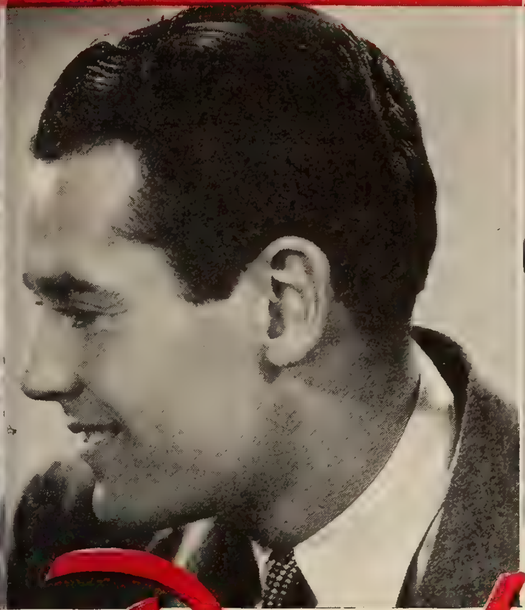
Sylvia Sidney

"A Bow t

for setting off a cinema
says Jimmy Starr, ace revie

"YOU ON

is a new form of dramati
TOWNE and GRAHAM BAKER
powerful story with BRILLI


Henry Fonda

Gene Towne

Graham Baker

Producer Wanger

firecracker that explodes in your face,"
for Los Angeles Herald-Express, who adds:

Y LIVE ONCE

ynamite from the explosive pens of GENE
the megaphone of FRITZ LANG! A tensely
WORK BY SYLVIA SIDNEY AND HENRY FONDA!"

Watch the big
N. Y. Premiere
Tomorrow
RIVOLI
Theatre

Released thru **UNITED ARTISTS**

All United for the **GEORGE SCHAEFER DRIVE, JAN. 24th • MAY 1st**

◂ Purely Personal ▸

Percy Phillipson, president of General Register Corp., arrived late yesterday on the *Aquitania* from London, two days late. Mrs. Phillipson accompanied him this time. Tom Drew, general sales manager of General Register, was on hand, of course, to greet him.

•

Clinton White, assistant to George W. Weeks, G. B. general sales manager, will return to New York today after a two-week tour of exchanges in the middle west and northwest. He will leave next week for a tour of southern offices.

•

Edward J. Peskay of Grand National leaves Dallas today for the coast to join Edward L. Alperson, president, in conferences with the company's producers.

•

Cora Wilkenning hopes to leave for the coast next week. She's been planning the trip for weeks and hasn't been able to get away.

•

Harry Shiffman, Edward Schnitzer, Leo Abrams and Irving Wormser will sail today on the *Lafayette* on an 18-day cruise.

•

Edward Golden, general sales manager of Monogram, is back in town after a trip to Baltimore and Chicago.

•

Jack Goetz of DuArt Laboratories will leave for Hollywood today. He will be gone about four weeks.

•

Gradwell L. Sears will not return from his southern tour of Warner exchanges until Monday.

•

Al Cohn left for Washington last night and on Saturday leaves Chicago for the coast.

•

Leon Gordon and Benny Thau, M-G-M directors, sail today on the *Aquitania.*

•

Albert Warner has returned from Miami and is sporting an envious tan.

•

Marlene Dietrich is on her way to this country on the *Berengaria.*

•

Edward L. and Mrs. Klein sail for London today on the *Aquitania.*

•

Archie Mayo has extended his stay and starts for Havana tonight.

•

Betty Roach of M-G-M is back from a vacation at Miami.

•

Francine Larrimore returned from the coast yesterday.

•

John Balaban arrives from Chicago this morning.

•

Al Lichtman returned from Miami yesterday afternoon.

•

Carl Leserman is due back from Boston today.

•

Sam Rinzler will leave tomorrow for Miami.

•

Edgar Selwyn takes himself west Saturday.

Selznick's Salary Was $194,000 in '35

(*Continued from page* 1)

Barrymore, Constance Bennett, Jack Benny, Clarence Brown, Ronald Colman, Ann Harding, Jean Harlow, the Marx Brothers, Jeannette McDonald, Robert Montgomery, Jack Conway, Tay Garnett, William K. Howard, Lucien Hubbard, Robert C. Leonard, Frank Lloyd, Frances Marion, John Meehan, Edgar Selwyn, Hunt Stromberg, Ernest Vadja and W. S. Van Dyke.

Other film salaries of more than $15,000 included: William Wyler, $80,555; Sam Behrman, $52,291; Richard Boleslawski, $69,750; Tod Browning, $51,000; Marc Connelly, $56,666; Jackie Cooper, $57,490; J. W. Considine, Jr., $64,000; George Cukor, $71,750; Victor Fleming, $65,416; Jules Furtman, $87,083; Cedric Gibbons, $52,000; Edmund Goulding, $72,000; E. H. Griffith, $64,333; Oscar Hammerstein, $72,541; Helen Hayes, $52,750; George S. Kaufmann, $78,749; Sam Katz, $57,000; Albert Lewis, $65,000; Ted Lewis, $56,464; Herman J. Mankiewicz, $65,000; Joseph Mankiewicz, $50,041; Charles Reisner, $83,925; J. Walter Ruben, $52,833; Norma Shearer, $80,000; Donald Ogden Stewart, $64,500; Henry Stephenson, $52,083; Lawrence Weingarten, $78,000; William Wellman, $69,875.

Also, Al Christie, Educational, $43,500; E. A. Schiller, $33,150; Joseph R. Vogel, $33,400; Oscar A. Doob, $20,800; Courtland Smith, $22,750; J. S. Connolly, $20,657; Herbert Bayard Swope, RKO, $35,000; Major L. E. Thompson, $25,000; Nate Blumberg, $25,000; A. E. Reoch, $18,000; I. E. Lambert, $20,000.

Other M-G-M salaries included: Gilbert Adrian, $38,666; Elizabeth Allan, $42,041; Vickie Baum, $27,333; Victor Baravalle, $21,125; Monta Bell, $46,375; Robert Benchley, $28,250; Herb Nacio Brown, $32,088; Leo Carillo, $30,333; Edward C. Carpenter, $28,333; Lenore Coffee, $30,333; J. J. Cohn, $41,700; Rachel Crothers, $49,175; Jack Cummings, $26,000; Howard Dietz, $39,000; Dudley Digges, $20,833; Walter Donaldson, $39,211; William Daniels, $23,582; Nelson Eddy, $48,958; Stuart Erwin, $36,541; Madge Evans, $43,733; John Farrow, $20,349; Louise Fazenda, $24,375; Seymour Felix, $45,000; Edith Fitzgerald, $36,099; Arthur Freed, $31,166; Oliver H. P. Garrett, $30,250; Leon Gordon, $35,087; Max Gordon, $21,000; M. E. Greenwood, $42,900; Chester Hale, $36,200; Ted Healy, $48,712; Jean Hersholt, $25,783; Dashiel Hammett, $29,500; Monckton Hoffe, $30,000; Robert Hopkins, $45,200; James Howe, $21,257; Horace Jackson, $44,327; Allen Jones, $33,000; Gus Kahn, $35,888; Burt and Ruby, Harry Kalmar, $30,416; B. and Julian W. Kaper, $27,633; Otto Kruger, $31,458; Frank Lawton, $21,708; Evelyn Laye, $36,833; W. P. Lipscomb, $22,000; Fritz Lang, $33,166; Rufus Le Maire, $27,500; Carole Lombard, $35,000; Myrna Loy, $34,208; Paul Lukas, $40,750; Samuel Marx, $25,200; E. L. Marin, $24,700; John Lee Mahin, $36,500; Oliver Marsh, $28,678; William A. McGuire, $44,083; Aileen McMahon, $23,333; John McGowan, $23,300; James McGuinness, $41,200; Una Merkel, $37,916; Alice Duer Miller, $27,833; Warren Newcombe, $32,225; Maureen O'Sullivan, $26,700; Reginald Owen, $21,875; Fred E. Pelton, $40,474; Eleanor Powell, $23,125; Basil Rathbone, $32,833; May Robson, $33,499; Howard Emmet Rogers, $39,000; Richard Rosson, $23,200; Wells Root, $29,049; Florence Ryerson, $26,616; Morris Ryskind, $38,312; Richard Schayer, $38,208; Edward Sedgwick, $33,000; George Seitz, $40,833; Sid Silvers, $31,975; Douglas Shearer, $25,000; Paul H. Sloan, $31,500; Ralph Spence, $29,500; Samuel and Bella Spewack, $26,875; Herbert Stothart, $38,557; Benny Thau, $31,200; Spencer Tracy, $36,250; Raoul Walsh, $25,500; Maurine Watkins, $33,333; Johnny Weissmuller, $24,600; Carey Wilson, $46,500; P. J. Wolfson, $29,575; Sam Wood, $27,000; Edgar A. Woolf, $33,040.

File Theatre Plans

Plans have been filed for a new theatre at 2 University Place by Herman E. English, president of the 2 University Place Corp. It will be a $40,000 structure. William I. Hohauser is the architect.

Goldwyn Signs Jepson

Hollywood, Jan. 28.—Samuel Goldwyn has signed Helen Jepson to an exclusive film contract. She will appear first in "The Goldwyn Follies."

20th-Fox Replies in Infringement Action

An answer was filed yesterday by 20th Century - Fox and Movietone Music Corp. in an infringement suit brought against the companies by the Foreign & Domestic Music Corp., Samuel Cummins, Societa Anonima Musicale Bixio and Cesare Andre Bixio.

The plaintiffs claim "Midnight in Paris," sung by Nino Martini in "Here's to Romance," was an infringement on 'Passa L'Amore" which Bixio composed in June, 1935. The plaintiffs ask $1,000,000 damages.

Other defendants are Sam Fox and Harry Fox, doing business as the Sam Fox Publishing Co., Con Conrad, Herb Magidson and Nino Martini.

Goess Wins Judgments

Two judgments were granted yesterday to Frederick C. Goess by U. S. District Judge Henry W. Goddard in the suit of Goess, as receiver of the Harriman National Bank and Trust Co. against A. C. Blumenthal. The first judgment amounted to $1,885 and the second to $36,967.

The action was based on certain endorsements made by Blumenthal and discounted by the Harriman National Bank before it closed. Blumenthal counterclaimed for the amount of $59,185 claiming that he had been induced to buy stock in the Harriman National Bank by fraudulent representation of Joseph W. Harriman, president. Judge Goddard dismissed this counter claim.

Grant-Lait Suit Settled

Settlement of the suit brought against Jack Lait by Bruce Grant was effected yesterday before Judge John W. Clancy. Grant asked for $50,000 damages, asserting that he wrote "The Girl Without a Room" in 1929 and submitted it to Lait who was then connected with King Features. In 1931 Lait sold a story bearing that title to Paramount which produced it, according to Grant, who claimed it was an infringement on his story.

Reorganization Approved

Federal Judge Grover Moskowitz in Brooklyn yesterday approved the reorganization plan for Coney Island Theatre, Inc., which operates a six-story office building and theatre at Stillwell and Surf Aves. The company went into receivership in June, 1936.

Mayer Given Judgment

A default judgment for $75,893 was filed in N. Y. Supreme Court yesterday against the Greater M. & S. Circuit, Inc., in favor of Elian Mayer. The suit is based on $64,000 worth of notes given the plaintiff by the defendant in April, 1930. The judgment includes that figure plus interest.

Dillingham Sale Today

All the interest and title for certain plays alleged to be owned by Charles B. Dillingham will be sold this morning in a postponed sale before Referee John E. Joyce.

Leslie Fuller Wins Suit

London, Jan. 28.—Leslie Fuller today won his salary suit against Joe Rock and was awarded £1,815 after withdrawing his charge of misrepresentation.

More Film Measures Up in Massachusetts

(*Continued from page* 1)

Committee on State Administration.

Another censor bill has been filed for action by the Committee on Legal Affairs by Charles Hiller. It is described as a bill "to prohibit the use of obscene or sacrilegious language and of swearing at theatrical exhibitions or entertainments."

Present Operators' Bill

Albany, Jan. 28.—A bill permitting persons threading projectors to have operators' licenses and authorizing the issuance of operators' licenses to persons having practical experience in booths instead of requiring them to serve an apprenticeship, and preventing the revocation of licenses except for cause was introduced in the Assembly today by Bernard Austin, Brooklyn Democrat.

The bill also would prohibit an operator from leaving a booth or projection room while the apparatus is in operation.

To Oppose Laws in Iowa

Des Moines, Jan. 28.—Iowa exhibitors and exchange executives met this week in the Variety Club rooms in the Savery Hotel to make plans for opposing any legislation detrimental to the industry.

The present two per cent sales tax expires next June and if this is not continued some other form of taxation may be planned to take its place.

Other subjects discussed were: Film rentals, possible Bank Night legislation, censorship and a possibility of a bill to have two operators for each projection machine.

Ask 5% Oklahoma Tax

Oklahoma City, Jan. 28.—A $15,000,000 sales and service tax that would include a five per cent tax on amusement tickets has been submitted to the House Revenue and Taxation Committee. The legislature has begun a scramble for revenues to pay old age pensions and to keep schools going.

The sales tax bill provides for a drastic broadening of the base of the present law, which also levies a two per cent tax. The present sales tax on theatre admissions is two per cent. The new bill would more than double this. It would start on transactions of four cents and up.

Propose New Maine Tax

Bangor, Jan. 28.—A bill to tax all theatre tickets one cent is being framed for the Legislature. Senator George Ashby, Aroostook Republican, estimates that the levy would yield $100,000 a year. Allied is preparing to oppose the measure.

Would Provide Day Off

Albany, Jan. 28. — Engineers and firemen in film houses in New York state would be granted one day off in each seven, by a bill introduced into the Assembly here today by Michael J. Keenan, Democrat, of New York City.

FWC Officials Delayed

Los Angeles, Jan. 28.—Executives of Fox West Coast, expected here today, have been delayed. Spyros Skouras is due tomorrow, while William Powers and Edward Zabel are scheduled to arrive Saturday.

United Artists announces the premiere public presentation in America by Alexander Korda of Erich Pommer's production

FIRE OVER ENGLAND

Directed by WILLIAM K. HOWARD

RADIO CITY MUSIC HALL
MARCH 4th

"'Fire Over England' is one of the greatest dramas ever to come from a film studio"
—says BOXOFFICE

On the Air Last Night

"Vocal Varieties"

"Vocal Varieties," a new series featuring an ensemble of 14 mixed voices that presents popular tunes with an orchestral effect, made its debut on the NBC-Red Network last night at 7.15 P.M., E.S.T.

Here is a program as different as it is pleasing. The only support instrumental is contributed by a piano, string bass and guitar. For the rest, the voices comprise the "orchestra."

Two teams of trios, the DeVore Sisters and the "Smoothies," and a male octet mould the songs so cleverly they really sound as if they are orchestral rather than vocal renditions. Included among the numbers heard last night were the title songs of two motion picture successes: "Pennies from Heaven" and "San Francisco."

"Vocal Varieties" is one of those rare phenomena programs that graduates from local to network status. It's been a feature on WLW in Cincinnati for a long while, where it attracted the attention of its sponsor. The series is a presentation of the Howe Medicine Company for "Tums," and will be heard bi-weekly, Tuesdays and Thursdays.

BANNER

Dr. Damrosch Given Birthday Luncheon

Dr. Walter Damrosch, NBC music counsel, dean of American conductors, was tendered a luncheon yesterday in honor of his 75th birthday.

Those who paid Dr. Damrosch tribute included David Sarnoff, President of Radio Corp. of America; John D. Rockefeller, Jr.; Mrs. Vincent Astor, Dr. John H. Finley, Efrem and Mrs. Zimbalist, Ernest Schelling, Herman and Mrs. Irion, Mme. Olga Samaroff-Stokowski, Mrs. Frederick Steinway and others.

Following the addresses, a "million-dollar mixed quartette" comprising Rosa Ponselle, Lily Pons, Lauritz Melchior and Suzanne Fisher sang for the guest of honor.

Dr. Damrosch has been with NBC for 10 years.

KFEL Raises $2,200

DENVER, Jan. 28.—More than $2,200 has been raised for flood relief through a special broadcast over KFEL, the Denver Mutual outlet. The station time was donated by Manager Gene O'Fallon, phone girls worked for nothing, as did messenger boys who collected the money. The affair was worked as an auction. Harry Rosenthal, a city councilman, selling each donor the good feeling he acquired in boosting the fund.

Raise $90,000

Appeals for funds for flood victims, broadcast intermittently on the Mutual network, have brought in approximately $90,000 to date, according to network officials in New York. The money has been forwarded to WLW, Mutual's Cincinnati affiliate.

Batten, Barton Move from 4th to First on CBS Time

Batten, Barton, Durstine & Osborn moved from fourth place in 1935 to first in 1936 among the advertising agency time buyers at CBS, replacing Blackett-Sample-Hummert, who dropped from first place in 1935 to second spot last year. N. W. Ayer & Son, second in 1935, went into third last year, while Erwin Wasey, third in 1935, ended in the 15th position among the first 20 agencies using the CBS facilities in 1936.

The statistical picture with comparisons of rank, based on time buys, follows, the blanks indicating those agencies which bought no time with the network in 1935:

1936 Rank	1935 Time Buy	1935 Rank	1935 Time Buy
1—Batten, Barton, Durstine & Osborn	$2,360,292	4	$999,018
2—Blackett-Sample-Hummert	1,963,086	1	2,501,395
3—N. W. Ayer	1,822,945	2	1,822,529
4—Benton & Bowles	1,562,135	..	....
5—F. Wallis Armstrong	1,256,154	6	893,515
6—Ruthrauff & Ryan	1,192,704	14	417,258
7—Newell-Emmett	1,095,810	10	729,447
8—Lord & Thomas	1,080,908	17	297,931
9—William Esty Co.	1,047,534	5	946,107
10—J. Walter Thompson	997,181	8	792,531
11—Hutchins Adv. Co.	745,020	11	556,989
12—Stack-Goble	568,427	9	745,845
13—Paris & Peart	566,060	24	159,600
14—Young & Rubicam	499,300	13	498,632
15—Erwin Wasey	410,673	3	1,046,674
16—J. Stirling Getchell	344,437	26	136,829
17—Knox-Reeves	341,410	..	....
18—Frances Hooper	324,596	7	795,718
19—Arthur Kudner	321,390	..	....
20—Maxon	306,006	..	....
Totals	$18,806,068		$13,340,018

The 1936 total represents an increase of 41 per cent over 1935 for the above group of agencies.

Celler Bill Seeks Government Station

WASHINGTON, Jan. 28.—Establishment of a Government short wave station in Washington to provide programs for Latin American countries is sought in a bill now being prepared for introduction in Congress by Representative Celler of New York, it was learned today.

Proposals that each of the American republics construct a station from which programs might be broadcast for the other countries, as a means of furthering amicable relations, were made at the Pan-American Conference in Montevideo in 1932. None of the Governments, however, has yet taken any steps to carry the plan into operation.

Celler's bill was prepared after F. C. C. Commissioner George Henry Payne made public charges that an unidentified "radio lobby" has fought consistently to keep the Government out of broadcasting and has become so bold as to attempt to secure for commercial use the five frequencies set aside for Inter-American broadcasting a year ago by President Roosevelt.

The bill carries an appropriation of $750,000 for construction of the station, which would feature addresses by Federal officials on matters of interest to Latin America, music by the various service bands and other government-provided programs.

Flood Keeps Wilson on Job

CINCINNATI, Jan. 28.—L. B. Wilson, president and general manager radio station WCKY, has returned from Florida. Elmer H. Dressman, publicity director, has his luggage packed for a Florida trip, but he's still at WCKY, where he will remain until the flood recedes sufficiently to enable him to start south.

Kentucky Colonels Respond to Appeal

Over 100 donations have already been received by WHN in response to the call of Louis K. Sidney for all Kentucky Colonels to contribute to a fund to send to Gov. Albert B. Chandler, for relief in the devastated flood regions of that state.

Yesterday Sidney, through WHN, dispatched telegrams to Kentucky, aides-de-camp in Hollywood, which number hundreds of actors, producers, directors, writers and technicians. Wires have also been dispatched to division managers of Loew theatres and letters are being forwarded to colonels in New York. In addition, announcements of contributions are made by WHN at half-hour intervals.

Trade publications including *Film Daily, Variety, Billboard, Hollywood Reporter* and MOTION PICTURE DAILY have also joined in the cause.

Expose Broadcasts Are Given New Time

BOSTON, Jan. 28.—Effective Saturday, the weekly broadcasts of the Boston Better Business Bureau will be heard at a new time. The skits will be broadcast over WNAC, Boston and stations of the Yankee Network every Saturday from 7 to 7:15 P. M. On Saturday, the bureau will dramatize the "Moving Picture School Scheme," a short skit emphasizing and pointing out the schemes used by fake agents who through their racketeer methods dupe parents and children into paying fees for coaching, publicity, registration and screen tests which result in the victims finding themselves stranded and no nearer the film goal than before. It explains also how the "sucker list" is usually supplied by high school year books listing those interested in dramatics.

◂ Radio Personals ▸

JOAN BLANE, star of the NBC serial, "Story of Mary Marlin," collapsed in the studio after yesterday's broadcast and will be written out of the script for several broadcasts . . . Bea Lillie dropped a $100 bill into the Red Cross contribution cup at the studios last night . . . Vance Babb, NBC press department manager, is back in harness after a week's illness . . . Lennen and Mitchell employes have contributed $700 to the Red Cross flood relief fund . . .

✚

Evelyn Case is substituting for Elinor Sherry on Jack Arthur's WOR program while the latter tours in vaudeville . . . Walter Hampden will do "Cyrano" on "Showboat" Feb. 4 . . . "Rio Rita" will be Jessica Dragonette's contribution in the "Beauty Box" offering on CBS Feb. 3 . . . Walter Huston will be interviewed by Radie Harris on WHN tomorrow . . . WMCA, soliciting funds for the flood sufferers, has already contributed more than $3,000 to the Red Cross . . .

✚

Richard Bonelli is set as the featured guest on the "Sunday Evening Hour" Feb. 7 . . . Lawrence Tibbett, Rosa Ponselle, Gladys Swarthout and Lily Pons will appear in that order in the next four "Metropolitan Auditions of the Air" programs . . . Zeke Manners and his gang of hill billies return to WMCA Feb. 2 under the sponsorship of United Remedies, Inc. . . . The WINS baseball team is now lining up a schedule for the coming season . . .

✚

Howard Barlow, CBS symphony conductor, is convalescing after a mastoid operation . . . Rubinoff will have as his guests this Sunday 50 high school editors . . . Tito Guizar is mourning the death of his mother . . . Guy Robertson, Marion Claire, Ella Logan and Meredith Marshall will be the headliners tonight in a special program to be heard on the Mutual network beginning at 10 P. M., E.S.T.

Playwrights Awards To Be Made at WOR

The presentation of awards in the Bureau of New Plays contest for young playwrights will be made in the studios of WOR on a special program which will be broadcast coast-to-coast on the Mutual network Feb. 1 at 4:30 P. M., E.S.T. The contest, started in the spring of 1936, was sponsored by seven film companies to discover young playwrighting talent. Theresa Halburn is in charge.

Minnie Bows Soon

Minnie, the singing mouse, makes her commercial debut on the Alka-Seltzer "Barn Dance" program this Saturday at 9 P. M., E.S.T., on the NBC-Blue.

Ten dollars of her salary will be contributed to the relief fund for flood victims.

Radio Acceptance

THE COMMERCIAL APPEAL
"THE SOUTH'S GREATEST NEWSPAPER"
MEMPHIS, TENN.

January 8, 1937

Maurice Kann, Editor
Motion Picture Daily
Rockefeller Center
New York City

Dear Mr. Kann,

A note to express commendation on the radio section as well as the entire edition of Motion Picture Daily.

Regards,

Robt. Gray

Robert Gray, R.E.
The Commercial Appeal
Memphis, Tenn.

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

THIS IS THE WEEK

scores of showmen have been waiting for!

This is the week "Lloyds of London" is nationally released!

Having proved itself as a $2.00 attraction in Hollywood and New York, "Lloyds" is now demonstrating its mass appeal by holding over for two to three weeks in every pre-release, popular-price situation (including Radio City Music Hall).

Grossing bigger in its hold-over than the opening week of ordinary pictures.

Showmen alive to their opportunities are dating in "Lloyds" for a *minimum* of double their usual playing time!

NATIONAL RELEASE WEEK OF

LLOYDS OF LONDON

National profit week for exhibitors!

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 25 NEW YORK, SATURDAY, JANUARY 30, 1937 TEN CENTS

Philadelphia Theatres Get Grace Period

Games Test Case Planned In Four-Week Truce

PHILADELPHIA, Jan. 29.—Exhibitors here obtained four weeks' grace for Bank Night and other games as the result of a meeting today among Mayor Wilson and 60 exhibitors representing 150 theatres. This extends the original two-day truce which expired tonight.

During the grace period, the exhibitors and the district attorney will start a test case on the legality of the games, the Mayor declaring it was a matter for the courts to decide. The U.M.P.T.O. will cooperate to clear the situation through the courts as rapidly as possible.

A surprise development at the meeting was the appearance of Morris Wolf, Warner attorney, who spoke against the games, marking the first time the circuit actually has gone on

(*Continued on page* 4)

Local Flood Benefit Show to Be Feb. 13

The theatrical division of the American Red Cross will hold a monster benefit show to obtain funds for the relief of flood sufferers, on Feb. 13, probably at the Music Hall, it was decided at a meeting at the Hotel Lincoln yesterday. The meeting was called by Theatre Authority, Inc., clearing house of theatrical organizations, which has been designated as the official unit of the Red Cross in charge of all theatrical benefits for flood relief. The Authority has waived its usual 15 per cent on benefit shows.

The benefit show will run from 12

(*Continued on page* 4)

Academy Names 6 for Film Editing Awards

HOLLYWOOD, Jan. 29.—Nominations for the Film Editing Awards by the Academy nominating committee headed by Harold J. McCord are "Anthony Adverse," "Come and Get It," "The Great Ziegfeld," "Lloyds of London," "A Tale of Two Cities" and "Theodora Goes Wild."

Rules governing the awards provide that in cases where there are normally five nominations and two films are tied for fifth place, both productions shall be considered on the final ballot. This accounts for the presence of six nominations on this year's list.

Holders of Only $200,000 in Roxy Bonds Against Fox Offer

Opposition to the plan of reorganization for the Roxy was limited to holders of $200,000 of the $3,595,208 of first mortgage bonds outstanding and a small but voluble representation of stockholders, for whom the plan makes no provision, at the first hearing yesterday before Federal Judge Francis G. Caffey.

The court ruled that it would direct that the plan be sent out to security holders at once and on Monday a date would be set for general hearing of the plan.

Charles Seligson, attorney for a dissenting committee of bondholders, led the opposition. It was pointed out to the court that average weekly profits of the Roxy have risen to $6,144 from the $3,428 average of last month. The current gross of "Three Smart Girls" was also cited by objectors to the plan to deprecate the necessity for a 20th Century-Fox franchise, as provided in the plan. The opposition contended that, as the second largest Broadway house, the Roxy

(*Continued on page* 4)

Local 306 Voting on Union Deal Today

The membership of Local 306 is expected to ratify the pending agreement between the Allied Union and 306 at a meeting scheduled for early this morning to vote on the agreement. The membership of Allied voted favorably on the deal earlier in the week.

It is anticipated that this vote will be the final step by the unions on the way to the conclusion of a final settlement of the multiple union situation in New York. Following a favorable vote by 306, it is expected the final agreement between the two will be drawn and signed early next week, and shortly thereafter the 306 agreement with the I.T.O.A. will be placed in effect. The union agreement calls primarily for absorption of Allied's membership by Local 306, and the 306-I.T.O.A. deal for a 10-year employment arrangement.

Alien Actor Hearing Is Set for Feb. 17

By CLARENCE LINZ

WASHINGTON, Jan. 29.—Seeking to expedite action on his immigration legislation, Representative Dickstein of New York, and chairman of the House Immigration Committee, today announced that hearings would be held Feb. 17 on his alien actor bill.

At a meeting of the committee

(*Continued on page* 4)

Columbia to Reply

Columbia will make public today its reply to the M.P. T.O.A. 10-point trade practice program setting forth the policy it will follow in connection with cancellation, score charges, local conciliation boards and other proposals.

This constitutes the sixth reply to the program and leaves Paramount and Warners as the only major companies still to be heard from. Republic and G. B. may offer statements soon.

Production High With 46 in Work

HOLLYWOOD, Jan. 29.—Studios hit their busiest peak in three months here last week with 46 features and four shorts in production. Ten new pictures went into work and six were finished. Twenty-two films were in preparation, which will go into work within the next two weeks. Cutting rooms had 45 features and 12 shorts.

Pictures that started during the week were: "End of Adventure" and "I Met Him in Paris" at Paramount, "Outcasts of Poker Flat" at Radio, "Midnight Taxi" at 20th Century-Fox, "Short Haul," "Wings Over Hono-

(*Continued from page* 2)

RKO Pathe Lot for Selznick Internat'l

HOLLYWOOD, Jan. 29.—A three-year lease on the entire RKO Pathe lot will be taken by Selznick International in accordance with the terms of a contract which is now drawn up. Selznick, however, has not officially confirmed the deal.

It is understood that other units now located on the lot will be asked to seek new quarters.

Weeks Confers Here With Eastern Staff

George W. Weeks, G. B. general sales manager, will hold a conference at the home office today with a group of eastern exchange managers and district managers. The new untitled Raoul Walsh production will be screened.

Those attending include: J. Reg Wilson, central district manager; John

(*Continued on page* 4)

Contest Begun Over Orpheum Circuit Sale

Kresel Tells Court Bid Will Top RKO Offer

The preferred stockholders' committee of Orpheum Circuit will contest RKO's effort to obtain uncontested title to Orpheum's assets by making a competitive bid for the properties next Tuesday, Isidor J. Kresel, attorney for the committee, advised Federal Referee Oscar W. Ehrhorn yesterday. Kresel said that the committee's offer would be "much larger" than that made by RKO, and which Orpheum creditors were scheduled to take action on yesterday. Action was postponed in order that the new bid might be considered also.

Kresel revealed that Orpheum's assets have been appraised at $2,772,000 and said that RKO's offer of $700,000 in cash and a waiver of its own claims against Orpheum was equivalent to an offer of $1,750,000. He said that the more than $1,000,000 difference in value between the RKO offer and the appraisal figure would be taken into consideration by the

(*Continued on page* 4)

New Zukor Pact to Go to Stockholders

The submission to Paramount stockholders of a new long term contract continuing Adolph Zukor, chairman of the board, in charge of all production activities of the company and providing for his receiving a share of the company's profits from the film end of the business has been authorized by the Paramount board, the company stated yesterday. Approval of the contract was recommended to the stockholders by the board.

At present, indications are that the

(*Continued on page* 4)

Para. Studies Three Broadcasting Offers

Paramount is entertaining three network offers, each coast-to-coast, to stage an hour's broadcast weekly from its own studio stages, declared Boris Morros, general musical director of the studio, yesterday. He added he will make a decision after his return west. Sunday is the day of his departure.

More on radio—page 3

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Nat'l Board Annual Meeting on Thursday

The National Board of Review will hold its 13th annual conference at the Hotel Pennsylvania from Thursday to Saturday of next week, under the general topic, "Looking Back and Forward at the Motion Picture." The 22nd annual luncheon will conclude the conference on Saturday, Feb. 6.

Discussions, addresses by numerous authorities, and demonstrations will feature the three-day meeting. Reports will be heard from the 4-Star Clubs and the Young Reviewers. Dr. George Kirchwey, chairman of the National Board will preside at the luncheon.

Lengel to Quit Col.

William C. Lengel, eastern story editor for Columbia, will not renew his contract when it expires shortly, he declared yesterday. He will devote his time to writing, and will leave early in April for the coast to adapt a new novel, "All That Beauty," to the screen. A successor to Lengel has not been appointed as yet.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Good Earth"

(M-G-M)

Hollywood, Jan. 29.—Superlative acting by Luise Rainer, Paul Muni and a fine supporting cast and the presentation of the story with dignified sincerity combine to make this one of the screen's great pictures. It is moving entertainment for any kind of an audience. De luxe theatres may offer it with pride, knowing they will do business; subsequent run operators may be sure it will do their houses honor.

For those unfamiliar with the story, this is a saga of suffering—the story of a man who loved the land and a woman whom he had married out of slavery, of their family friends in the wheat-growing area of north China.

In poverty Wang (Muni) yearns for sons and lands. Sons come, and then famine strikes. There follows a heartbreaking trek to the south and food. Muni is degraded to bestial toil; the family begs for food.

Revolution follows. The wife, Olan (Miss Rainer), finds a bag of jewels during a palace looting. She is saved from death by a whim of fate. To the fearful possessors of secret wealth comes news of rains in the north. Home again, with undreamed-of riches, security enfolds the house of Wang, but Miss Rainer's reward is Muni's introduction of a singing girl, Lotus (Tilly Losch), into the household as his second wife.

Muni's fondness for Lotus turns to bitter hatred when he discovers her making advances to his second son, Roland Lui. The curse of sin descends. Clouds of locusts destroy crops. With his first son, Keye Luke, pointing the way to combat the insects, Muni rallies his family and other farmers, and they halt the blight in spectacular sequences which for stirring force have rarely been equalled on the screen.

Their crops saved, the family and friends gather for thanksgiving rites. Muni's repentance brings his wife's forgiveness before she dies.

The picture has everything—a great story, acting that is beyond criticism, and fine artistic support for the stars from Walter Connolly, Miss Losch, Charley Grapewin, Jessie Ralph, Harold Huber and the real Chinese in the cast—Keye Luke, Ching Wah Lee, William Law and Mary Wong.

In transcribing the Owen and Donald Davis stage play, which was adapted from Pearl Buck's novel, Talbot Jennings, Tess Schlesinger and Claudine West have done a masterful job. In directing, Sidney Franklin elected to let the powerful story tell itself in simple, forceful fashion.

Mechanical production effects created by Cedric Gibbons and his assistants, Harry Oliver, Arnold Gillespie and Edwin Wallis, deserve much credit. Karl Freund's photography is artistic and the musical score arranged by Herbert Stothart is tuned to give audiences a perfect understanding of the motivation and spirit of the story.

A credit to M-G-M and a high honor to Albert Lewin, who carried the film to completion following the passing of Irving Thalberg, "The Good Earth" is a picture of which the industry may well be proud.

Production Code Seal No. 2,584. Running time, 130 minutes, which permits a five-minute intermission. "G." McCarthy

◂ *Purely Personal* ▸

Adolph Zukor will delay his departure for the coast another day or two. He was scheulde to leave today but will not get away before tomorrow. He will be accompanied west by **Boris Morros**.

•

Doris Nolan left for the coast yesterday to start work for Universal in "As Good as Married." She was accompanied by her sister, **Gladys Nolan**.

•

Irving Dashkin of the Savoy, Jamaica, and **Sol Strausberg** of the Interborough circuit left for the coast by air yesterday on a vacation trip.

•

Harold Stein and **Herman Rosenberg** entertained with cockails yesterday at the opening of their new Cosmopolitan Studios.

Ed Kuykendall arrives in Washington today from Miami and is expected here at the end of next week.

•

Glenn MacWilliams, cameraman at the G. B. Shepherd's Bush, England, arrived on the *Lafayette* yesterday en route to Hollywood.

•

Henry Wilcoxon left Hollywood yesterday en route to Egypt to make a picture for a continental producer. He will arrive here Tuesday.

•

C. C. Pettijohn is due back from Washington today.

•

Lou Irwin is now due from the coast tomorrow.

•

A. C. Blumenthal sailed on the *Aquitania* yesterday.

Dallas Trust Case Is Again Postponed

A second extension of one week of the time for filing of defendants' answers to the Government action involving first run contracts made by major distributors with Karl Hoblitzelle theatre interests has been granted by the Federal District Court at Dallas, it was learned here yesterday. The defendants' answers, which were scheduled to be filed by Monday, consequently are now due Feb. 8.

The Government action charges that the making of the contracts is in violation of the anti-trust laws. Under the pacts, certain Hoblitzelle Texas theatres agree to maintain a specified minimum admission for designated pictures. The distributors, in turn, agree not to license those pictures for subsequent runs in the same territory except at a specified minimum admission and for single feature showing.

Delay Dillingham Sale

The sale of film, theatrical and television rights to properties owned wholly or in part by the estate of the late Charles Dillingham was adjourned yesterday by Federal Referee John Joyce until March 12. Irving Trust Co. is trustee for the estate. It was explained that the adjournment was taken to permit the trustee further opportunity for an investigation of the properties.

Production High With 46 in Work

(*Continued from page 1*)

lulu" and "The Road Back" at Universal and "Singing Marine," "Kid Galahad" and "Miracle Mountain" at Warners. 20th Century-Fox and Paramount moved up to hold the lead for the heaviest production with 10 features each shooting.

Columbia had three features in work, three preparing and seven in the cutting rooms. M-G-M had four, one and four; Paramount, 10, five and seven; Republic, zero, two and three; Radio, four, two and four; Roach, zero, zero and two; 20th Century-Fox, 10, two and six; Universal, seven, zero and one; Walter Wanger, zero, zero and one; Warners, eight, four and eight, and the independents, zero, three and zero.

Short subject production was also up. Columbia had one shooting, three preparing and two editing. M-G-M had two, one and five; Radio, zero, two and two; Roach, one, one and one; Warners, zero, zero and two.

Tom Spry Honored

Boston, Jan. 29.—Tom Spry was honored by virtually every important film personality here at a dinner at the Statler Hotel last night, on the occasion of his retirement from the Warner exchange post he has held for many years. A. W. Smith, United Artists general sales manager, acted as master of ceremonies, and Edward Fay, leading Providence exhibitor, spoke as a representative of that field.

Ellis R. Smith Dead

Battle Creek, Mich., Jan. 29.—Ellis R. Smith, 84, for many years Battle Creek's only theatre manager, is dead here after a long illness.

He is survived by his widow and a daughter.

Special Radio Outfits Ready For Flood Use

Emergency radio facilities which figured so importantly in rescue and relief work in the Ohio Valley are now being shifted to the threatened Mississippi Valley area and complete plans for the flood emergency in the new territory are now being put into operation by the three big chains.—NBC, CBS and Mutual.

The Radiomarine and RCA Communications stations at St. Louis and New Orleans are supplementing their manpower and are being equipped with a full stock of specially designed short wave radio battery operated sets in anticipation of full time operation on flood relief and report work.

Meanwhile, the network stations in the Mississippi area are also preparing themselves for the emergency. NBC stations WSBM, New Orleans; WJDX, Jackson, Miss.; WMC, Memphis, and KSD and KWK, St. Louis; CBS stations WWL, New Orleans; WREC, Memphis; KWKH, Shreveport; KMOX, St. Louis, and all other network centers in the threatened Mississippi area are being stocked with special equipment.

Meanwhile, mobile units from all networks are riding the crest of the flood, keeping abreast of the height of the emergency as it proceeds past Cairo to points further south along the Mississippi.

"Musical Camera" Renewed

"Musical Camera," sponsored by 1847 Rogers Bros., was renewed yesterday for 13 weeks, effective immediately. The program features Josef Cherniavsky's orchestra and is broadcast Sundays at 4:30 P. M., E.S.T. on the NBC-Red. N. W. Ayer & Son, Inc., is the agency.

Local "Good Earth" Show

WHN will broadcast the local premiere of "The Good Earth" direct from the lobby of the Astor Theatre, Tuesday night at 8:30 P. M., E.S.T. Jay C. Flippen, Radie Harris and Jimmy Jemail will handle the assignment.

Presto in Five Stations

The Presto Recording Corp. installed its equipment in the following stations during January: WGN, Chicago; WKBN, Youngstown; KSD, St. Louis; WISN, Milwaukee, and WOKO, Albany.

KOB in Albuquerque Latest NBC Station

KOB, Albuquerque, N. M., is the newest NBC station addition. The station has a power of 10,000 watts and is owned and operated by the Albuquerque Broadcasting Co.

The joining date is indefinite, due to the fact that there are no network lines now up in that general area. A. T. & T. is now installing the lines. It is believed that NBC and the station are sharing the expenses. When the installation is completed, KOB will join the network as an optional Red or Blue station.

With this latest acquisition, NBC now has 117 stations.

NBC, Red Cross, Film Trade Will Broadcast Show for Flood Relief

A radio appeal for flood funds will be staged by NBC in conjunction with the Red Cross and the film industry in a special two-hour broadcast which will be aired Feb. 1 on the Blue network, beginning at 10 P. M., E.S.T. and terminating at midnight. NBC is donating the air time to the Red Cross and its artists have offered their services free.

The broadcast will be picked-up from Miami, Hollywood, Chicago, and New York.

Fifty or more stars will be heard. A partial roster follows: Irvin S. Cobb, Carole Lombard, Bing Crosby, Amos 'n' Andy, Marion Talley, Stan Laurel, Bob Burns, Lum 'n' Abner, Walter Winchell, Morton Downey, Wayne King, Ted Lewis, Harry Richman, Jane Froman, and Jack Pearl.

Will Hays, on behalf of the film industry, will broadcast a special appeal for funds.

Cincy Broadcasts, But Receivers Dead

CINCINNATI, Jan. 29.—Although all local radio stations are in operation here, using emergency current furnished by upstate and other cities unaffected by the flood, the majority of the local population is without electric current to operate receiving sets. Only a few of the suburbs have sufficient current for this purpose.

The dailies have temporarily discontinued publication of radio programs.

The Crosley Radio Corp., here, will be able to resume operations in full as soon as the flood waters subside, according to Powell Crosley, Jr., after surveying the plants located in the area stricken by a $1,500,000 fire which started Sunday, and which damaged one wall of the eight-story studio building, and destroyed the enameling and refrigerator plants.

WKRC, local Columbia affiliate, has raised over $30,000 since Saturday noon through appeals for funds to aid flood sufferers, and money still is coming in. Results from other local stations are not available, but it is understood that the responses have been generous.

McKee Quits C. W. & C.

J. H. McKee, radio director of Cecil, Warwick & Cecil, yesterday resigned from the agency. McKee was with C. W. & C. for four years.

WCKY's Operation Near Normal Again

With current supplied by a 100-horsepower Diesel unit operating a 40-kilowatt generator, WCKY is functioning on full power despite flood handicaps, Elmer H. Dressman of that Cincinnati station yesterday wired MOTION PICTURE DAILY. The power unit was rushed here from Detroit by International Harvester Co. Lighting for the studio is still derived from a six-volt gasoline lighting plant.

For the first time since Sunday the operating staff of the station is moderately comfortable, having obtained a large kerosene stove for the studio. Transcription turntables are powered by a line strung across the street to an adjacent business house. Telephone service has been maintained throughout the emergency period. Network and other programs are being broadcast on a schedule approximately normal.

WCKY was hardest hit of all the Cincinnati stations. Every ordinary facility was crippled with the exception of the network lines and city telephone service but every obstacle has been surmounted by the engineering and operating staff.

Florence, S. C., Asks Station

FLORENCE, S. C., Jan. 29.—O. Lee Stone has an application pending before F. C. C. for a new station to operate on 1,200 kilocycles.

New Shows on the Air

As "Good Earth" Opened

Pearl Buck's epic of China, "The Good Earth," opened at the Carthay Circle, Hollywood, last night, and through the facilities of KHJ, key station of the Don Lee network, the radio audience was let in on the superfloodlighted premiere over the Mutual network. "The Good Earth" was the picture which the late Irving Thalberg was producing at the time of his death, production having been completed by Albert Lewin. Many beautiful tributes were paid Thalberg by the stars and film officials who were introduced last night.

Frank Whitbeck, executive of M-G-M, acted as master of ceremonies and handled himself in the sure, certain manner of a radio veteran. Among the stars who were introduced were: Paul Muni, "Wang" in the picture; Luise Rainer, "Olan"; Charles Grapewin, Wang's father; June Lang, Sophie Tucker, Jessie Ralph, who also has a role in the film; Martha Raye, Deanna Durbin, Sidney Franklin, director of "The Good Earth"; Edward G. Robinson, William Chaney, studio manager of M-G-M; Herbert Stafford, musical director of the feature; Betty Furness, May Robson, Tilly Losch, John Emerson, Anita Loos and Louis B. Mayer, vice-president of M-G-M in charge of production.

The broadcast marked Mutual's first major film-radio effort since it became a coast-to-coast unit, and it was an impressive one. All the glamor of a Hollywod opening was conveyed over the microphone and, while no actual scenes from the film were depicted, it is certain that listeners by the thousands must have made mental reservations to view the feature when it plays their neighborhoods.

BANNER

Conrad Thibault Is Sued by Hollander

Conrad Thibault, the singer, is named defendant in a suit filed in N. Y. Supreme Court by Harry Hollander. The plaintiff charges that on Feb. 4, 1932, he entered into an agreement whereby he was to be the singer's business manager for a period of three years and in return was to receive 20 per cent of Thibault's earnings from all sources such as radio, theatre and concerts. He further charges that he was not paid according to the contract and that the only way he could find out what is due him is to have the defendant render an accounting of all his earnings which he believes will net him more than $7,000.

Thibault denies the allegations and states that the contract in question was twice amended in 1932 and that Hollander was paid in full. He also states that Hollander has a theatrical employment agency which he operated without a license, and, therefore, has no claim against him. On Monday Thibault in N. Y. Supreme Court will ask that the complaint be dismissed on the ground of insufficient facts.

Hecht, MacArthur Win Point

Justice John E. McGeehan in N. Y. Supreme Court yesterday granted the motion of Ben Hecht and Charles MacArthur to examine before trial Billy Rose, producer of "Jumbo." The plaintiffs are suing Rose and others involved in the production of "Jumbo" for $2,300, charging that they violated an agreement with respect to radio rights on material from "Jumbo."

Tracy Sues on Royalities

Arthur Tracy filed suit yesterday for $24,300 against the Brunswick Record Corp. He charges that Brunswick failed to pay him royalties on 50 records which he made for them in 1932 and 1933. The defendant replied that they paid the singer advances totaling $3,925 and that since that figure exceeds the royalties on his records, the suit should be dismissed.

Wall Street

Most Off on Board

	High	Low	Close	Net Change
Columbia	37	36⅛	36⅞	+ ⅜
Columbia, pfd.	44¼	44¼	44¼	+ ¼
Consolidated	5¼	5¼	5¼	— ⅛
Eastman Kodak	169	167½	169	.....
Gen. T. Equip.	33	32½	32¾	+ ¾
Loew's, Inc.	73⅛	71	72⅝	+1⅜
Paramount	28½	27¾	28¼	— ⅛
Paramount 1 pfd.	198	195	197¾	—1⅞
Paramount 2 pfd.	25⅝	25⅛	25½	— ⅛
Pathe Film	9½	9⅜	9⅜	— ¼
RKO	9	8¾	8⅞	+ ⅛
20th Century-Fox.	37⅜	36¾	37¼	+ ¼
20th Century, pfd.	46⅛	46	46⅛	+ ½
Warner Bros.	15⅛	14⅞	15	— ¼

Light Curb Movement

	High	Low	Close	Net Change
Grand National	4	3⅞	3⅞	— ⅛
Sentry Safety	1⅛	1⅛	1⅛	.....
Sonotone	2⅛	2⅛	2⅛	.....
Technicolor	21¾	21⅜	21⅝	.....
Trans-Lux	4⅜	4⅜	4⅜	+ ⅛
Universal Pict.	17	17	17	.....

Little Bond Change

	High	Low	Close	Net Change
Keith B. F. 6s '46	98⅛	98	98	— ¼
Loew's 3½s '46	100½	100⅛	100¼	.....
Paramount Pict. 6s '55	100¾	100⅜	100½	+ ⅛
Warner Bros. 6s '39 wd	100	99¾	100	+ ¼

(Quotations at close of Jan. 29)

Local Flood Benefit Show to Be Feb. 13

(*Continued from page* 1)

midnight to 3 A. M., with boxes to be under a subscription arrangement and regular admissions scaled from $10 to $1. A radio arrangement has been made whereby the three-hour show will be split into 15-minute periods, with a sponsor for each, at $1,000 for each period.

Committees were appointed yesterday as follows:

Film—D. F. Moore, Warners; Harry Charnas, Criterion; Robert Weitman, Paramount; John Wright, Rivoli. *Legitimate*—Ben Boyer, Leonard Sillman, Marcus Heiman. *Radio*—Phillips Carlin, NBC; Fred A. Willis, CBS; Robert Fishell, WMCA; Alfred J. McCosker, Mutual. *Press*—Molly Steinberg, Lou Straus. Ralph Whitehead of the American Federation of Actors, was named to obtain the gratis cooperation of all theatrical unions in the benefit.

"U" Newsreel to Ohio Governor

Charles E. Ford, editor of Universal Newsreel, yesterday airmailed a print of his latest release to Governor Davey of Ohio for use by him in Washington in connection with a plan for flood relief, details unknown. Joining in the request for a print was Roy Reicheldorfer, Ohio censor head.

All Ohio River Spots Shut

Cincinnati, Jan. 29.—Without exception every situation, large and small, along the entire Ohio River front has been closed, either by inundation of the houses or lack of electric current.

Among the more important situations in Ohio are: Middletown, East Liverpool, Martin's Ferry, Gallipolis, Ironton, Zanesville, Steubenville, Bridgeport, Bellaire, Portsmouth, New Philadelphia, Dover, Newark, Batavia, West Union, Marietta, Higginsport, Ripley, Woodsfield, Wellsville, Pomeroy, Blanchester, and all houses in northern Kentucky, across the river from here.

In West Virginia, Wheeling, Huntington, Parkersburg, Point Pleasant, Ravenswood, New Martinsville, Kenova and St. Marys are among the closed situations. Many nearby Indiana towns are similarly affected.

Chicago Adelphi Aids Fund

Chicago, Jan. 29.—The Adelphi has distributed over 10,000 tickets to Rogers Park clubs and churches that are having a ticket sale drive. Those purchasing one of these tickets will be admitted, matinee or evening, Feb. 4, 5 or 6. Ludwig Sussman, manager of the Adelphi, has announced that entire proceeds of these "flood relief" tickets will be turned over to the Red Cross to aid in its work in the flood region.

Proceeds of a midnight show to be given Feb. 6 at the Commodore will also be given to the Red Cross.

Fabian Houses Collect Food

Albany, Jan. 29.—The Fabian Theatres yesterday presented special shows with the admission price two cans of food which will be sent to the Red Cross.

Schine Houses Help Drive

Bellefontaine, O., Jan. 29.—Through the cooperation of the Schine theatres in Ohio and Kentucky several truckloads of clothing and food have been turned over to the Red Cross.

Thirty houses under the direction of Louis Lazar gave special benefit matinees Wednesday.

Detroit Theatres Aid Drive

Detroit, Jan. 29.—Detroit theatres are helping to raise funds for the Red Cross to aid flood sufferers.

Every theatre in the district on Friday, Saturday, Sunday and Monday is running a trailer asking for contributions from patrons, and 500,000 coin envelopes will be distributed by ushers during the four-day drive. It is hoped $75,000 of Detroit's $400,000 quota will be raised in this way.

Indiana Benefit Nets $4,000

Indianapolis, Jan. 29.—About $4,000 was realized for Red Cross flood relief at a benefit conducted in the Indiana here by exhibitors' exchanges, projectionists and other industry interests. Three thousand attended, with contributions ranging from $1 to $50.

Variety Club gave $100 from its charity fund.

Brighter in St. Louis

St. Louis, Jan. 29.—The outlook in this area appeared more favorable today, with several houses in the territory immediately adjoining the flood area planning to reopen in a few days if they are able to obtain film shipments.

Federal Actors Aid Benefit

Cincinnati, Jan. 29.—The Federal actors and musicians, under direction of Theodore Hahn, Jr., are doing their bit towards raising the morale of flood sufferers by presenting a wide variety of entertainment in various parts of the city.

RKO Staffs to Be Paid

Cincinnati, Jan. 29.—Employes of all local RKO houses will receive their pay during the time the houses are closed, due to lack of electric current, it was said at the division offices here.

Holders of Only $200,000 in' RoxyBondsAgainstFoxOffer

(*Continued from page* 1)

should be able to select product without a franchise.

Opponents also contended that new mortgage bonds to be issued under the plan should bear interest of four and four and one-half per cent instead of the there and three and one-half per cent coupon rate now specified. It was also urged that the new bonds should be guaranteed by 20th Century-Fox.

Stockholders, objecting to their exclusion, argued that the Class A holders should be permitted to buy into the new company on the same cash basis as 20th Century-Fox. Judge Caffey agreed with proponents that the stockholders had no equity in the Roxy. The court stated the plan was the first concrete proposal to be made during the five years of the theatre's rehabilitation and added that he felt it should be speeded to a successful conclusion.

The plan provides for the acquisition by 20th Century-Fox of the new common stock of the reorganized Roxy for $650,000 cash and a 20-year franchise.

Taylor to Baltimore

Baltimore, Jan. 29.—Robert Taylor will be brought to Baltimore in the automobile of Gov. Harry W. Nice, tomorrow night, through the courtesy of Louis B. Mayer and William K. Saxton, Loew's city manager, to open the President's ball at the Fifth Regiment Armory and will remain 30 minutes and then go back to fill other engagements in Washington.

New Zukor Pact to Go to Stockholders

(*Continued from page* 1)

proposed contract will not be submitted to the stockholders until the annual meeting next June. The bylaws of the company require the approval of stockholders for any contract involving remuneration on the basis of a percentage of profits. It was reported in Motion Picture Daily of Jan. 19 that the proposed new contract for Zukor would have to be submitted to stockholders, probably at the June meeting.

Paramount's statement relates that since Zukor took charge of production last May 1, "the product has shown great improvement in quality and has received popular approval."

Plans for offering approximately $20,000,000 of new three or three and one-half per cent convertible debentures in the near future in what would be a final step in Paramount's refunding program undertaken several months ago, was reported by the *N. Y. World-Telegram* yesterday. More than $10,000,000 of Paramount's outstanding six per cent obligations have been refunded already at three and four per cent.

The report added that the new debentures would be convertible into common stock at $40 a share, about 11 points more than the current market for the common, but that the common might be placed on a $2 annual basis in order to encourage conversion of the new debenture. Paramount officials declined to comment on the report.

Alien Actor Hearing Is Set for Feb. 17

(*Continued from page* 1)

yesterday, Dickstein sought to have approval given the measure without further consideration, on the ground that extensive hearings were held last session and a favorable report made, but was prevented by Congressman Kramer of California, who maintained that the film industry should be given another chance to discuss the bill.

Sidman Joins Columbia

Bob Sidman, who has been handling exploitation on "You Only Live Once" for United Artists at the Rivoli, has resigned to join Columbia. He will start Monday at Philadelphia.

Contest Begun Over Orpheum Circuit Sale

(*Continued from page* 1)

stockholders' committee in formulating its bid.

RKO contends that its offer has a value of more than twice the $1,750,000 ascribed to it, and points out that its secured claim against Orpheum, with interest, now amounts to approximately $3,100,000. The claim is based on notes and obligations of Orpheum which were secured by the assets of the company and were declared in default in 1933. Stadium Theatres Corp., a wholly owned RKO subsidiary, took possession of the Orpheum assets at that time and has been operating them since. The validity of the lien under which the assets were obtained by Stadium has since been questioned by Marcus Heiman, trustee in bankruptcy for Orpheum.

Exclusive of RKO's claims against Orpheum there are approximately $2,100,000 of other creditors' claims outstanding. Acceptance of RKO's $700,000 cash offer, consequently, would give these creditors about 30 cents on the dollar for their claims. If the offer to be made by the preferred stockholders' committee was to give Orpheum creditors a like amount, the offer would have to involve more than $2,000,000 cash, observers point out, due to the fact that such an offer would have to provide for RKO's claims in addition to the others, unless, of course, the offer was to be based on the theory that the RKO claims against Orpheum could be invalidated.

Philadelphia Houses Get a Grace Period

(*Continued from page* 1)

record with that attitude. Mayor Wilson declared he personally had no objection to the games as long as the public received full value for their admission.

However, he said, "We shall take action to prevent racketeers, gamblers, or professional organizers from taking all or part of the proceeds." The mayor indicated also that where a lottery operation is definitely proved, the four-week truce will not hold for theatres involved.

Weeks Confers Here With Eastern Staff

(*Continued from page* 1)

Scully, northeast district manager; Arthur Greenblatt, eastern district manager; Clinton White, assistant to Weeks, and the following branch managers: Carl Goe, Albany; Ben Rogers, New Haven; Herbert Given, Philadelphia; Joseph Kaliski, Washington; Irving Gumberg, New York, and Irving Landes, Rudolph Bach, Tony Ricci and Charles Penser, salesmen at the New York exchange.

Myers for MPTO Meet

Washington, Jan. 29.—Abram F. Myers, general counsel of Allied States Ass'n, will speak before the M.P.T.O. of the Virginias at its annual convention in Richmond Feb. 11.

The Leading Daily Newspaper of the Motion Picture Industry

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Chicago Eyes Shows to End Double Bills

Duals Fail to Click and Bank Night End Hurts

CHICAGO, Jan. 31.—Chicago exhibitors, both independent and circuit, are considering the use of vaudeville and stage shows to replace double features which have failed to increase business.

The inception of the double feature policy last fall and its gradual acceptance by both circuit and independent theatres until practically every theatre here offers them, was at the time expected to be a boon to business. For three years Chicago had not played dual bills and their return was looked forward to, especially by B. & K., as being a help. To date reports reveal that after the first few weeks the novelty and popularity—if any—of the twin bills has fallen off.

The halting of Bank Night and other games by the Police Dept. cut into grosses about 20 per cent, according to local exhibitors. To remedy this loss and the failure of duals to draw, exhibitors are trying to find something that will be a box-office stimulant. Whether or not enough suitable talent is available is an important question. Whether the vaudeville that is available would be enough of a drawing

(*Continued on page* 12)

Dualing Elimination Is Balked by Harris

PITTSBURGH, Jan. 31.—The refusal on the part of the Harris interests here to consider dropping dual bills downtown is seen as balking efforts toward the elimination of the practice, as initiated by the operators of the Fulton.

It is understood a shortage of product at the Fulton has led to operators of that house asking a ban on duals, but the Harris theatres are said to have plenty of product. Warners de-

(*Continued on page* 12)

Certificates to 165 Films in Two Months

HOLLYWOOD, Jan. 31.—The Hollywood Branch of the Production Code Administration reviewed and approved 101 features and 64 shorts in the last two-month period which ended a particularly active year for this branch

(*Continued on page* 12)

Radio—Pages 8 and 10

Milwaukee Theatres Set Flood Benefits

MILWAUKEE, Jan. 31.—Local theatres will participate in city wide benefit performances Feb. 6 in an effort to raise $45,000 for flood refugees. Neighborhood houses will hold a morning show for children at 25 cents and a midnight show for adults will be staged in neighborhood and downtown houses at a 50-cent admission.

Through the cooperation of theatre employes and exchanges, the entire proceeds will be turned over to the Red Cross.

Theatre operators who are assisting a committee appointed by the Mayor include Edward J. Weisfeldt, Riverside; Alfred D. Kvool, Warner-Saxe Theatres; Andrew Gutenberg, Grand; Charles Trampe, Variety Club president, and Raymond Tesch, business manager, I.T.P.A. of Wisconsin and upper Michigan.

More than 30 Fox houses in Wis-

(*Continued on page* 12)

New Taxes Looming, Wisconsin Men Fear

MADISON, Wis., Jan. 31.—With Gov. Phillip F. La Follette asking the Legislature to levy $17,000,000 in new and reenacted emergency taxes to meet a proposed budget of $62,919,569 for the coming biennium, new ways of raising money will have to be devised.

The League of Wisconsin Municipalities, in a plan to reduce general property taxes more than $20,000,000

(*Continued on page* 4)

South Africa Gains Impress Hutchinson

LONDON, Jan. 22.—Trade revival in South Africa has been rapid and the standard of new Australian theatres "amazing," declared Walter J. Hutchinson, foreign sales manager of 20th Century-Fox, prior to his departure for New York on the *Bremen.* He is due there Feb. 1. Hutchinson has completed a world tour which covered almost a year in time and every major territory in Europe, the East and the Antipodes.

Union Deal Set

It was indicated authoritatively late Saturday that the general agreement between the I.T.O.A. and Local 306, which includes the correlative agreement for the absorption of the membership of the Allied Union by 306, would be virtually concluded over the weekend, and that the agreement would become effective today or tomorrow.

The arrangement would end the long troublesome multiple union situation in New York theatres.

Allied Convention Set for May 12-14

WASHINGTON, Jan. 31.—Allied States Ass'n annual convention will be held May 12, 13 and 14 at the Hotel Pfister, Milwaukee, it was stated today. P. J. Wood of Columbus is chairman of the convention committee and Ray A. Tesch of Milwaukee in charge of the local arrangements for the meeting.

It was also stated here the Allied campaign to prevent producer-distributors from owning or operating theatres through state legislation would be concentrated in the hands of W. A. Steffes, chairman of the Allied special defense committee.

Allied will be represented by Abram F. Myers, chairman, at the annual convention of the M.P.T.O. of the Virginias at Richmond, Feb. 11, at

(*Continued on page* 12)

No Michigan Theatre Bill Presented Yet

DETROIT, Jan. 31.—A bill aiming to divorce production-distribution and exhibition may be introduced in the Michigan Legislature, but it will not be for some time, according to H. M. Richey, general manager of Allied of Michigan.

Nothing definite has been done yet, Richey said.

It is known that the national organization plans to have bills put before

(*Continued on page* 4)

Key City Grosses Off From High Total to $1,674,774

Key city grosses for the week ending Jan. 16-17 slipped from the new four-year high which was established during previous period, falling to $1,674,774 for 174 theatres in 29 cities. The previous week's total for 175 houses was $2,262,950.

The decrease, amounting to $588,176, may be interpreted as a natural letdown from the high established during the holiday period. The figure, however, is substantially better than the preholiday first run total of $1,316,371 grossed during the week ending Dec. 25-36. Comparative tabulation on page 12.

Columbia to End Separate Score Charge

Assures Kuykendall of Aid on Problems

Columbia will eliminate the separate score charge, cooperate in the establishment of local conciliation boards, grant a 10 per cent cancellation on a restricted basis and aid in coping with other trade evils set forth in the M.P.T.O.A. 10-point trade practice program, Abe Montague, general sales-manager, advised Ed Kuykendall, M.P.T.O.A. president, in a letter released here on Saturday.

Columbia is the sixth major company to respond to the exhibitor organization's program of trade practice reform. Warners, Paramount and the national independent distributors such as Republic, G. B. and Monogram, remain as the only companies which have not yet recognized the M.P.T.O.A. proposals, which were formally submitted to distributors more than nine months ago.

Montague, in his letter to Kuykendall, sets forth that Columbia regards the score charges as "a part of film rental" which, in the case of percentage contracts, can be eliminated when "satisfactory terms are agreed upon." In flat buy contracts, Columbia in the future will have but one space for the insertion of complete film rental terms, with the separate score charge being discontinued.

In offering a 10 per cent cancellation, Columbia restricts exercise of the right to "the lowest price allocation group" and to contracts for all of the pictures offered at one time. Requests

(*Continued on page* 4)

ITOA Threaten Legal Fight on Split Weeks

The I.T.O.A., in a statement issued Saturday, threatened court action, to be commenced on Tuesday, unless distributors agree to contract adjustments as a result of the decision of Loew's in New York to run "A" product on a revised split week basis

(*Continued on page* 12)

M-G-M Picks Titles For Two in England

LONDON, Jan. 22.—"Rags in Heaven" and "The Wind and the Rain" will be the first two productions of the M-G-M British studio, stated Ben Goetz today. Work will begin within two months.

Preparation of material for these

(*Continued on page* 4)

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Legion Approves All Of 19 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved, for adults or general patronage, all of the 19 new pictures reviewed. Of the total, 12 were approved for general patronage and seven for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Arizona Days," "Breezing Home," "Counterfeit Lady," "Dodge City Trail," "Es Gibt Nur Ein Liebe," "Graefin Maritza," "Join the Marines," "Headin' for the Rio Grande," "Holy Terror," "Man of the People," "Secret Valley," "Woman Wise." Class A-2, Unobjectionable for Adults—"Falling in Love," "Masquerade in Vienna," "Nation Aflame," "Radio Bar," "Robber Symphony," "Stolen Holiday," "You Only Live Once."

Goes to Thompson

J. Walter Thompson Co. has been named advertising agency for Universal, P. D. Cochrane stated on Saturday.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Clarence"

(*Paramount*)

HOLLYWOOD, Jan. 31.—There is almost continuous, although for the most part mild amusement and good humor in this latest screen adaptation of the well known book and play by Booth Tarkington of the same title. An ex-soldier, who is known only as Clarence, is suddenly and accidentally dumped into the center of a wrangling, back-biting family, and there ensues a series of entertaining incidents as the mild mannered and tranquil young man, in his own peculiar way, brings peace to the fireside, and romance to himself.

Roscoe Karns is an excellent Clarence, and his support is also good, consisting of Eugene Pallette and Spring Byington as the husband and wife; Charlotte Wynters, as the tutor and Clarence's great love; Johnny Downs and Eleanore Whitney, as scrapping son and daughter.

As the screenplay of Seena Owen and Grant Garrett has it, Clarence succeeds in fixing the plumbing, falling in love in his shy way with Miss Wynters, patching the piano and the marital status of Pallette and his wife, saving Downs from a scheming housemaid and Miss Whitney from an equally scheming suitor, and finally revealing himself as a scientist, and leaving with Miss Wynters to be married, after the household has been restored to peace and normalcy.

George Archainbaud has directed to make the most of the amusing situations, and the film is inconspicuous but entertaining fare.

Production Code Seal No. 2,953. Running time, 62 minutes. "G."

(Additional Reviews on Page 5)

Klein Sells 4 U.K. Films to Imperial

Edward L. Klein, who sailed for London on the *Aquitania* Friday, disposed of a number of British productions for the American market during his stay here.

Included are "When Knights Were Bold," featuring Fay Wray and Jack Buchanan; "Marriage of Corbal," featuring Nils Asther, Noah Beery and Hazel Terry; "Southern Roses," featuring Neil Hamilton and George Robey; and "Public Nuisance No. 1," featuring Frances Day, all produced by Capitol Film Prod. of London. These four were acquired by Imperial Distributing Corp.

As previously reported, Klein brought over the "Robber Symphony," produced by Friedrich Feher for Concordia Films, Ltd., of London, which was acquired by Fortune Films. The picture is now playing two-a-day at the Venice.

Klein is taking back to Europe a number of American independent features and short subjects for distribution in England and the Continent.

Educational Meet Set

WILMINGTON, Del., Jan. 31.—Stockholders of Educational Pictures, Inc., will vote on a recapitalization plan and a program of corporate simplification at a meeting here Tuesday morning. The meeting will be held in the offices of Philip Cohen, Wilmington attorney, who was appointed special master by Chancellor Josiah O. Wolcott several weeks ago.

Form International Film

CHICAGO, Jan. 31.—International Film Bureau has been formed here with Wesley Green as president for the purpose of importing and distributing foreign films. Other officers are: First vice-president, Donald Stone; second vice-president, Eugene Staley; treasurer, W. M. Helms; secretary, Victor M. Hruska; assistant secretary, Geraldine Hurtgen.

U. S. Firms Seized In Spanish Cities

All of the Spanish property of American film companies has been confiscated by the workers' party, according to Nestor Lao, president of the Cuban Exhibitors' Ass'n., who arrived in New York several days ago, en route to Havana after several weeks in Spain.

Lao reported that theatres in Barcelona, Madrid and Valencia are open and crowded most of the time. He said, however, that only two studios are now operating in Spain. He contracted for eight Spanish films, completed prior to the revolution, which Republic will distribute in Cuba and Latin America.

Business is improving rapidly in Cuba, Lao reported. Almost 90 per cent of the films shown there are from the United States, Francisco A. Coto, manager of Republic Pictures of Cuba, said. Coto will accompany Lao to Havana late this week.

Discontinue Reachi Suit

Judge William Bondy in U. S. District Court Saturday signed an order settling and discontinuing an action brought in 1935 by Marie Louise Hamrick Reachi against Warners. Miss Reachi charged that Warners in "Gold Diggers of 1935" used the name of the dancing team, Ramon and Rosita, in billing the picture. The plaintiff claimed they had no right to do this. In answer Warners asserted that Antonio De Reachi, the Ramon of the team, engaged the plaintiff and after some time she refused to appear with him and so abandoned her rights.

Shubert to Greenman

ST. LOUIS, Jan. 31.—Fanchon & Marco has leased the Shubert here to Greenman Theatres, Inc., after the house had been closed for several weeks. Greenman Theatres was formed recently by Harry Greenman, who operates the Dakota and the Yale.

◀ *Purely Personal* ▶

HERMAN J. MANKIEWICZ ararrived from Hollywood yesterday to attend rehearsals of his play, "The Meal Ticket," which will be produced soon.

●

GEORGE O'BRIEN arrived yesterday afternoon from Boston with his wife, MARGUERITE CHURCHILL, to attend the premiere of her new play tomorrow night. He may remain here for the opening of his latest film, "Park Avenue Logger."

●

MELITTA BRUNNER, Viennese dancer and figure skater, will arrive in New York this week on the *Paris* for some Saranac skating and film tests at Hollywood under the chaperonage of WILLIAM MORRIS, JR.

●

GUS S. EYSSELL, assistant to W. G. VAN SCHMUS, managing director of the Music Hall, returned to New York yesterday on the *Siboney* from a month's vacation in Mexico and Cuba.

●

TULLIO CARMINATI will sail tomorrow on the *Bremen* to star in "Solitaire," which Herbert Wilcox will produce at Pinewood, London.

●

NATE J. BLUMBERG is due back from the coast next Wednesday. He is now in the midwest visiting RKO theatres en route.

●

AL PEARCE and his gang have been signed for a featured spot in "Hit Parade." The F. & M. agency handled the deal.

●

BRIAN AHERNE sails for London shortly and may do a film for ALEXANDER KORDA while there.

●

JOE MOSKOWITZ and IRVING HOFFMAN among yesterday's returning Hollywood visitors.

●

ROBERT FENDER of the Paramount coast studios is at the Warwick.

●

BOB GOLDSTEIN off to Chicago today on a quickie trip.

●

GEORGE O'BRIEN arrived from Boston yesterday.

Hit Free Recordings

Additional meetings are planned, it was indicated on Saturday, in an effort on the part of Local 802 of the American Federation of Musicians, to correct the abuses they claim have resulted from the misuse of recordings. At a meeting Friday, attended by nunumerous band leaders, the situation with respect to pirated records and transcriptions was discussed. The meeting was held in conjunction with the National Performing Artists' Ass'n. The musicians' union contends that the unrestricted use of recordings is depriving musicians of employment. Restrictions similar to those enforced by Ascap may be sought.

LeRoy Signs Merman

Ethel Merman, currently appearing in "Red, Hot and Blue," stage musical, has been signed by Mervyn LeRoy as lead in a forthcoming musical for Warners. Lou Irwin acted for Miss Merman.

Ye Gods— what a picture!

THE BIGGEST HIT IN YEARS!

Record-Breaking Crowds Storm the Roxy! Police Reserves Called to Regulate Long Lines of Waiting Patrons! All Records Smashed!

TO DATE MORE THAN

157,241

Persons Have Crowded Into the Roxy, to SEE, CHEER and BE THRILLED by DEANNA DURBIN, the Most Sensational Star Discovery in Years, in the Phenomenally Successful Picture, "THREE SMART GIRLS." JOIN the Happy Thousands of Movie-goers Who Are Getting the TREAT of a LIFETIME Seeing

Here's Lovely, Winsome DEANNA DURBIN, New Sweetheart of the Screen!

●

10 CRITICS CHEER!

"Deanna Durbin a winner in her first film! A cinema achievement you just have to see!" —Robert Garland, American

●

"A jolly treat! A most completely and thoroughly enjoyable film! My advice to you is to see 'THREE SMART GIRLS'!" —Wm. Boehnel, World-Telegram

●

"Orchids to Deanna Durbin, a new find!" —Walter Winchell, Mirror

●

"Deanna Durbin is Hollywood's latest sensation!" —Kate Cameron, News

●

"Deanna's debut spectacular! She takes her place among the stars! '3 SMART GIRLS' is a great comedy!" —Bland Johaneson, Mirror

●

"Contagious gayety, infectious humor and refreshingly youthful romance!" —Frank S. Nugent, Times

●

"Deanna certain to be extremely popular! She's vastly appealing!" —Howard Barnes, Herald-Tribune

●

"IT'S GRAND FUN! One of the season's most delightful entertainments! Hilarious comedy!" —Rose Pelswick, Journal

●

"A HIT! A new star in a bright movie! Gay comedy!" —Eileen Creelman, Sun

●

"Deanna Durbin an extraordinary girl indeed! A film that keeps its audiences happy!" —Irene Thirer, Post.

The Most Charming, Most Appealing and Most Talented New Personality Ever Brought to the Screen

DEANNA DURBIN

in the Perfect Motion Picture Entertainment

"3 SMART GIRLS"

With this Truly Superlative Supporting Cast

ALICE BRADY • CHAS. WINNINGER
BINNIE BARNES • MISCHA AUER
RAY MILLAND • NAN GRAY • BARBARA READ

It's a Smash Hit From the New Universal

ANOTHER

●

✓ TAKE the ENTIRE Family! You'll ALL Enjoy Seeing This Great Screen Hit NOW at the

ROXY THEATRE 7th Ave. & 50th St.

SHOW VALUE OF THE NATION

★ P.S. THERE'S A BIG VARIETY REVUE ON THE STAGE with **BORRAH MINEVITCH IN PERSON** & HIS HARMONICA RASCALS PLUS MANY OTHER ACTS!

Columbia to End Separate Score Charge

(Continued from page i)

for cancellations must be given by the exhibitor in writing within 10 days after notice of availability.

The establishment of local conciliation boards, through which the M.P.T.O.A. hopes that six of the 10 points comprising its program may be approached, is approved by Columbia with the observation that "we feel that a great deal more time must be spent at joint meetings (of exhibitors and distributors) in order to arrange for the proper conduct of these boards."

Hits Overbuying

The company asserts that it is "definitely opposed" to overbuying to deprive a competitor of necessary product, but makes it clear that it does not regard maintenance of a double feature policy as overbuying. Referring to non-theatrical competition, the statement says that it "has never been our intention" to license such accounts when they are in direct competition with an established theatre. The letter also asserts that "it has never been the intention or the practice of this company to 'force' shorts with features" and defines its policy as the licensing of a "reasonable" number of shorts "proportionate to the number of features we supply as against the exhibitor's total feature requirements."

Opposes Standard Contract

Columbia declares that it has no intention of being "unfair or unreasonable" in the matter of designating preferred playing time, but regards such time as a definite part of film rental to be dealt with in accordance with individual situations, and adds that the company expects to receive its "fair share" of such time. The company declares its willingness to develop a shorter form of contract but asserts that it is opposed to a uniform agreement. It sets forth that it regards clearance as "a part of the sale" and offers no encouragement for bringing about uniform or maximum clearance and zoning schedules as sought by the M.P.T.O.A. Unfair competition between exhibitors is classified in the letter as an exhibitor problem.

Montague commends the M.P.T.O.A. effort to bring about improved trade relations within the industry and offers to discuss the program further, or new provisions, at any time designated by Kuykendall.

M-G-M Picks Titles For Two in England

(Continued from page 1)

stories is in hand by Michael Balcon. with the assistance of Harold Boxall production manager; Angus McPhail scenario editor, and S. C. ("Shan") Balcon, associate producer.

"A Yank at Oxford" is likely to be M-G-M's third British. Official confirmation of the contract with Amalgamated Studios is expected after conferences with Paul Soskin, although there have been rumors that the vacant Twickenham plant might be used.

---

3 End Score Charge; 3 Refuse; Local Boards Approved by Six

The "box score" to date on distributor action on the M.P.T.O.A.'s 10-point trade practice program, devised in May, 1936, follows.

***Nov. 9, 1936.*—Universal issues the first reply, granting a liberalized 10 per cent cancellation, eliminating the score charge and indorsing local conciliation boards with offers of cooperation on other points which can be handled by the boards.**

***Nov. 27.*—20th Century-Fox offers a liberalized 10 per cent cancellation, support for conciliation boards and cooperation on matters which can be handled by the boards, but will not abandon the separate score charge.**

***Dec. 8.*—United Artists offers to eliminate the separate score charge with the 1937-'38 season and indorses conciliation boards to treat with other problems. Its separate producer organizations prevent it from granting any cancellation, the company states.**

***Jan. 4, 1937.*—Loew's offers liberalized 10 per cent cancellation, approval of conciliation boards and cooperation on problems to be handled by them. Refuses to eliminate the separate score charge.**

***Jan. 9.*—RKO offers a liberalized 10 per cent cancellation, local conciliation board aid and cooperation on problems for the boards. Refuses to eliminate the separate score charge.**

***Feb. 1.*—Columbia offers a restricted 10 per cent cancellation, elimination of the separate score charge and approval of local conciliation boards with cooperation on the problems which can be handled by the boards.**

National distributors still unheard from are Warners, Paramount, G. B., Republic and Grand National.

Out Hollywood Way

Hollywood, Jan. 31.—Roy Del Ruth, director, and Adrian, M-G-M wardrobe manager, here to prepare for "Broadway Melody of 1937." . . . Max Reinhart's next for Warners will be "Casino" with Edward G. Robinson and Ruby Keeler. . . .

Karen Morley and her husband, Charles Vidor, back from 10 days in Yosemite. . . . Warners sign William Hopper, son of De Wolf Hopper, to a term contract. . . . Billy House gets new long termer from Universal. . . . Same studio has lifted options on Sylvan Simon and Hobart Cavanaugh, and Republic likewise on Carleton Young. . . . Director William Wellman the father of a seven-pound boy. Mother and son doing well.

Conferences under way on budgets for next two Samuel Goldwyn pictures, "Stella Dallas" and "The Hurricane." . . . Bette Davis confined home with flu for second time in two weeks. . . . Marlene Dietrich expected not later than Feb. 10 to start work at Paramount in "Angel." . . . Neville Reay a father, the boy's weight 9½ pounds.

George Hirliman has postponed the start of "Gold," with Conrad Nagel, to Feb. 10. . . . Phillip MacDonald gets term writing contract from M-G-M. . . . Paramount extends contract with Charles Ruggles to long term, and retained Harlan Thompson, producer, on option. . . . John Trent, Schulberg player, set for personal appearances in 10 key cities. . . . "One Hundred and Twenty Men and a Girl" musical, will be next starring vehicle for Deanna Durbin at Universal.

✚

Casting—Melvin Douglas in "Angel," Paramount. . . . Harry Cording and Robert Adair in "The Prince and the Pauper," John Harlon in "Talent Scout," and Raymond Hatton in "Public Wedding," all at Warners. . . . William Hopper replaces Dick Purcell in "Public Wedding." Purcell stays in the picture in another role, also at Warners. . . . Richard Cromwell in "The Road Back," and Robert Spencer in "Wings Over Honolulu" at Universal. . . . George Hassell, Gavin Muir, Lionel Pape and Brandon Hurst in "Wee Willie Winkie," 20th Century-Fox. . . . Anne Nagel, Donald Meek and Maurice Black in "Three Legionaires," General Pictures. . . . Frances Farmer and Fred MacMurray to share leading honors in Paramount's "Exclusive."

✚

Directors—Lloyd Bacon to direct "Ever Since Eve," new Bette Davis film. . . . Robert Vignola signed by Emanuel Cohen to direct "End of Adventure."

✚

Writers—Sy Bartlett on "Boots and Saddles" with Earl Snell for Sol Lesser. . . . Harvey Gates, Jerry Horwin and A. A. Kilne signed by Republic. . . . Carleton Morse and Frank Parton on "Old Man's Family" for Paramount.

✚

Title Changes—"Escadrille" to "The Woman I Love," Radio. . . . "Without a Net" to "Circus Girl," Republic. . . . "Two Shall Meet" to "Accent on Love," Zeidman. . . . "Coast Patrol" to "Sea Devils," Radio.

Perkins Quits Schine

Boston, Jan. 31.—David F. Perkins has resigned as exploitation head of the Schine circuit. Perkins was formerly a district manager for Publix in New England and later became an independent theatre operator. He may accept a publicity position offered to him on the coast.

No Michigan Theatre Bills Presented Yet

(Continued from page 1)

various state legislatures during the year, but it is part of the organization's plan to keep secret the states in which the bills will be introduced.

It is believed that they will be introduced in other states before they are in this one, as it is known that Allied wants them to go to legislatures in states where they will have the best chance of being enacted. With the Butterfield circuit and the United Detroit setup in Michigan important factors, it is believed Allied leaders feel they have a better chance of passing the law in other states, which is expected to delay action here.

New Taxes Looming, Wisconsin Men Fear

(Continued from page 1)

a year, has suggested new state levies on individual incomes, inheritances, luxuries, chain stores, and if this does not prove sufficient, a 10 per cent tax on theatre admissions. It estimates this levy would produce $2,500,000 yearly.

Two bills sponsored by the State Federation of Labor have been introduced by Senator Herman J. Severson and Assemblyman David Sigman.

The measures provide for a state labor relations board, guarantee employes the right of collective bargaining and legalize collective bargaining by a majority-elected representative. The measure is reported to have the support of Governor La Follette.

Limit Connecticut Ads

Hartford, Jan. 31.—An outdoor advertising bill has been introduced which bans private signs at a distance of more than 200 feet from the place where the goods are being sold, limits the size of signs erected in the future, their location with respect to grade crossings, public parks, playgrounds, etc., and imposes a license fee on outdoor advertising companies and signs.

A tax limitation bill is also included in the proposed legislation. The bill would prohibit cities from levying a property tax in excess of 25 mills and graduate the taxing limit down to 20 mills within three years.

File Massachusetts Dancing Bill

Boston, Jan. 31.—Samuel H. Cohen has field a bill to permit dancing in theatres on the Sabbath. Similar bills have been filed during the last few sessions, but have died, largely because of the fact that industry interests do not care to risk instigating another statewide referendum on censorship such as was defeated some years ago.

Monogram Prepares Four

Four features are being prepared for the 1937-38 program of Monogram, according to W. Ray Johnston. Writers and supervisors have been assigned by Scott R. Dunlap, production head, with the first scheduled to start Feb. 15. The list includes: "Paradise Isle," "Romance of the Limberlost," "False Colors" and "The Thirteenth Man."

"Hamlet" Closes

The John Gielgud "Hamlet," which opened at the Empire Oct. 8 closed at the St. James Saturday night after 132 performances.

Short Subjects

"The Tin Can Tourist"

(Terrytoon-Educational)

Amusing and somewhat exaggerated antics aboard a trailer by Al Falfa, a new cartoon comic. Well drawn, in its active manner the film is an entertaining item. Production Code Seal No. 01,421. Running time, 6 mins. "G."

"Vitaphone Pictorial Revue No. 5"

(Vitaphone)

A mildly interesting assortment of clips as varied as fishing, cooking, life on a cruise and the maternal habits of cats. They are well presented. Production Code Seal No. 01,384. Running time, 11 mins. "G."

"Bed-Time Vaudeville"

(Vitaphone)

Junior in this case has to arrange a show. He calls a juvenile agent and together they pick out the acts. The ensuing entertainment is a collection of children's acts which are quite pleasant. Production Code Seal No. 01,148. Running time, 11 mins. "G."

"Stranger Than Fiction No. 33"

(Universal)

An assortment of oddities in keeping with the general standard set by this series. Well photographed, and with intelligent comment, it maintains the usual quality and interest. Production Code Seal No. 01,303. Running time, 8½ mins. "G."

"Going Places No. 32"

(Universal)

With his comment, Lowell Thomas takes the audience on a scenic tour of Bryce Canyon and to the aviary of a bird fancier where, in the latter, something in the nature of a wonder is revealed in the tameness of the birds. Above ordinary interest. Production Code Seal No. 01,168. Running time, 8½ mins. "G."

"House of Magic"

(Universal)

A cleverly concocted cartoon which records the adventures of Meany, Miny and Moe when they seek shelter in a magic store during a storm. There are plenty of fast moving situations done with spectacular animation. Production Code Seal No. 2,768. Running time, 8 mins. "G."

"Fun Begins at Home"

(Mentone-Universal)

Entertaining doings at the home of Barry and Whitledge, due to their inability to pay the rent and the butler, are good for diverting moments. The Charioteers, Virginia Verrill, Montgomery and Withy and Mary Kelly do their assorted acts. Later the hosts, on finding uninvited people arriving, discover the butler selling tickets outside. Production Code Seal No. 01,396. Running time, 10 mins. "G."

"A Horse's Tale"

(Vitaphone)

The characters of the famous comic strip that features Joe and Asbestos are impersonated on the screen in this comedy by Harry Gribbon and

(Continued in column 4)

Overseas Previews

"Les Demi Vierges"
"Modern Daughters"

(Claude Dolbert)

PARIS, Jan. 20.—Taken from a 30-year-old novel by Marcel Prevost, a celebrated French author, member of the French Academy, this story has been modernized for screen purposes.

The film depicts the life of a superficial set in Paris. A young society woman, Maud, who has an affair with a young man, Julien, of her own set, but who is poor, becomes engaged to a provincial man, Maxime, who is rich. Maxime, very much in love with Maud, refuses to believe the gossip, until Julien himself, jealous and determined to prevent the marriage, breaks up the wholesome happiness to which Maud aspires. Julien kills himself and the engagement between Maxime and Maud is broken off; Maxime's sister, who has always been good, marries the man she loves and lives in the country; Maxime seeks forgetfulness, and Maud, in desperation, leaves for foreign lands with a bank manager.

The film concludes with a moral, but has several scenes which are unacceptable and objectionable. It contains dialogue and rather risque scenes which are absolutely devoid of interest and utility.

Direction by Pierre Caron is rather good, and the dialogue, with a few exceptions, is interesting. In the cast, two important French stars, Madeleine Renaud (of "La Maternelle"), as Maxime's sister, and Marie Bell as Maud. The other players are fair.

Running time, 80 minutes. "A." AUTRE.

Looking 'Em Over

"Masquerade in Vienna"

(George Kraska)

This film is merely the Austrian-produced version of the same picture which was produced by M-G-M in 1935 and released as "Escapade," with William Powell and Luise Rainer in the leading roles.

Actually then, considered purely from a commercial standpoint, and comparisons being inevitable, it must be said that this film is excellent entertainment, but not more so than was the M-G-M version of the same story. Therefore its exhibition will necessarily be restricted to those theatres which are able to draw upon an audience which understands the German in which the picture is couched. For all others it is merely a foreign repetition of a two-year-old American picture. M-G-M's film was based on a German script by Walter Reisch, and the present film's scenario was written by the same Walter Reisch.

The picture was produced by Sascha-Tobis in Vienna and directed by Willy Forst, erstwhile German player, now, to judge by this film, a highly proficient director. Most capable in the role which introduced Miss Rainer to American audiences is Paula Wessely, as the young girl who becomes romantically, and eventually happily entangled with a notorious artist, played a trifle too stiffly by Anton Walbrook. Miss Wessely has personality and charm, and uses both characteristics to advantage. The story, of jealousy, romance and a touch of light comedy, needs no retelling.

Previewed without Production Code Seal. Running time, 95 minutes. "G."

"Under Falsk Flagg"
("Under False Colors")

(Scandinavian Talking Pictures)

A rather inconsequential comedy, this Swedish film is nonetheless lively entertainment, centering about a misunderstanding in identities and young romance. It should be really pleasing to those who understand the language, but the film has nothing outstanding with which to attract American audiences. An ample number of superimposed titles in English make for ready understanding of the story.

Most important in the cast is Tutta Rolf, as the daughter of a banker, who meets a young employe of her father's bank, pretends she is a poor girl, falls in love with him, and contrives to get him into all sorts of difficulties, which are for the most part amusing.

Eventually, as may be expected, the ruse is uncovered, and the young man succeeds at the same time in saving the bank a considerable loss through his friend's belief that a large borrower is a swindler. Where Swedish audiences are to be found, this should be a good bet.

Previewed without Production Code Seal. Running time, 82 minutes. "G."

Short Subjects

(Continued from column 1)

"Hamtree" Harrington. The comedy, centering around a racetrack, is juvenile stuff. The pair are given a horse with instructions to have it destroyed. However, they discover and cure its infirmity. Later it wins a race for them and all ends satisfactorily. It is suitable for children. Production Code Seal No. 01,325. Running time, 20 mins. "G."

"Old Paris and Berne"

(Columbia)

Interesting glimpses of the two cities, enlightening comments by Tom Terriss. The narrative and scenes are mostly connected with historical events. The photography is fair. Production Code Seal No. 01,260. Running time, 10 mins. "G."

"Castle Towns of France"

(Columbia)

The camera visits the province of Touraine, better known as the chateau country. There are interesting glimpses of fine, rugged architecture and historical revelation by Tom Terriss. Production Code Seal No. 01,270. Running time, 10 mins. "G."

"Practically Perfect"

(Eductional)

Amusing doings by Ed East and Ralph Dumke, "The Sisters of the Skillet." Feeling somewhat unsatisfied with their insane replies to queries by their audience, they decide to go a step further and actually visit the information seekers. This, of course, leads them into a variety of situations where their scatter-brained antics provoke merriment. Production Code Seal No. 01,410. Running time, 19 mins. "G."

"The Book Shop"

(Terrytoons-Educational)

Fairly diverting cartoon doings in which a pup, while dreaming, lands among the varied assortment of characters that are found in fairy tales. The excitement of his encounters with the book folk is heightened when he is pursued by a giant. Routine material, it is, nevertheless, pleasant. Production Code Seal No. 01,435. Running time, 6 mins. "G."

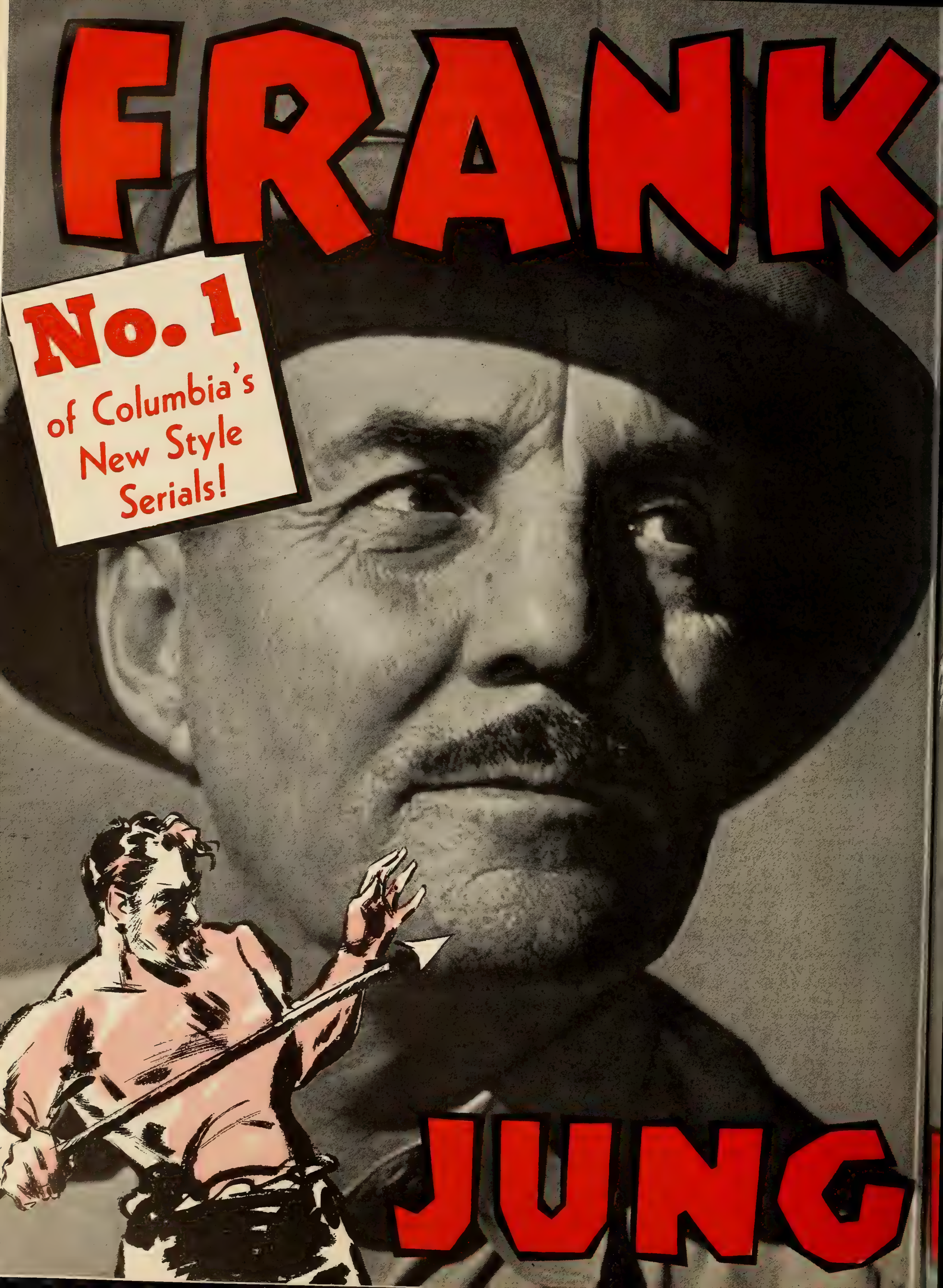
"The Pretty Pretender"

(Vitaphone)

Bernice Claire, a singer in a night spot, has ambitions. She wants to get into a Broadway show. Acquiring a French accent, she descends on a booking agent hoping her talents might be appreciated. The agent also has ideas. It is revealed that he is not the real agent, but merely his son, the père is at Miss Claire's night club waiting to catch her act. Arriving in time, she does her stuff and gets a contract. It is diverting comedy and Miss Claire's singing is always pleasant. Production Code Seal No. 01,246. Running time, 21 mins. "G."

Opens Chicago Branch

SPRINGFIELD, O., Jan. 31.—The Gus Sun Booking Exchange, with headquarters here, has opened a branch at Chicago, in charge of Dwight Pepple, to service the western territory. Branches also are maintained at Columbus, Detroit and Pittsburgh, and more will be established shortly.


FRANK
No. 1
of Columbia's
New Style
Serials!
JUNG

BUCK

At last Columbia brings you a real BIG-FEATURE NAME — FRANK BUCK! — in the first of its new-style modern serials! Guarantees smash adult as well as juvenile patronage! And featured with Frank Buck will be the sensational SASCHA SIEMEL, Brazilian "tiger man" who kills with a spear, in amazing adventures! This 15-episode serial is the most outstanding box-office set-up of this year . . . or any other year!

A COLUMBIA PICTURE

No. 2

Capt. **FRANK HAWKS** Hero of radio's most popular juvenile program! Fastest speed-flyer in the world in the ADVENTURES OF THE **MYSTERIOUS PILOT**

No. 3

THE SECRET OF **TREASURE ISLAND** To be serialized in the big-circulation Argosy Magazine — the greatest box-office title to come to the screen in years!

No. 4

GREAT ADVENTURES OF **WILD BILL HICKOK** Thundering dramas of the Old West — Epic thrills in the danger-filled life of America's bravest and famous Indian fighter!

LE MENACE

Radio Personals

MRS. CHARLES O'CONNOR, wife of the NBC announcer, gave birth to a daughter Friday . . . Parker Fennelly, of "Snow Village Sketches," opens in George M. Cohan's play "Fulton of Oak Falls" Feb. 10 . . . Nick Lucas will appear as the featured guest artist on Tuesday's CBS Ford Series, "Watch the Fun Go By" . . . Art Shaw will replace Tommy Dorsey's band at the Meadowbrook Country Club, with a Mutual wire . . . Rouben Mamoulian will make his radio debut as a lyricist Feb 2 on Meredith Wilson's NBC program, with the song "God Unknown" . . .

* * *

WOL, Washington, raised $1,534 during the first three nights of the broadcasts from the flood area . . . Hoot Gibson and Polly Moran have been set as Jackie Cooper's guests on "Lessons in Hollywood" during the coming week. Hoot will be heard today; Polly on Wednesday at 8 P. M., E.S.T. . . . Rudy Vallee's program will come from St. Paul, this Thursday, and the featured guest star will be Paul Lukas of the films . . .

* * *

John Gambling, WOR, sailed for Nassau Saturday for a two-week vacation. Joe Bier will conduct Gambling's gym classes for the period. . . . Stella Unger, official of the J. P. Muller ad agency is the author of the new Borden's Milk Co. program "Special Edition." . . . Ann Nadler, WINS artist, will appear on Major Bowes' "Capitol Family" broadcast this Sunday. . . .

* * *

Fay Gillis, war correspondent, will be interviewed between scenes of the Lux Radio Theatre program tonight. . . . Albert Payson Terhune makes a return appearance on the "Heins Magazine of the Air" broadcast Feb. 8. . . . Lewis Charles of WINS is now handling the "Inquiring Microphone" broadcasts for the station. . . .

* * *

Tom Riley of NBC's special events department shifts to the press department today.—Jeanette Land, secretary to Theodore C. Streibert, vice-president of WOR, has embarked on a Bermuda cruise. . . . Antoinette Donnelly, beauty editor of the *New York Daily News,* will guest on the "Magazine of the Air" Feb. 10. . . . James Mackenzie Reid, WOR remote supervisor, returns today from a vacation trip. . . . Consolidated Radio Artists have signed to represent the bands of Jack Benny and Maurice Spitalny, and the Jesse Crawfords, organists. . . . Hans Feher, juvenile lead in the picture "The Robber Symphony," will be the guest star of Clifford Adams on the WINS "Theatre Guide" program tomorrow at 11:30 A. M. . . .

Harker Joins McGillvra

G. W. (Tom) Harker today joins the sales staff of the local office of Joseph Hershey McGillvra, representative for radio stations. Previously, Harker was a sales executive for the General Tire & Rubber Co., and more recently was advertising representative for the New York office of the Curtis Publishing Co.

Radio Polls of Newspapers Coincide with Daily List

Radio popularity polls conducted by the *New York World-Telegram* and the *New York American* trail the similar poll conducted by Motion Picture Daily and *Fame* with substantially the same results, a comparison of the two latest surveys revealed over the weekend.

Alton Cook conducted the balloting for the *World-Telegram* with radio editors of daily newspapers throughout the United States. J. E. Doyle cleared for the *American,* drawing upon the radio editors of Hearst newspapers exclusively for the results.

There were, of course, a few notable differences, particularly in the *American's* poll. General comparisons, based on the one-two-three winners, follow:

Best Program — Motion Picture Daily: Jack Benny, Fred Allen, Rudy Vallee. *World-Telegram*: Jack Benny, Fred Allen, Rudy Vallee. *American*: The breakdown for this division differed. Nearest to the best program classification was "Best Variety Programs." The results: Rudy Vallee, Bing Crosby, "Hollywood Hotel."

Best Comedian — Motion Picture Daily: Jack Benny, Fred Allen, Bob Burns. *World-Telegram*: Jack Benny, Fred Allen, Bob Burns. *American*: Fred Allen, Jack Benny, Bob Burns.

Best Comedy Team—Motion Picture Daily: Burns and Allen, Stoopnagle and Budd, Amos 'n' Andy. *World-Telegram*: No such division. *American*: Burns and Allen, Stoopnagle and Budd, Benny and Livingstone.

Dance Band — Motion Picture Daily: Andre Kostelanetz, Guy Lombardo, Fred Waring. *World-Telegram*: Guy Lombardo, Andre Kostelanetz, Wayne King. *American*: Guy Lombardo, Wayne King, Richard Himber.

Feminine Vocalist—Motion Picture Daily: Jessica Dragonette, Lily Pons, Frances Langford. *World-Telegram*: Kate Smith, Frances Langford, Gertrude Niesen. *American*: Frances Langford, Kay Thompson, Kate Smith. The *American* also had a classical singer's division, the winners of which were Lily Pons, Jessica Dragonette and Rosa Ponselle.

Male Vocalist — Motion Picture Daily: Nelson Eddy, Bing Crosby, Frank Parker. *World-Telegram*: Bing Crosby, Frank Parker, Kenny Baker. This poll also had a listing for classical singers, the winners being Nelson Eddy, Lily Pons and Jessica Dragonette. *American*: Bing Crosby, Frank Parker, Lanny Ross. In the classical singer group, the winners were Nelson Eddy, Nino Martini and John Charles Thomas.

Musical Program—Motion Picture Daily: General Motors, Ford Symphony Hour, New York Philharmonic. *World-Telegram*: No separate division. *American*: Ford Hour, General Motors, New York Philharmonic.

Commentators — Motion Picture Daily: Boake Carter, Edwin C. Hill, Lowell Thomas. *World-Telegram*: Boake Carter, Edwin C. Hill, Lowell Thomas. *American*: Edwin C. Hill, Boake Carter, H. V. Kaltenborn.

Announcer—Motion Picture Daily: Don Wilson, Harry Von Zell, Milton Cross. *World-Telegram*: Don Wilson, Harry Von Zell, Milton Cross. *American*: Harry Von Zell, Don Wilson, Milton Cross.

Dramatic Program: Motion Picture Daily: Lux Radio Theatre, "One Man's Family," "Bambi." *World-Telegram*: Lux Radio Theatre, "One Man's Family," "March of Time." *American*: "Bambi," "One Man's Family" and Amos 'n' Andy.

Zanuck's Idea

Hollywood, Jan. 31.—Darryl F. Zanuck, vice-president in charge of production of 20th Century-Fox, thinks this about radio and films:

"I feel that there is a reciprocal advantage to be shared between the film industry and the radio, to a certain point. Where the radio helps to exploit a picture through the introduction of that picture and its stars on an air program, the benefits are mutual. This was demonstrated in the case of the 'Hollywood Hotel' broadcast of 'One in a Million,' as a result of which we are again cooperating with an air preview of 'On the Avenue.' But for the screen to get as much in return as it gives to radio in such collaboration, the case must be an exceptional one."

Mutual Staff Goes West

Fred Weber and the sales staff of Mutual leave for a sales conference in Chicago today. They will return in a week.

Cormier on Baseball Deal

Philadelphia, Jan. 31. — After taking in the NAB sales managers' meetings in Chicago, Albert A. Cormier, vice-president and general manager of WIP, proceeds to Minneapolis to dicker with General Mills for rights to air the Phillies and Athletics baseball games this spring. WCAU carried the series for Wheaties last season with WIP doing the play-by-play for Atlantic Refining. No sponsors are set, although the games will undoubtedly go to either Socony or Atlantic Refining. WCAU will do the job again for Wheaties.

Air Personal Flood Messages

Philadelphia, Jan. 31.—WFIL is relaying personal telephone messages into the flooded area without charge for local listeners. Floodograms are broadcast to the Louisville and Cincinnati area through a local short wave station, W3BES, operated by Jerry Matthis. The station has a clear channel to that section. Telephone messages are broadcast by WFIL, picked up by W3BES and sent to the radio stations in that section. Return communications also are being received by WFIL and forwarded to anxious persons here.

WBZ, Boston, Seeks 500,000 Watts Power

WBZ, Westinghouse Electric Co. station in Boston, and a member station of the NBC-Blue, has filed an application with the F. C. C. for an increase in power from 50,000 to 500,000 watts.

The station's plans also include the removal of the transmission station at Millis, Mass., to Provincetown, and the erection of a new directive antenna. The new antenna, consisting of three 500-foot steel towers, will center the full force of the station's power on the New England States and will be so coordinated that the radio waves will spread out over the area in a heart-shaped pattern. This will preclude a waste of energy over the Atlantic. Additionally, a building housing the latest advancements in radio will be erected near the new towers.

CBS Adds Homes Program

San Francisco, Jan. 31.—CBS's latest, released to nine Pacific stations Mondays through Fridays at 3 P. M., P. S. T., is the hour-long Western Homes program, on which suitable non-competitive sponsors are now being approached for 15-minute participations by salesmen of KSFO and other coast CBS affiliates. Only home or food products will be accepted.

Tom Breneman, who resigned as KFRC station manager and producer of the Feminine Fancies to join KSFO when the CBS switch went through, is producer and M. C.

Local advertising men are inclined to see significance in the fact that the new "Western Homes" is slated for almost the identical period as the "Feminine Fancies" which Breneman originated and which Mel Ventner is carrying on for Mutual-Don Lee, and NBC's "Women's Magazine of the Air" which Bennie Walker handles over the NBC-Red.

Plans Negro Station

New Orleans, Jan. 31.—The Gold Star Radio & Television Corp., Massachusetts company with Charles Henry Davis, Jr., as president, plans to operate a broadcasting station here, using directive antenna, and costing $100,000. The station will be addressed to colored listeners. Five stations are planned, New York, Chicago, Philadelphia and Los Angeles.

Stations Appeal for Funds

Columbus, Jan. 31.—The three local stations, WBNS, WCOL, WHKC, have devoted the major portion of their time to airing appeals for funds for flood relief purposes.

Open New York Office

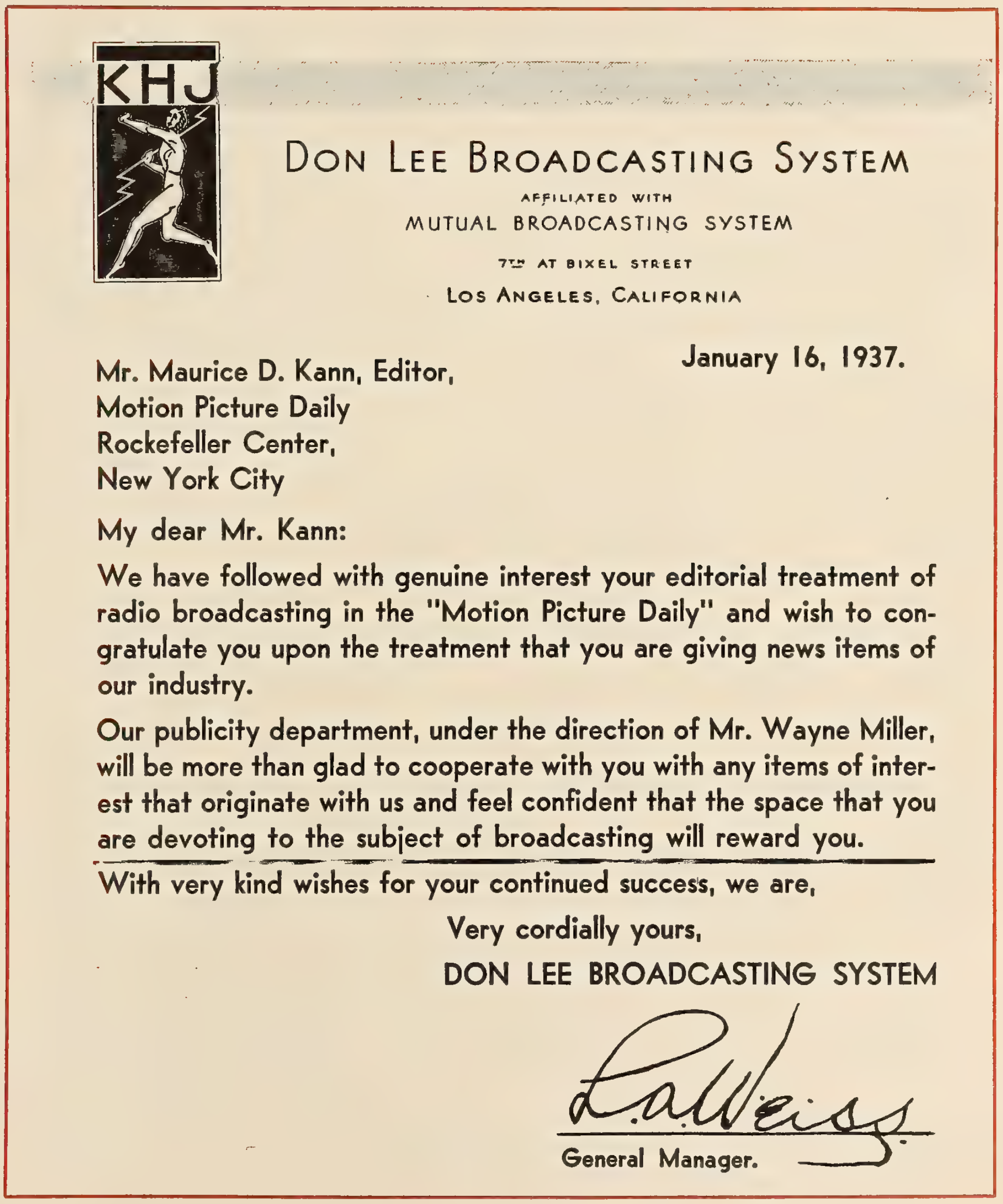
Philadelphia, Jan. 31.—Albright & Ivey, Inc., advertising agency, has opened a New York office in the RCA Bldg. Headquarters of the agency remain in this city.

Would Control Radio

Denver, Jan. 31.—A bill introduced in the House of the Colorado Legislature would make radio stations public utilities and subject to the jurisdiction of the State Tax Commission.

Turn to Page 10 for More Radio News

Radio Acceptance



KHJ

DON LEE BROADCASTING SYSTEM
AFFILIATED WITH
MUTUAL BROADCASTING SYSTEM
7TH AT BIXEL STREET
LOS ANGELES, CALIFORNIA

January 16, 1937.

Mr. Maurice D. Kann, Editor,
Motion Picture Daily
Rockefeller Center,
New York City

My dear Mr. Kann:

We have followed with genuine interest your editorial treatment of radio broadcasting in the "Motion Picture Daily" and wish to congratulate you upon the treatment that you are giving news items of our industry.

Our publicity department, under the direction of Mr. Wayne Miller, will be more than glad to cooperate with you with any items of interest that originate with us and feel confident that the space that you are devoting to the subject of broadcasting will reward you.

With very kind wishes for your continued success, we are,

Very cordially yours,
DON LEE BROADCASTING SYSTEM

L. A. Weiss
General Manager.

QP

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

MOTION PICTURE
DAILY

Canadians to Balk Mexican Use of Waves

MONTREAL, Jan. 31. — Aiming to push Mexican interlopers on Canadian clear channels "back into Texas," four private Canadian stations have made application to the Canadian Broadcasting Corp. for permission to use 50,000 watt signals. They are CKAC, Montreal; CFRB, Toronto; CKLW, Windsor, and CKY, Winnipeg.

The owners of CRCT, Toronto, now leased by the CBC, have also applied for 50,000 watts should the corporation end the lease and return the station to private operation.

Goal of the Canadian broadcasters is not so much increased coverage as power to blanket the Mexicans, who have appropriated Canadian wavelengths and cause serious interference in rural districts, according to Phil Lalonde, manager of CKAC. Present powers are: CKAC, 5,000; CFRB, 10,000; CKLW, 5,000, and CKY, 15,000, enough to cover trading areas if interference were banished.

Neighboring super-power stations also cut the signals of CFRB and CKAC, Columbia affiliates. The Montreal station has WGN, 50,000, at 720 kilocycles, and WSB, 50,000, at 740, which both spill over into its channel. CFRB has as its neighbor WLW with a half-million watts.

Gladstone Murray, new general manager of the CBC, has not yet replied to the requests for power jumps.

Bill James on KHJ Staff

HOLLYWOOD, Jan. 31.—Bill James has been added to the sales staff of KHJ. James was formerly with the Associated Cinema Studios.

Smith New WGPC Manager

ALBANY, Ga., Jan. 31.—Hammond B. Smith, formerly of WMC, Memphis, has been appointed manager of WGPC, Albany.

Frank Clarke Joins WMC

MEMPHIS, Jan. 31.—Frank Clarke, a member of the *Memphis Commercial-Appeal* advertising staff for more than six years, has joined the commercial staff of WMC.

KWSC Increases Power

PULLMAN, Wash., Jan. 31.—An increase in power to 5,000 watts has been made by KWSC, Washington State College. Construction of the new, unique 224-foot vertical radiator, which replaces old-type antenna, was done by student engineers.

Wilson on Mardi Gras

NEW ORLEANS, Jan. 31.—Jimmy Wilson, WWL announcer, will handle the CBS Mardi Gras broadcast beginning Feb. 4 and concluding with the arrival of Rex Feb. 9.

Columbia may broadcast the 1937 annual Pirogue races at Bayou Barataria this spring. Inasmuch as cameramen have handled the race for the past two or three years, the airways believe it will be a feature. The Pirogue races are a novelty in this section. The Pirogue is a canoe made from a hollow log, propelled by a double blade paddle.

Pulliam Takes Over WIRE, Indianapolis

INDIANAPOLIS, Jan. 31.—Eugene C. Pulliam, head of Central Newspapers, has assumed control of WIRE here. His son, Eugene S. Pulliam, is news editor. Work on the station's new transmitter and directional antenna will be completed within a few days, when WIRE will be on the air with 5,000 watts for daytime transmission and 1,000 watts at night. The F. C. C. recently approved this power increase.

Shafer to Handle Programs

LINCOLN, Neb., Jan. 31. — John Shafer, formerly head announcer with KFAB-KFOR here, has been made assistant program director to Lyle DeMoss. His place will be filled by J. B. Lake, who is the new senior announcer. The move was made because of intention of the studio to originate more local programs.

"Fiesta" Program Shifting

HOLLYWOOD, Jan. 31.—The "Fiesta" program, a CBS sustaining feature which recently transferred from the east, will probably be transferred back to New York. The high cost of musicians from this end added to the already heavy expense of carrying the show as a sustainer is the reason the Lud Gluskin produced program will return east.

Start Children's Program

MADISON, Wis., Jan. 31. — "Madison's Juvenile Stars of Tomorrow," a new 15-minute program has made its appearance on WIBA, sponsored by *The Emporium*, and will seek the best voices among children of Madison and vicinity. It is limited to singers and children from one to 16 years of age.

New Station to Open

KANSAS CITY, Jan. 31.—The *News-Tribune*, publisher of Jefferson City's morning and evening paper, went on the air with its new radio station, KWOS, yesterday. The station will operate daytime only and will reach Jefferson City and its trade territory.

KHJ Not to Renew Contract

HOLLYWOOD, Jan. 31.—KHJ will not renew its contract for radio transcriptions with the Associated Studios when the pact expires in March, it is understood.

The new contract will be signed with World, it is believed.

King Joins WELT

NEW HAVEN, Jan. 31.—Fred King has been named to the engineering staff of WELT to replace Kenneth MacLeod, now with the experimental department of WFRC, Hartford. King was formerly at WATR.

Application Denied

BRIDGEPORT, Jan. 31.—Application for a station on the 1,420-kilocycle band, then switching to the 1,190, recently vacated by WATR, the New England Radio Corp., has been denied its request by the F.C.C.

Arnold Nygren to Marry

PHILADELPHIA, Jan. 31.—Arnold Nygren, WFIL engineer, has announced his engagement to Elaine James of Merchantville, N. J. Nygren came here two years ago from NBC in New York.

Real Artists

Cincinnati, Jan. 31.—Of the 50 men in Frank Simon's Armco Band, heard over WLW and NBC-Blue, 22 are members of the Cincinnati Symphony orchestra and 14 formerly were with the late John Philip Sousa.

New Orleans' News Broadcast Gaining

NEW ORLEANS, Jan. 31.—News periods over the major broadcasting stations sponsored by local firms are increasing in New Orleans. The periods run on a 15-minute schedule throughout the day and night. There are four major stations in the city.

It is said that WBNO, after reorganizing has been completed, will use its own news service.

Asks Station Approval

LEMARS, Ia., Jan. 31. — Western Union College has applied to the Federal Communications Commission for permission to construct a station here with 100 watts power at night, 250 watts during the day and unlimited time on a frequency of 1,210 kilocycles.

Paper Would Build Station

ATHENS, Ga., Jan. 31.—The *Athens Times* is seeking authority from the F. C. C. to construct a station here, to be operated on 1,210 kilocycles, with 100 watts at night, 250 watts days, unlimited time.

Form Station Company

DOVER, Del., Jan. 31.—Arlington Radio Service, Inc., has been organized here to own and operate a broadcasting station, listing capital of $10,000. The incorporators are C. P. Dickson, J. E. Waddell, and Charles R. Fenwick, of Washington, D. C.

Higsby Joins WAAW

DES MOINES, Jan. 31. — Hiram Higsby, entertainer on the Iowa Broadcasting System, has joined the executive commercial staff of WAAW. His place is being filled by Lou Martin, formerly farm program director of KFRU, Columbia, Mo.

Benavie Joins Jam Handy

DETROIT, Jan. 31.—Samuel Benavie, musical director of WJR, Detroit, has joined the Jam Handy film organization, where he will head the staff of writers and arrangers of music. However, he will continue his post at WJR.

Beverly Roberts to Sing

HOLLYWOOD, Jan. 31.—Beverly Roberts, Warner contract player, has started a weekly 15-minute program over KFWB Mondays at 9 P. M. It will consist of a number of popular songs by the actress.

To Extend Experiments

HARTFORD Jan. 31.—WTIC, Traveler's 50,000-watt station has received permission to extend its special experimental authorization and change frequency from 1,060 to 1,040.

Barrett to WDRC Staff

HARTFORD, Jan. 31.—Ray Barrett of New York has been added as announcer to the WDRC staff.

KOIL at Omaha Will Build Transmitter

OMAHA, Jan. 31.—A new transmitter will be built by KOIL, according to John Henry, general manager of Central States Broadcasting Co., after his return from Washington, where permission was given to increase KOIL's daytime power from 2,500 to 5,000 watts. The station stays at 2,500 watts at night.

Insurance Firms Take Time

OMAHA, Jan. 31.—The United Benefit Life and Mutual Benefit Health & Accident, companion insurance companies, have spotted a series of 13 five-minute test programs for local broadcasting at 55 stations. The programs consist of a dramatized playlet and will cost a total of $65,000 to broadcast. Agency managers share expense with the home office.

N. E. Show Changed

BOSTON, Jan. 31. — "Titans of Science," the name of one-half hour programs sponsored by the University Broadcasting Council during 1936, has been changed to "Men of Destiny," a new half hour program of dramatizations of the lives of great historical figures, such as Van Gogh, Bismark, Tolstoi and Robert E. Lee. The program goes over the Colonial network.

Ramsdell Joins C. of C.

PHILADELPHIA, Jan. 31.—Sayre M. Ramsdell, vice-president in charge of advertising and publicity for Philco Radio & Television Corp., was one of the four new members elected to the board of the Philadelphia Chamber of Commerce at its annual membership meeting. This marks the first entrance of a radio executive on the chamber's board.

Kansas Hears "Strange Facts"

KANSAS CITY, Jan. 31.—"Strange Facts," oddities of information about almost everything, is a new program originating at WIBWX, Topeka, and broadcast over the Kansas network, including KCKN, Kansas City, Kan.

"KCKN Frivolities," a regular evening feature, has gone on the Kansas network.

Radio Scripters to Films

HOLLYWOOD, Jan. 31.—Two of the four writers who have been scripting the Jack Benny program have been signed by 20th Century-Fox for "Sally, Irene and Mary," which is being produced by Earl Carroll. The two signed are Hugh Wedlock and Howard Snyder who will also continue with the Benny show.

Colby Turns Lecturer

HOUSTON, Jan. 31.—Frank Colby, veteran announcer of KPRC and station manager, is giving a series of lectures to public school occupations classes on "Broadcasting."

WSPD Transfer Approved

TOLEDO, Jan. 31.—The F. C. C. has granted WSPD voluntary assignment of license to Fort Industry Co., operating on 1,340 kilocycles, with one kilowatt nights, and five kilowatts, daytime.

WSMK Seeks More Power

DAYTON, Jan. 31.—WSMK has filed a petition with the F. C. C. to boost power from 200 to 250 watts nights and 500 watts for daytime.

"Camille" Off To Dizzy Pace In Pittsburgh

PHILADELPHIA, Jan. 31.—Three of the first runs gave the unseasonable, rainy weather as their alibi, the other two didn't need an alibi. They were the Penn and the Warner, where business was little short of sensational. At the Penn, "Camille" had the best gross a Garbo picture has enjoyed here in years, around $25,500. It was moved for an additional week to the Warner, where "After the Thin Man," taking the same route, ran up a new mark of $10,250 on the heels of its phenomenal week at the Penn.

Otherwise, takings were considerably off. The Alvin had a weak entry in "The White Hunter" and "Sins of the Children" and the double bill was pulled after six days to $4,700, while the Stanley also took it on the chin with "Mind Your Own Business" and Benny Davis' "Star Dust Revue," doing only $14,000. Even though the Fulton didn't run to unorthodox figures with "Rembrandt," the Charles Laughton picture did better than par at $5,400, which was considered good enough to win it an extra three days beyond the regulation week.

Total first run business was $59,850. Average is $44,000.

Estimated takings for the week ending Jan. 14:

"THE WHITE HUNTER" (20th-Fox)
"SINS OF THE CHILDREN" (G. N.)
ALVIN—(2,000), 25c-40c, 6 days. **Gross:** $4,700. (Average, 7 days, $5,500)

"REMBRANDT" (U. A.)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $5,400. (Average, $4,500)

"CAMILLE" (M-G-M)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $25,500. (Average, $11,000)

"MIND YOUR OWN BUSINESS" (Para.)
STANLEY—(3,600), 25c-60c, 7 days. Stage: Benny Davis' "Star Dust Revue" with Shea and Raymond, the Manhattanites, Mickey Braatz and others. **Gross:** $14,000. (Average, $18,500)

"AFTER THE THIN MAN" (M-G-M)
WARNER—(2,000), 25c-50c, 7 days, 2nd week downtown. **Gross:** $10,250. (Average, $4,500)

Wall Street

"U" Outstanding in Board Activity

	High	Low	Close	Net Change
Columbia	36¼	36¼	36¼	— ⅝
Columbia, pfd.....	44½	44½	44½	+ ¼
Consolidated Film	5¼	5¼	5¼	.....
Consolidated, pfd.	17	17	17	— ⅝
General Theatre Equipment	32¾	32¾	32¾	.....
Loew's, Inc.......	73⅜	73	73¼	+ ⅝
Paramount	28¼	27⅞	28¼	— ⅛
Paramount 1 pfd..	197	196½	197	— ¾
Paramount 2 pfd.	25½	25⅜	25½	.....
Pathe Film........	9⅜	9⅜	9⅜	.....
RKO	8⅞	8¾	8⅞	.....
20th Century-Fox.	37¾	37⅛	37⅛	— ⅛
Universal, pfd.....	105	102¼	105	+4
Warner Bros......	15⅛	14⅞	15	.....
Warner Bros., pfd.	67⅞	67⅞	67⅞	+ ⅜

Curb Off Lightly

	High	Low	Close	Net Change
Grand National...	3⅞	3¾	3¾	— ⅛
Sentry Safety.....	1	1	1	— ⅛
Sonotone	2⅛	2⅛	2⅛	.....
Trans Lux........	4¼	4¼	4¼	— ⅛

Fractional Bond Movement

	High	Low	Close	Net Change
Loew's 3½s '46...	100½	100¼	100½	+ ¼
Paramount Pictures 6s '55.....	100½	100⅜	100⅜	— ⅛
Warner Bros. 6s '39 wd...........	100	99¾	99¾	— ¼

(Quotations at close of Jan. 30.)

"Allah" $8,000 in Seattle Despite Snows and Storms

SEATTLE, Jan. 31. — "Garden of Allah" was outstanding in a week marked by snowstorms and the coldest weather in three years. It grossed $8,000 at the Liberty, which was over par by $3,000, and was held over.

"Romeo and Juliet" pulled $6,100 at $1.00 top in the Music Box. "Three Smart Girls" was the only other attraction to get into the profit column.

Total first run business was $43,050. Average is $41,500.

Estimated takings for the week ending Jan. 22:

"THE PLAINSMAN" (Para.)
"LUCKIEST GIRL IN THE WORLD" (Univ.)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 3rd week, extended run from Paramount. **Gross:** $2,650. (Average, $4,000)

"THREE SMART GIRLS" (Univ.)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $7,200. (Average, $7,000)

"GARDEN OF ALLAH" (U. A.)
LIBERTY—(1,800), 25c-35c-40c-55c, 7 days. **Gross:** $8,000. (Average, $5,000)

"ROMEO AND JULIET" (M-G-M)
MUSIC BOX—(950), 35c-50c-75c-$1.00, 7 days. **Gross:** $6,100. (Average, $4,000)

"ONE IN A MILLION" (20th-Fox)
"THE ACCUSING FINGER" (Para.)
MUSIC HALL—(2,275), 25c-30c-40c, 5 days, 3rd week, extended run from Orpheum. **Gross:** $4,550. (Average, $5,000)

"SING ME A LOVE SONG" (F. N.)
ORPHEUM—(2,450), 25c-30c-40c, 7 days. Stage: Vaudeville headed by Weaver Bros. & Elviry. **Gross:** $5,600. (Average, $6,000)

"HAPPY GO LUCKY" (Republic)
PALOMAR—(1,500), 25c-35c, 7 days. Stage: Vaudeville headed by O'Connor Family. **Gross:** $4,100. (Average, $4,500)

"THAT GIRL FROM PARIS" (Radio)
"MIND YOUR OWN BUSINESS" (Para.)
PARAMOUNT—(3,050), 25c-30c-40c, 7 days. **Gross:** $4,850. (Average, $6,000)

"Love Song" Pulls $9,000 at Portland

PORTLAND, Jan. 31.—"Sing Me a Love Song" in its first week at United Artists soared to an even $9,000, over par by $4,000.

"Theodora Goes Wild" was moved to the Blue Mouse for a third downtown week, securing $2,500, over the usual take by $800.

"After the Thin Man" was held for a good fourth week at the Broadway.

Total first run business was $41,900. Average is $24,700.

Estimated takings for the week ending Jan. 16:

"AFTER THE THIN MAN" (M-G-M)
"DOWN THE STRETCH" (F. N.)
BROADWAY—(1,912), 30c-35c-40c, 7 days, 4th week. **Gross:** $7,000. (Average, $5,000)

"THEODORA GOES WILD" (Col.)
"CAN THIS BE DIXIE?" (20th-Fox)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 3rd downtown week. **Gross:** $2,500. (Average, $1,700)

"ROMEO AND JULIET" (M-G-M)
MAYFAIR—(1,700), 55c-85c-$1.10, 7 days. **Gross:** $8,000. (Average, $3,000)

"GREAT GUY" (G. N.)
"JUNGLE PRINCESS" (Para.)
ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $7,900. (Average, $5,000)

"RAINBOW ON THE RIVER" (Radio)
"CAREER WOMAN" (20th-Fox)
PARAMOUNT—(3,008), 30c-35c-40c, 7 days. **Gross:** $7,500. (Average, $5,000)

"SING ME A LOVE SONG" (W. B.)
UNITED ARTISTS—(945), 30c-35c-40c, 7 days. **Gross:** $9,000. (Average, $5,000)

Vachon Heads Operators

PORTLAND, Me., Jan. 31.—Wilbur J. Vachon of the Strand has been named president of the local operators union. Morris Eaton was named vice-president at the annual business meeting; Leslie Way, secretary, and Earle G. Hamm, treasurer.

Dec. Tax Revenue Sets New Record

By CLARENCE LINZ

WASHINGTON, Jan. 31.—Setting a new high record, admission tax collections in December reached a total of $2,194,585, an increase of more than $500,000 over the November receipts of $1,605,674 and $400,000 over the $1,755,059 reported for December, 1935, it was reported yesterday by the Bureau of Internal Revenue.

As a result of the heavy December collections, total receipts from the admission tax for 1936 amounted to $18,457,482, or $2,500,000 over the 1935 collections of $16,406,022, it was disclosed.

While theatre attendance throughout the entire country showed a marked improvement in November (the period covered by the December collections), it practically doubled in the Broadway district of New York, the December report for the third district showing total collections of $781,641 against $394,756 the preceding month.

Collections from admissions, including season tickets, more than doubled, jumping from $346,632 to $703,180, while receipts from free or reduced rate admissions were more than halved, dropping from $7,340 to $3,053, it was reported.

Other collections included $14,803 on tickets sold by brokers, against $4,896 in November; $1,468 on tickets sold by proprietors in excess of the established price, against $1,037; $988 on permanent use or lease of boxes and seats, against $29, and $58,148 on admissions to roof gardens and cabarets, against $34,822.

"U" Has Serial Sheet

The Universal publicity and exploitation department has turned out a striking folder on the four new serials shortly to be released by the company. It is advance material for the exhibitor and contains reproductions in color of some of the more exciting scenes from the various films. It measures approximately four feet square and has vari-colored panels for each picture. The advertising stresses the fact that the serials have ready made audiences who are familiar with the titles from Sunday comic supplements, radio, etc.

Seven New Toronto Spots

TORONTO, Jan. 31.—A survey of building operations in Toronto during 1936 shows that seven theatres were erected during the year with a combined seating capacity of 6,000, this being a local record for the past 10 years. All but one of the seven theatres were neighborhood houses. Two more theatres are under construction, but they have not yet been opened, these being the Queen Mary and the Bellevue.

Thomas Acquires 'Wojan'

Harry Thomas, president of Mutual Pictures, has acquired world rights to "Wojan," a Balinese film.

"Paris" Best In St. Louis With $16,500

ST. LOUIS, Jan. 31.—"That Girl from Paris" and a snappy show on the stage proved the best draw of the week, dragging $16,500 to the box-office of the Ambassador, a very satisfactory showing as it was $7,500 above house average.

"Three Smart Girls" and "One in a Million" at the Missouri also were popular with a take of $13,000, which was about $4,000 above average. At the Fox "The Plainsman," supported by selected shorts, had a very good week, grossing $16,300. This was $2,300 above par.

"After the Thin Man," in its second week at Loew's, held up to $11,200, $1,200 above average. In the first week it did $23,000.

Total first run business of week, $64,500. Average, $49,000.

Estimated takings for the week ending Jan. 14:

"THAT GIRL FROM PARIS" (Radio)
AMBASSADOR—(3,018), 25c-40c-55c, 7 days. Stage: specialty acts. **Gross:** $16,500. (Average, $9,000)

"THE PLAINSMAN" (Para.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $16,300. (Average, $14,000)

"AFTER THE THIN MAN" (M-G-M)
LOEW'S—(3,162), 25c-35c-55c, 7 days, 2nd week. **Gross:** $11,200. (Average, $10,000)

"THREE SMART GIRLS" (Univ.)
"ONE IN A MILLION" (20th-Fox)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $13,000. (Average, $9,000)

"WANTED: JANE TURNER" (Radio)
ST. LOUIS—(4,000), 25c-40c, 7 days. Stage: Vaudeville. **Gross:** $7,500. (Average, $7,000)

"Possession" Retitled

HOLLYWOOD, Jan. 31.—"Personal Property" is the final title of M-G-M's "Man in Possession."

THEATRE ACCOUNTING
by WILLIAM F. MORRIS
(C.P.A.)

Tells all the facts about your business each week.

- Payroll data for Social Security Taxes.
- Profit at a glance—Daily or Weekly.
- All expenses deducted—Including Rent, Taxes and Depreciation.
- Complete record of advance bookings.
- Itemized Schedule of All Assets and Equipment with Table of Depreciation Rates.
- Does not require a bookkeeper to handle it.

$3 ENOUGH FOR A FULL YEAR'S BOOKKEEPING

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER
NEW YORK

Chicago Eyes Shows to End Double Bills

(Continued from page 1)

card is also very problematical. If good unit stage shows with known headliners could be obtained for runs that would last several weeks it is thought that business in the de luxe neighborhood theatres would improve.

Chicagoans who publicly took every means possible to stop double features after they had been the general policy for 16 months, prior to their ousting in 1932, are still much opposed to the plan. Shows that are too long and keep children out late, poorly balanced programs that are a result of poor release schedules and dozens of other complaints are heard by independent and circuit men who wish they had never started the plan. The independents say it was the only way they could meet the competition of the big B. & K. group.

Women's organizations are also reported to be planning some means of trying to halt the double feature policy. One reason for this is that young people, they claim, are forsaking the theatres to attend night clubs and taverns.

Small exhibitors are fighting the dual idea mainly for the reason that it runs film costs too high. Most companies are demanding that the small exhibitor buy all the short product as well as the features. This is the fly in the ointment as the exhibitor says he has trouble enough to get two features into one program.

ITOA Threaten Legal Fight on Split Weeks

(Continued from page 1)

of a five-day "weekend." The statement was signed by John Manheimer, executive secretary of the I.T.O.A.

Manheimer declared the organization's quarrel is not with Loew's, but with the distributors. Unless the distributors make adequate revision of their contracts with I.T.O.A. members, Manheimer said, in accordance with the telegrams of protest which were sent to local major company exchanges last week, legal action will be begun. The I.T.O.A. counsel, Weisman, Celler, Quinn, Allen and Spett have been instructed to proceed in the matter unless the distributors indicate a willingness to adjust contracts, the statement concluded.

"Theodora" Run Starts

Boston, Jan. 31.—The disputed "Theodora Goes Wild" is being played by Herman Rifkin at the Academy in Northampton, beginning today. Western Massachusetts Theatres, Inc., held up the original playdate with an injunction, alleging that the Columbia feature should go to them as a 1935-36 release. The matter was settled out of court last week.

Signs Beatrice Lillie

Hollywood, Jan. 31. — Emanuel Cohen has signed Beatrice Lillie for three pictures, the first to be "English Derby." It goes into work for Major Prod-Paramount in July.

Key City Grosses Off From High Total to $1,674,774

	No. Theatres Week Ending Jan. 16-17	Gross Week Ending Jan. 16-17	No. Theatres Week Ending Jan. 9-10	Gross Week Ending Jan. 9-10
Boston	7	$107,600	7	$132,500
Buffalo	5	51,713	5	73,200
Chicago	8	113,100	8	210,400
Cincinnati	8	57,300	8	74,150
Cleveland	5	59,500	5	85,300
Denver	6	31,500	6	50,000
Detroit	7	95,400	7	93,800
Houston	4	29,500	4	37,300
Indianapolis	5	27,000	5	39,900
Kansas City	5	38,500	5	51,100
Lincoln	5	8,950	5	11,350
Los Angeles	10	95,211	10	148,400
Louisville	7	23,000	7	36,500
Milwaukee	6	34,700	5	29,600
Minneapolis	4	40,100	4	30,500
Montreal	5	44,500	5	52,000
New Haven	4	23,200	4	38,900
New York	9	240,200	9	377,200
Oklahoma City	4	12,300	4	15,200
Omaha	4	31,500	4	38,200
Philadelphia	9	86,800	9	127,200
Pittsburgh	5	59,850	5	74,100
Portland	6	41,900	6	36,900
Providence	5	43,700	5	56,800
San Francisco	8	87,600	8	103,300
St. Louis	5	64,500	6	81,250
St. Paul	4	14,500	4	15,900
Seattle	8	39,650	8	41,600
Washington	6	71,500	7	100,400
	174	$1,674,774	175	$2,262,950

Key city grosses from September to the week ending Jan. 16-17:

Sept. 4-5	163	1,747,748
Sept. 11-12	173	2,090,144
Sept. 18-19	176	1,806,350
Sept. 25-26	177	1,744,332
Oct. 2-3	177	1,705,308
Oct. 9-10	175	1,625,287
Oct. 16-17	174	1,780,168
Oct. 23-24	175	1,690,044
Oct. 30-31	177	1,625,216
Nov. 6-7	178	1,629,560
Nov. 13-14	180	1,711,209
Nov. 20-21	180	1,654,312
Nov. 27-28	176	1,568,247
Dec. 4-5	176	1,946,078
Dec. 11-12	172	1,613,087
Dec. 18-19	176	1,568,151
Dec. 25-26	173	1,316,371
Jan. 2-3	178	2,037,040
Jan. 9-10	175	2,262,950
Jan. 16-17	174	1,674,774

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Dual Elimination Is Balked by Harris

(Continued from page 1)

clared that they have no intention of going to single features at the Warner.

Rules Bank Night Lottery

New Orleans, Jan. 31.—Attorney General Greek L. Rice of Mississippi has handed down an opinion that Bank Night is a lottery. The opinion was rendered upon request of Representative John Holloman, Columbus attorney, where Bank Night has been in operation.

Seek Iowa Bank Night Ban

Des Moines, Jan. 31.—A bill to ban Bank Night in Iowa has been introduced by Representatives William Treimer and Thomas I. Kephart, Democrats. Suit clubs and other so-called lotteries are included.

Allied Convention Set for May 12-14

(Continued from page 1)

which Ed Kuykendall, president of the M.P.T.O.A., will also be a speaker. The Virginia organization, of which Morton Thalheimer is president, is not affiliated with either of the national organizations.

To Honor Furst, Pavone

New Haven, Jan. 31.—A double testimonial dinner will be held Monday in honor of Nat Furst, promoted from New Haven to Boston exchange manager for Warners and John Pavone, moved up from salesman to fill Furst's place in New Haven, at the Taft. Harry Shaw, Poli division manager, will m. c., and Barney Pitkin of RKO heads the committee in charge which also includes Edward Ruff, B. E. Huffman and Samuel Rosen.

Milwaukee Theatres Set Flood Benefits

(Continued from page 1)

consin and upper Michigan staged flood benefit shows on the morning of Jan. 30, with the assistance of all Milwaukee exchanges and unions. In other cities exhibitors staged similar shows.

Film Shipments Halted

St. Louis, Jan. 31.—The Railway Express Agency has placed an embargo on all film shipments to a number of towns in Indiana, Illinois, Arkansas, Kentucky and Missouri. For other destinations in those states shipments were being accepted subject to delay.

The collection of relief funds from St. Louis theatres will last one week, to Feb. 6.

Fox Midwest houses in 96 cities of Missouri, Illinois, Iowa, Kansas and Nebraska are planning benefit shows. National Theatre Supply here has donated $100 to the flood fund.

Rigs Own Power Unit

Middletown, O., Jan. 31.—The fact that this town of 30,000 population is without electric current is not preventing the Paramount, largest of the four local Southio units, from operating on regular schedule.

City Manager C. E. Peffely, who also is manager of the Paramount, has set up two gasoline engines and two generators in the lot adjoining the theatre, and is developing sufficient current to operate the projection machines, house, lobby and marquee lights.

The town otherwise is in total darkness, except for candles and oil lamps, service having been discontinued when the Union Gas and Electric Co., Cincinnati, which feeds Middletown, was compelled to shut down.

Holds Matinee Benefit

Elkton, Md., Jan. 31.—A special matinee benefit performance, the proceeds to be turned over to the American Red Cross for flood relief, was held in the Avalon here Friday by Manager James N. Saunders. The benefit was given a plug over the air by WCBM, Baltimore.

Turns Over Day's Receipts

Dayton, O., Jan. 31.—The Victory, downtown independent first run, turned over its entire Thursday receipts to the Red Cross for benefit of flood sufferers.

Certificates to 165 Films in Two Months

(Continued from page 1)

of the M.P.P.D.A. and presaged heavy activity for the current year. The survey, which showed a general scarcity of re-issued films contrary to recent months, dates from Nov. 21, 1936, to Jan. 23, 1937.

A total of 1,759 features and 1,008 shorts from the major and independent production field have gone through the Hays office numerical code certificate system and emerged with qualifying seals since the department started functioning July 15, 1934. Only six features and one short of the total number of pictures approved during the past two months, were re-issues.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 27 NEW YORK, TUESDAY, FEBRUARY 2, 1937 TEN CENTS

New 20th-Fox Deal in Work For Australia

Hutchinson Reveals Move On Return from Trip

Hoyts and Union Theatres, comprising 125 theatres in Australia, may enter a 20-year operating agreement starting Jan. 1, 1938, when the current five-year deal between the two circuits expires. This was learned yesterday with the return of Walter J. Hutchinson, Twentieth Century-Fox foreign head, from a six-month trip around the world.

Hutchinson spent two months in Sydney conferring with Stuart Doyle, head of Union Theatres, and Charles Munroe, in charge of Hoyts for Twentieth Century-Fox. In accordance with the current agreement, Hutchinson gave formal notice for the cancellation of the present five-year pact and also submitted the new 20-year plan.

Before the week is out Hutchinson will submit the 20-year plan to Sidney R. Kent, president of Twentieth Century-Fox. A cable is expected from Munroe this weekend on latest developments.

"In the event Union Theatres does not accept the new arrangement," Hutchinson said, "we will break away and go on our own." Hoyts has about 100 of the 125 units involved in the pooling setup, which controls 80 per

(*Continued from page 2*)

AT & T Probe Fund Continued in Bill

By CLARENCE LINZ

WASHINGTON, Feb. 1.—Carrying a total of $1,604,000 for the F.C.C., of which $350,000 is for the completion of the investigation of the American Telephone & Telegraph Co., the independent offices appropriation bill for 1938 was reported today to the House of Representatives by the Appropriations Committee.

Also included in the bill was $15,000

(*Continued on page 4*)

Zukor Will Attend MPTOA Miami Meet

Adolph Zukor will attend the M. P. T. O. A. national convention at Miami, March 16, 17 and 18, as an honor guest together with several Administration officials, arrangements for whose attendance are now being made

(*Continued on page 16*)

Congress Gets New Plea for Probe of FCC

Wigglesworth Resumes Attack on Policies

By BERTRAM F. LINZ

WASHINGTON, Feb. 1.—Introduction in the House of the independent appropriations bill today was made the occasion for a new attack on radio monopoly and the F. C. C. by Representative Wigglesworth of Massachusetts, Republican member of the House Appropriations Committee.

Wigglesworth renewed his demand for a Congressional investigation, charging that the commission has failed to exercise the regulatory functions imposed upon it and had approved transfers and purchases of stations that were difficult to justify, frequently at prices far in excess of the value of the property. The act, he said, was designed to eliminate possibilities of monopoly and of unrestrained trafficking in licenses.

"Under the policies pursued by the commission," he asserted, "virtual monopoly is at hand."

The congressman asserted that the

(*Continued on page 16*)

Para. Fee Appeals Lost in High Court

WASHINGTON, Feb. 1.—Refusing to review the actions of the New York courts in rejecting the applications of Archibald Palmer, Louis Boehm and Samuel Zirn for allowances totaling $100,000 in connection with the reorganization of Paramount, the U. S. Supreme Court today struck a blow at multiplicity of security owners' committees which has marked a number of reorganizations under the Federal law.

The petitions for review covered $15,000 sought by Palmer, $10,000 by

(*Continued on page 4*)

Mickey Writes

Disneyville, Calif.

Editor
Motion Picture Daily
Dear Sir:

". . . our first Silly Symphony for RKO will be "The Old Mill.'"

Kindest regards from your friend,

MICKEY MOUSE

RKO, Midwest End Talks on K. C. Pool

RKO's proposed pool with Fox Midwest in Kansas City is off and negotiations have been completed whereby RKO will combine operations with Paramount in that city.

As a result, RKO's setup in Kansas City has changed. The Orpheum will be reopened this week as a continued run house with the Mainstreet, the other RKO house, to play "A" prod-

(*Continued on page 4*)

Tender Mexico City Luncheon to Quigley

By JAMES LOCKHART

MEXICO CITY, Feb. 1.—Martin Quigley was tendered a luncheon here today at the Hotel Reforma attended by a number of film executives and newspaper men.

Among those at the luncheon were: Arthur Pratchett, Paramount; Luis Lesanna, Radio; Gustav Mohme, 20th Century-Fox; Jacob Epstein, Universal; Gordon Dunlap and Frederick Sordo, United Artists; Carlos Niebla, M-G-M; Felipe Mier, independent distributor; Enrique Zienert of the Film Board of Trade, Watterson R. Rothacker and Walter Howie.

MPPDA Votes Out Drunkenness Scenes

HOLLYWOOD, Feb. 1.—A decision to curtail scenes depicting drinking and drunkenness was reached here at a secret meeting of the M.P.P.D.A. The production code authority has been instructed to eliminate as far as possible all such action from scripts

(*Continued on page 10*)

What Pictures Are Doing

Pictures and grosses make the film business go 'round. Performances in key cities are reported by wire today from these points:

Boston, Buffalo, Chicago, Cleveland, Denver, Detroit, Houston, Indianapolis, Kansas City, Lincoln, Milwaukee, Minneapolis, Montreal, New Haven, Oklahoma City, Philadelphia, Pittsburgh, Providence, St. Louis, San Francisco, Spokane and Washington.

See pages 10, 11, 12 and 13.

Aylesworth to Quit RKO for Newspaper Job

Will Join Scripps-Howard About March 1

SAN DIEGO, Feb. 1.—M. H. Aylesworth will resign as chairman of the board of RKO to become a member of the general management of the Scripps-Howard newspapers on or about March 1, it was stated here today at the annual business meeting of the newspaper organization.

Aylesworth's withdrawal from RKO was not unexpected within the film industry and, in fact, it had been a matter of report and conjecture for several months past. After serving as RKO president for several years, Aylesworth continued with the company as chairman of the board following the entrance of new financial interests into RKO and the subsequent appointment of Leo Spitz, Chicago attorney, as president. As board chairman he served in an advisory capacity to the new financial mentors, Atlas Corp., and Lehman Bros., while they were developing a plan of reorganization for the company. With the completed plan having been filed with the U. S. District Court in New York

(*Continued on page 4*)

Radio's slant on the Aylesworth move on page 14. Additional developments yesterday in radio on page 16.

Coast Firms Named In FTC Complaints

WASHINGTON, Feb. 1.—Charging misrepresentation in the leasing and renting of advertising pictures which they produce, the Federal Trade Commission today issued formal complaints citing Royal Revues, Inc., West Coast Discount Corp., Ltd., and their officers, L. H. and W. C. Hyde, trading as Royal Film Studios, for alleged vio-

(*Continued on page 4*)

Bank Night Appeal Is Lost in Kansas

KANSAS CITY, Feb. 1.—The Supreme Court of Kansas on Jan. 30 denied the appeal of the Fox Kansas Theatre Corp. and Affiliated Enterprises, Inc., for a rehearing on its Bank Night decision. In December

(*Continued on page 2*)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Entered as second class matter, January 4, 1926, at the Post Office at New York City, N. Y., under Act of March 3, 1879.

Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

Wallace Smith Dies

HOLLYWOOD, Feb. 1. — Wallace Smith, 48, screen writer and novelist, is dead here as a result of a heart attack. Smith did the screenplay for "The Gay Desperado" and "Two Arabian Knights."

Montague, Spingold West

HOLLYWOOD, Feb. 1.—Abe Monague and Nate Spingold arrived here Monday for Columbia conferences.

MITCHELL MAY, Jr.
CO., INC.
•
INSURANCE
Specialists To
The Motion Picture
Industry
75 Maiden Lane, N. Y. City
510 W. 6th St., Los Angeles, Cal.

New 20th-Fox Deal in Work For Australia

(*Continued from page* 1)

cent of the buying power in the six most important key centers of Australia.

Hutchinson said he acted as mediator to effect a deal for the good of the whole situation, traveling 40,000 miles to present a plan which, it is hoped, will be approved. The combined circuit is known as Greater Union Theatres, Inc.

While abroad, Hutchinson also completed a deal whereby Twentieth Century-Fox purchased an interest in the Amalgamated Circuit of 50 theatres in New Zealand. Eric Rutledge has been placed in charge and was the only change made with the company's entrance into the situation.

Of the 12 days he spent in London, the Twentieth Century-Fox foreign head was down with a cold for seven days.

Returning with Hutchinson was F. L. Harley, managing director for the company in Great Britain. He will remain for three or four weeks.

Lauds "Red Robe"

"England is witnessing an era of prosperity not seen in the past 15 years," he said. The company's business in England is "substantially better," he added without quoting figures.

Before he left England, Harley saw a rough print of "Under the Red Robe," second of five Robert T. Kane pictures being produced on a large scale by Twentieth Century-Fox abroad. He said it is greater than "Wings of the Morning." Kane, he said, has started on his third, the title of which he could not recall when met at the pier, and has set "Cyrano de Bergerac" as the fourth picture.

Hutchinson, Harley and Les Whelan will be among the home office contingent leaving today for Kansas City to attend the two-day district managers meeting Thursday and Friday at the Muelhbach, Kansas City.

Bank Night Appeal Is Lost in Kansas

(*Continued from page* 1)

the court held that Bank Night constituted a lottery.

The quo warranto case was brought by Attorney General Clarence V. Beck against Fox theatres in Kansas in connection with specific use of the promotion by the Fox house at Fort Scott. After the decision, all Fox houses were ordered to discontinue prizes.

"We'll try to arrange for the houses in Kansas to have their last Bank Night this week," said Harry A. McClure, district manager for Fox Midwest.

Attorney General Beck is instructing county attorneys to stop Bank Night.

Customs Man to Selznick

HOLLYWOOD, Feb. 1.—The writing staff of Selznick International has been augmented by the addition of Alfred A. Cohn, formerly U. S. Collector of Customs at the Port of Los Angeles.

Gambee and Balsdon Seriously Injured

LOS ANGELES, Feb. 1. — Sumner Gambee, vice-president, and George Balsdon, booker for National Theatres, are still in a serious condition at St. Joseph's Hospital, Stockton, from injuries sustained in an auto smashup last Thursday.

Balsdon has been in a coma for four days and is said to have only an even chance to survive. His wife, father and mother are en route from New York, having left there by train Sunday.

Gambee suffered internal injuries, including several fractured ribs and a punctured lung.

Nick Turner, who was driving Gambee and Balsdon from San Joaquin to San Francisco, has a fractured neck and other injuries. Turner and Gambee are recovering slowly.

The accident is said to have occurred when a driver in another car tried to pass a bus in a driving rain.

Spyros Skouras, William T. Powers, Edward Zabel and Irving Barry were not in Turner's automobile. They are scheduled to leave for New York the end of the week, but may delay their departure until Gambee and Balsdon show signs of improvement.

Academy Credits Out For 111 Productions

HOLLYWOOD, Feb. 1.—The seventh quarterly issue of the Academy Technical Credits Bulletin containing credits on 111 productions completed between Oct. 1 and Dec. 31, 1936, has been distributed to studio executives, technical department heads and members of the Academy branch.

Individual credits were given on 421 technicians representing art direction, camera, film editing, special photographic effects and sound recording divisions.

Of the 111 films completed during the quarterly period 12 were produced by Columbia, one by Cosmopolitan, four by Larry Darmour, one by Douglas MacLean, one by Major, eight by M-G-M, nine by Paramount, 17 by Republic, 13 by Radio, two by Samuel Goldwyn, two by B. P. Schulberg, one by Selznick International, 19 by 20th Century-Fox, seven by Universal, one by Walter Wanger and 13 by Warners.

The listings represent the production peak of the year. Ninety-two features were listed during the first quarter, 81 for the second quarter and 109 for the third.

Literary Lights at Opening of "Earth"

A notable audience of literary personalities is promised by M-G-M at the opening of the film version of "The Good Earth" at the Astor tonight on a two-a-day basis.

The literary list includes Edna Ferber, Fannie Hurst, Katherine Brush, Marc Connolly, Christopher Morley, Heywood Broun, George Kaufman, Gilbert Seldes, Dr. Cyrus Peake, professor of Chinese literature at Columbia University, and many others.

M-G-M reports the film, which opened at the Carthay Circle in Los Angeles last Friday, is doing the best business at the house in two years, on the basis of advance sale and the first three days' business.

Court Orders Notice Of Hearing on Roxy

Federal Judge Francis G. Caffey yesterday directed that copies of the Roxy reorganization plan be sent out to security holders and creditors with notice that the court has neither approved nor disapproved the plan.

In a lengthy opinion which passed upon 10 legal points in connection with the reorganization, Judge Caffey declared that the court believed it would be "premature and unjust" to attempt to pass upon the merits of the plan in advance of the creditors' hearing on March 5. Formal objections to the plan will be heard at that time.

Pointing out that the Roxy has been in process of rehabilitation for the past five years and that the plan now before the court is the first concrete proposal for reorganization to be received, Judge Caffey declared that he believed "the time has now arrived for definitely taking up the matter with those interested and affording them an opportunity for a hearing on the plan" without further delay.

The court declined to express an opinion on the solvency of the Roxy pending the creditors' hearing, and refused to appoint a stockholders' protective committee as requested at a hearing last Friday. The opinion held that the additional expense of a stockholders' committee was unwarranted. Stockholders and general creditors will be entitled to participate in the reorganization only if the Roxy is found to be solvent.

Denies Suit Against Roxy

A petition for leave to sue Howard S. Cullman as receiver of the Roxy for $25,000 for injuries alleged to have been suffered as a result of a fall down a flight of stairs in the theatre was denied Mary V. Talbot, a patron, by Federal Judge Francis G. Caffey yesterday. She charged that the injuries which she said she received were due to the theatre's negligence in handling crowds.

Seeks End of Patent Suit

A motion to dismiss the complaint of Virgil C. Crits seeking an injunction and accounting for alleged piracy of a patented device for optically recording and reproducing sound, was filed in U. S. District Court here yesterday by Albert Radtke, Leonard Day, Herman J. Martin, Radtke Patents Corp., United Research Corp. and Warner Bros. Pictures, Inc., all of whom were named as defendants.

The motion is returnable Feb. 5 and declares that the plaintiff fails to state a cause of action. The sound device was developed by Radtke, whom the plaintiff asserts was in the employ of the American Development and Operating Co., at the time, and that the patent rights belonged to the company as a result. Critz acquired the company two years later.

Sues Columbia on Adaptation

LOS ANGELES, Feb. 1.—David Chagi, University of Southern California drama student, field a $25,000 suit against Columbia Studios in Superior Court here today. In a brief filed by Attorney Harris E. Hanson, the plaintive claims that he submitted an adaptation of "Crime and Punishment" to the studio which was returned after two months as inadequate. Later, Columbia used parts of the adaptation, Chagi alleges.

Paramount's "MAID OF SALEM" IS AS POWERFUL A PICTURE AS I'VE EVER FILMED. Frank Lloyd

Director of "Cavalcade"
"Mutiny On the Bounty"

RIGHT!
MOTION PICTURE HERALD

RIGHT!
FILM DAILY

RIGHT!
DAILY VARIETY

RIGHT!
HOLLYWOOD REPORTER

RIGHT!
BOX-OFFICE

RIGHT NOW you'd better read the rave reviews, screen the picture, make early bookings for the film the critics acclaim one of the finest of the year and a box-office sensation. Frank Lloyd's "MAID OF SALEM", starring Claudette Colbert and Fred MacMurray

Paramount Pictures

Aylesworth to Quit RKO for Newspaper Job

(Continued from page 1)

last November, his retirement from the company began to be anticipated.

It is expected that the post he is vacating will not be filled until the RKO reorganizers complete the selection of a new board of directors for the company which, after approval by the Federal court, would begin to function immediately after confirmation of the RKO reorganization plan. Completion of the new board may require another month or six weeks.

In his new post Aylesworth will be associated with Robert P. Scripps, Roy W. Howard, William W. Hawkins, George B. Parker, William G. Chandler, John H. Sorrells and Paul Patterson, all of the Scripps-Howard general management.

"RKO now is ready to emerge from receivership," Aylesworth, who arrived here from New York on Saturday, said. "The company has an intelligent and fair plan for its reorganization under capable management and with excellent financial backing, and it is in a position to function without my services.

"I want to thank my friends in the film and theatre industry for the fine cooperation and assistance they have given me during these years of my activity in this great industry. I am proud of their friendship and of my association with them. The motion picture industry is one of the great basic industries in public service and I found the leaders intelligent, friendly and with a real conception of public service," he said.

An O. D. Young Man

Aylesworth is reported to have been "discovered" by Owen D. Young, who induced him to leave the far western utility field to organize and head NBC in 1926. He continued as president of the broadcasting company until last year, when he was succeeded by Lenox R. Lohr. In 1932, he was elected to the dual post of president of RKO. He is credited with having interested Floyd B. Odlum of Atlas Corp. in the reorganization of RKO, which resulted in that company and Lehman Bros. acquiring one-half of RCA's holdings in RKO and an option on the remaining half. He remained as chairman of RKO following the election of Spitz to the presidency about a year ago. He recently resigned as vice-chairman of NBC, an advisory post he retained after the appointment of Lohr as head of the company.

Aylesworth was also chairman of the board of the principal RKO subsidiaries.

Rep. Race Tightens

Republic's sales drive has become a nip and tuck race as the contest enters its third week. During the second week, leaders in three of the four divisions were replaced, San Francisco alone holding its position as pace-setter in the west. The eastern division is headed by Cleveland, southern division by New Orleans and central division by Chicago. By divisions, the order of the race is: Eastern, southern, central and western.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"On the Avenue"

(20th Century-Fox)

HOLLYWOOD, Feb. 1.—A good story, with a musical background, name value and careful production combine to make this desirable entertainment. Novel angles are injected into a backstage story which has romantic interest and good comedy relief.

The musical contributions are by Irving Berlin. There are three excellent numbers—"This Year's Kisses," "You're Laughing at Me," "I've Got My Love to Keep Warm."

The plot has unusual continuity for a musical film. The specialty episodes are intelligently spaced and keep the show moving in lively fashion, thereby combining the musical revue idea with dramatic romance.

Dick Powell and Alice Faye present a revue satirizing the public and private life of the richest girl in the world, Madeleine Carroll; her pompous father, George Barbier, and her snooty sweetheart, Alan Mowbray. Infuriated, Miss Carroll vows vengeance on Powell, but falls in love with him instead. Powell is contrite and promises to soften the sting of the revue, but Miss Faye, jealous, makes it more comic and bitter.

Buying the show from Walter Catlett, the producer, Miss Carroll contrives to rearrange it to make Powell look silly. The repentant Miss Faye discloses her double cross to Miss Carroll and Powell just in time to permit the latter to drag Miss Carroll from a loveless marriage to Mowbray. The Ritz brothers dash about in mad fashion during the course of the story.

Gene Markey and William Conselman constructed the screenplay to give Powell and Miss Faye splendid opportunities to vocalize in the Berlin numbers and to allow the Ritz Brothers, Cora Witherspoon, Billy Gilbert and Sig Rumann to check in ridiculously funny specialties. Powell's, Miss Faye's and Miss Carroll's straight performances add considerably to their stature, and Barbier, Mowbray, Catlett, Douglas, Fowley, Stepin Fetchit, E. E. Clive, Douglas Wood and John Sheehan provide worthy support. Roy Del Ruth's direction is consistently smart.

It should prove a treat for any kind of an audience.

Production Code Seal No. 2,958. Running time, 85 minutes. "G."

Coast Firms Named In FTC Complaints

(Continued from page 1)

lation of the Federal Trade Commission Act.

The respondents, it is charged by the commission, produce pictures which salesmen solicit exhibitors to show, and the salesmen also solicit business men to purchase the right to advertise their names and the nature of their business on the screen when the film is run.

The commission alleges that the respondents falsely represent, in many cases, that the pictures will be equal in quality and length to the sample shown by the salesmen, that no other advertiser in the same line of business will be permitted to advertise in connection with the showing of such films, that the picture an advertising matter will be exhibited daily or weekly, that the advertiser can cancel his contract after two months, and that the price paid the respondents covers the entire cost to the advertiser, when in fact the films are not shown in accordance with the contract, the contract cannot be canceled, and the advertiser is compelled to pay the exhibitor in addition to the respondents.

West Coast Discount Corp., it is alleged, was set up to purchase promissory notes given by advertisers, as a defense against attempts to enforce the contracts, but the commission charges it is not an innocent purchaser of such notes.

Para. Fee Appeals Lost in High Court

(Continued from page 1)

Boehm and $75,000 and expenses of $1,207 by Zirn.

Palmer, for whom Boehm was attorney, represented 3,220 shares of common stock, $50,000 of bonds of Allied Owners Corp., a creditor, and a committe of first mortgage bondholders of Allied Owners Corp. In seeking his allowance, he maintained that he had secured a reduction in the rate of interest charged Paramount, effecting a saving of $117,184, and an amendment of the plan broadening the board of directors.

Zirn sought an allowance of $75,000 for legal services and $1,207 for expenses incurred while attorney for certain bondholders.

Compensation was denied on the ground, in the case of Palmer and Boehm, that a stockholders' committee was already in existence and Allied Owners Corp. represented its interest as a creditor. The court also rejected as inconsequential the charges in the reorganization plan for which Palmer claimed credit. Similar circumstances formed the basis for the rejection of Zirn's claim.

Get Louis-Pastor Film

Syndicate Exchanges, Inc., has acquired the distribution rights to the Pastor-Louis fight for the entire state of New York.

AT&T Probe Fund Continued in Bill

(Continued from page 1)

for the Federal Trade Commission's trade practice work. The Federal Housing Administration is allocated $9,500,000, but the committee made no provision for the continuation of modernization loans, authority for which is about to expire.

Release today of testimony taken during hearings on the bill disclosed that storage cabinets for motion pictures are now being manufactured for the national archives, and officials of the organization, preparing to select the films which are to be permanently retained have surveyed 14,000,000 feet of film as well as some 4,000,000 still films outside the district.

Authority to make positives from negatives and to continue to reproduce them when a film begins to deteriorate was asked by R. D. W. Connor, archivist. At the same time he pointed out the archives should have authority to make pictures of events of historical importance, such as the parade last year, expected to be the last, of the Grand Army of the Republic during its annual convention in Washington.

"Newsreels Incomplete"

Asked by Representative Woodrum of Virginia, chairman of the subcommitte in charge of the bill, whether newsreels could not be used for that purpose, Mr. Connor explained that such pictures, while valuable, do not tell the complete story.

"If events have great news value newsreels are generally made," he admitted, "but there are a good many interesting and important events of historical interest that do not have such news value as to interest the commercial concerns. Moreover, a great many of the events which are taken on newsreels have no possible historical value, or anything more than a transient interest, but in-between such pictures you will often find a scene of important historical value.

"What we would like to do, if such newsreels are accepted, would be to edit them by cutting out such pictures as are of historic importance, properly titling and scoring them, and preserving only those portions in our files, but the comptroller general says we cannot do so."

RKO, Midwest End Talks on K. C. Pool

(Continued from page 1)

uct single feature. The Newman, Paramount unit, will book double features.

Max Fellerman, assistant to John O'Connor, film buyer for RKO, left yesterday for Kansas City where he will join Nate Blumberg, who has delayed his return east until the end of the week.

Switch House Policies

SEATTLE, Feb. 1.—Hamrick-Evergreen's Orpheum and Music Hall have switched price and show policies. The present policy of two "A" films at 40 cents top at the Orpheum has been installed in the Music Hall. The Music Hall's policy of five acts of vaudeville and two "B" pictures at 35 cents top has been transferred to the Orpheum.

Local Benefit Show Shifted to Feb. 11

The monster benefit show for the raising of funds for flood relief, originally scheduled for Feb. 13, was shifted yesterday to Feb. 11, at a meeting of the theatrical division of the Red Cross drive, under the direction of the Theatre Authority, at the Hotel Lincoln.

The change in date of the show was made necessary because the Music Hall, where it is planned to hold the performance, will not be available on Feb. 13. A definite decision on the use of the Music Hall will be reached at a meeting today with executives of the theatre. The show will run from 12 midnight to 3 A. M.

Practically every stage and screen star in New York at the time will contribute his services to the show, it was indicated yesterday. Included among them will be Beatrice Lillie, Noel Coward, Gertrude Lawrence and many others.

Approximately $3,500 has been raised up to yesterday in the "Kentucky colonel" drive being conducted by Louis K. Sidney and Station WHN for flood relief funds. The drive's quota is $50,0000. Initial contributions included $2,500 from Loew's, Inc., $250 from David Bernstein, $100 from Darryl Zanuck, and $50 each from Eddie Cantor and Dr. A. H. Giannini.

Purely Personal

ADOLPH ZUKOR, BORIS MORROS and CHRIS DUNPHY, the latter recovering from an attack of flu, are now en route to the coast, having left here Sunday on schedule.

•

BERNARD KRANZE'S mother and sister will return today from a three-month California vacation. While in Beverly Hills, the visitors stopped at RICARDO CORTEZ' home. They also spent some time at Palm Springs.

•

NAT PERRIN, former western star and author of "Glory for All," which is about to be produced on the Broadway stage, arrived from the coast yesterday to attend rehearsals.

•

CHERYL CRAWFORD of the Group Theatres is back from a trip to Hollywood.

•

LOU WEINBERG is scheduled to arrive from Hollywood the end of the week.

•

FREDRIC MARCH has left for the coast.

GRADWELL L. SEARS has again delayed his return from a southern tour of Warner exchanges.

•

GLORIA SWANSON is en route to Hollywood to launch a new contract with M-G-M. Her first will be "Mazie Kenyon." HARRY RAPF will produce.

•

DOUGLAS FAIRBANKS and ROBERT E. SHERWOOD, who leave today for the studios, will complete the "Adventures of Marco Polo" script aboard the train.

•

HENRY WILCOXON, who recently finished "Souls at Sea" for Paramount, will arrive in town this morning and will sail soon for Cairo.

•

MILT KUSELL and RAY HENDERSON flew to Boston yesterday via American Airlines.

•

GUY ROBERTSON flew to Chicago yesterday.

•

JEAN ARTHUR is en route to New York for a vacation.

Theatre Damage Slight

LOUISVILLE, Feb. 1.—Theatres here were only slightly damaged, in comparison with the widespread damage to the city generally. Water is in the basements of the Strand, Rialto and Loew's State. The Brown was most severely hit, with three feet of water in the auditorium, and the stage has been ruined. The Kentucky also is about half flooded. Practically all houses have suffered water damage in basements.

At present the Uptown is being used as a flood relief station. All of the neighborhood houses in the West End section are flooded. It is still extremely difficult to ascertain the extent of the damage, due to impassable streets.

Spokane Houses Rally

SPOKANE, Wash., Feb. 1. — Local theatres rallied to the Red Cross call for flood sufferers. H. D. McBride gave 25 per cent of the gross receipts at the Granada for five days. Evergreen theatres planned to donate a theatre and film for special late showing this week, all receipts to go to flood fund. Half of the local $20,000 quota has been reached.

Circuit Total $4,000

SPRINGFIELD, O., Feb. 1.—A total of more than $4,000 has been turned over to Red Cross chapters for flood relief funds by Chakeres Theatres, Inc., of which Phil Chakeres is the head.

Lincoln Aids Victims

LINCOLN, Neb., Feb. 1.—Local amusement men are deep in cooperation with the Red Cross raising funds for the flood sufferers. The Varsity, through city manager Milton Overman of the Westland circuit, put on four one-hour shows Saturday morning with a cent minimum admission. Stuart, member of the Lincoln Theaters Corp., showed "Lloyds of London" as a special showing and let patron conscience be the guide on admission. R. H. Pauley, of the Turnpike Casino, held a flood relief dance on Tuesday. Employes in all cases donated their time.

Donate Game Prize

ELDORA, IA., Feb. 1.—Leo F. Wolcott, president of the Allied Theatres of Iowa and Nebraska, and manager of the New Grand here, donated $100 of the theatre's $300 Bank Night prize to the flood relief fund after a conference with the mayor.

U. S. Cameramen on Scene

CINCINNATI, Feb. 1.—U. S. Department of Agriculture cameramen are here from Washington to film flood scenes for exhibition throughout the country in connection with advocacy of a flood control programs.

The men are in charge of Eugene Tucker, chief cinematographer, and are working in conjunction with Maj. F. W. Gano, of the local corps of U. S. Army Engineers, and W. C. Devereaux, U. S. meteorologist.

Hartford Cooperating

HARTFORD, Conn., Feb. 1.—Hartford theatres are cooperating in a gala flood benefit with short subject films and 16 acts of vaudeville at the State Feb. 5. Walter O'Keefe of Camel Caravan, formerly of Hartford, will appear on the program with acts from the Cameo and State.

Cleveland Exchanges Not Hit

CLEVELAND, Feb. 1.—The flood situation in Ohio did not affect the Cleveland exchanges at all. Bridgeport was the only town in the flood district served out of Cleveland, and the one theatre of Bridgeport, the Family, that was closed has reopened.

Cleveland Contributes

CLEVELAND, Feb. 1.—The Variety Club and Variety Post No. 313 turned over $750 to the Red Cross for flood relief.

The Cleveland M. P. Exhibitors' Ass'n turned over $500 to the Red Cross. This amount, however, does not cover the local individual contributions.

Associated Theatres circuit contributed $750 taken with the enthusiastic consent of patrons, from Bank Night and Movie Sweepstakes winnings.

The M. B. Horwitz circuit, also with the public's approval, gave $50 from each Bank Night winning.

Dick Deutsch of the Dick Deutsch Printing Company, sent 150,000 packages of cough drops to the Red Cross for distribution in the stricken areas.

The Kaplan circuit announced donation of half of the receipts at certain of their theatres on specified days.

Warners donated the entire third floor of the Warner Bldg. to the Red Cross and the American Legion, to sort clothing. Warners' Uptown and Variety were headquarters for clothing collections in their respective neighborhoods.

Plan Coast Benefits

HOLLYWOOD, Feb. 1.—Harold Lloyd is chairman of a committee to contact screen names for a benefit performance for the flood sufferers. The performance is scheduled for Wednesday. Members of the committee include Louis B. Mayer, Jack L. Warner, Carl Laemmle, Sr., Clark Gable and Dick Powell.

The Song Writers Ass'n also plans a benefit for the same purpose with Sigmund Romberg, Jerome Kern, Irving Berlin and others serving on the committee.

May Reopen on Friday

CINCINNATI, Feb. 1.—The local first run houses are expected to reopen Friday. "Closed to conserve light and power during the flood emergency. Give to the Red Cross," appears on the front of every RKO theatre marquee, while the wings carry the message: "Give to the Red Cross. Help the suffering."

The Emery, a Shard unit in suburban Reading, is the only house operating in the Cincinnati area.

Holds Benefit Matinee

ATHENS, Ala., Feb. 1.—The Ritz contributed the proceeds of a special matinee to the flood sufferers. No admission was charged but a free will offering was taken to Manager Walter E. Harman.

Many K. C. Benefits

KANSAS CITY, Feb. 1.—Many theatres in the area and in Kansas City are holding benefit performances to raise flood relief funds. The Mainstreet previewed "God's Country and the Woman," supplied free for the performance by Warners. Exchanges are supplying the films, employes the labor, and so on.

Offer Bank Night Share

ENGLAND, Ark., Feb. 1.—J. F. Norman, owner and manager of the Best, reports a special contribution by patrons on Bank Night for the relief of flood sufferers. He said that until conditions are normal the request would be renewed each Bank Night.

ITO Sets Flood Relief Day

LOS ANGELES, Feb. 1.—The board of directors of the I. T. O. today endorsed and recommended February 11 as flood relief day at which time all independent exhibitors in this territory will be urged to contribute 25 per cent of the day's gross to the Red Cross for flood relief. Organization members signified their cooperation with the plan.

Simultaneously Fred Siegel of Oceanside, California, was made honorary member of the board of directors.

Carroll Pact Extended

HOLLYWOOD, Feb. 1.—Earl Carroll today was given an extension of one year on his contract with 20th Century-Fox. He will henceforth be on his own as a producer for the company. During the past year he has shared production duties with Harold Wilson.

Scott Starts Honeymoon

OMAHA, Feb. 1.—A belated auto honeymoon trip to Mexico City has been started by Manager Joe E. Scott of 20th-Fox here and his bride, the former Nynee Lefholtz, radio and stage singer. They were married just before Christmas.

Wall Street

Paramount Best Board Gain

	High	Low	Close	Net Change
Columbia	36¾	36	36¾	+ ½
Consolidated	5¼	5¼	5¼	.....
Consolidated, pfd.	17⅛	17	17	.....
Gen. T. Equip.	32⅞	32⅜	32⅞	+ ⅛
Loew's, Inc.	74⅜	72⅜	74⅜	+1⅛
Paramount	28⅝	27¾	28⅛	.....
Paramount 1 pfd.	199¾	198	199¾	+2¾
Paramount 2 pfd.	26	25¼	25¼	— ¼
Pathe Film	9¾	9⅜	9⅝	+ ¼
RKO	8⅞	8⅝	8⅞	.....
20th Century-Fox.	37⅜	36¾	37¼	+ ⅛
20th Century, pfd.	46½	46½	46½	+ ⅜
Warner Bros.	15⅝	15	15⅝	+ ⅝

Curb Rises Slightly

	High	Low	Close	Net Change
Grand National	4	3⅝	3¾	— ⅛
Sentry Safety	1⅛	1	1⅛	+ ⅛
Sonotone	2¼	2⅛	2¼	+ ⅛
Technicolor	21⅞	21⅜	21⅜	— ⅜
Trans-Lux	4⅜	4¼	4¼	.....

Little Bond Activity

	High	Low	Close	Net Change
Keith B. F. 6s '46	98⅛	98	98	.....
Loew's 3½s '46	100⅛	100	100	— ½
Paramount B'way 3s '55	75	74½	75	+ ½
Paramount Pict. 6s '55	100½	100⅜	100⅜	.....
Warner Bros. 6s '39 wd	100	99¾	99⅞	+ ⅛

(Quotations at close of Feb. 1)

Listen to 'Em Yelling!

It's New York Telling the World That

WARNER BROS. HAVE HIT THAT 'G-MEN' PACE AGAIN WITH

BLACK

YOU'LL BE A WHOLE LOT WISER . . . *One Minute from Now!*

—That's all the time it takes to read this speedy summation of the hats-off, superlatives-on, walloping world premiere!

"A melodrama among melodramas! Brave and undeniably exciting! It cannot help but hold you!"
—*N. Y. America*

"A biting, scathing, courageous and exciting expose melodrama! Put 'Black Legion' down a absorbing entertainment!" —*N. Y. World-Telegra*

"In 'Black Legion', Hollywood grows up. A picture both powerful and intelligent!" —*Literary Diges*

"'Black Legion' reveals Warner Bros. at their level best A stirring, courageous, needful motion picture stacked

DID YOU HEAR

WALTER WINCHELL:
(Sunday night over NBC)
"By all means go see this T-N-Tainment"

JIMMY FIDLER:
(Tuesday night over NBC)
"One of the most gripping photoplays ever produced—to be classed with 'I Am a Fugitive'. For a thrilling evening, for your 'must see' list"!

DID YOU SEE

MARK HELLINGER:
(Nationally Syndicated Columnist)
"If I had my way, every man, woman and child would see it!"
The editorial in the *N. Y. Herald Tribune*—first time in paper's history a movie crashed the editorial page!
. . . And those unprecedented coast raves, reprinted in last week's 4-page ad?

And, to coin a phrase

BUSINESS IS COLOSSAL

—But how could you expect anything else?

LEGION

with

HUMPHREY BOGART

DICK FORAN • ERIN O'BRIEN-MOORE • ANN SHERIDAN
Robert Barrat • Helen Flint • Joseph Sawyer • Addison
Richard • Eddie Acuff • Directed by ARCHIE MAYO

SEARS
DRIVE
Dec. 20 to
April 4

nd packed with dynamite from stem to stern. If you re wise, you will see it—it is excellent motion pic- ure fare not to be missed!" —*N. Y. Morning Telegraph*

remendously impressive! Shocking, challenging and rimly realistic, it pulls no punches! The entire produc- on is one that will not easily be forgotten! See it!" —*N. Y. Eve. Journal*

ynamic drama! All those concerned with its produc- on are now destined to be important flicker folks. umphrey Bogart surpasses any and all of his earlier creen efforts. Breath-taking movie fare!"—*N. Y. Post*

"Vastly absorbing, vastly important photoplay that should be missed by no one! Outstanding and memorable! Smashing drama that will haunt you with its stark emotional power for a long time!" —*N. Y. Herald-Tribune*

"Sensational, rousing and stirring! Humphrey Bogart gives a performance even more stirring than that memorable one he contributed to 'Petrified Forest'. Packs a mighty punch!" —*N. Y. Sunday Mirror*

"As up-to-the-minute as today's newspaper; as powerful as dynamite!" —*N. Y. Sunday News*

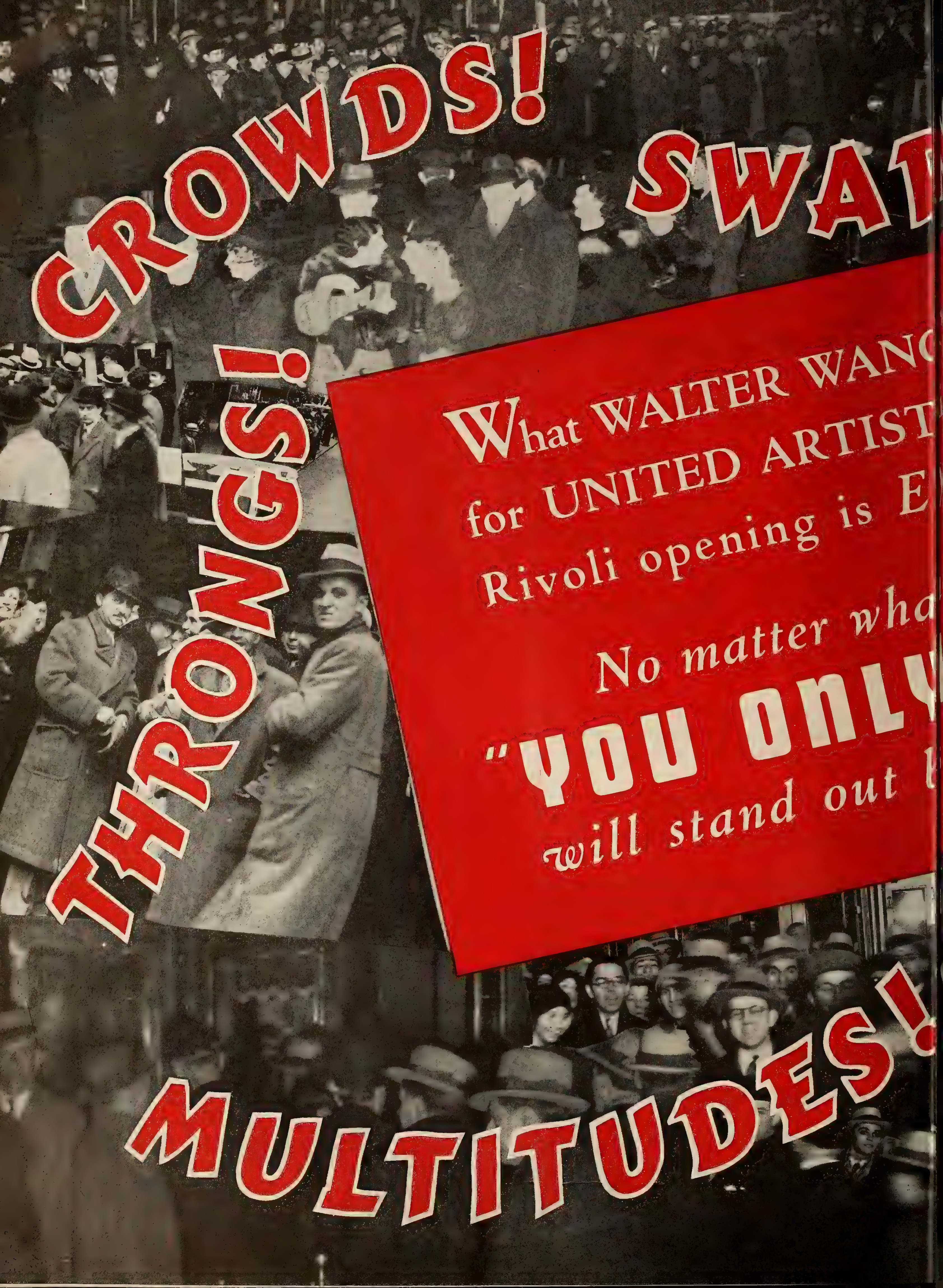
IT RIGHT DOWN AND ASK YOURSELF THIS QUESTION!

ow long has it been since 've had the pleasure of laying a picture that rew notices like these?

When you think of the answer you're thinking of the reason

'BLACK LEGION'

Means More to You Than Any Show on the Market Today!


CROWDS!
SWA
THRONGS!
MULTITUDES!

What WALTER WAN
for UNITED ARTIST
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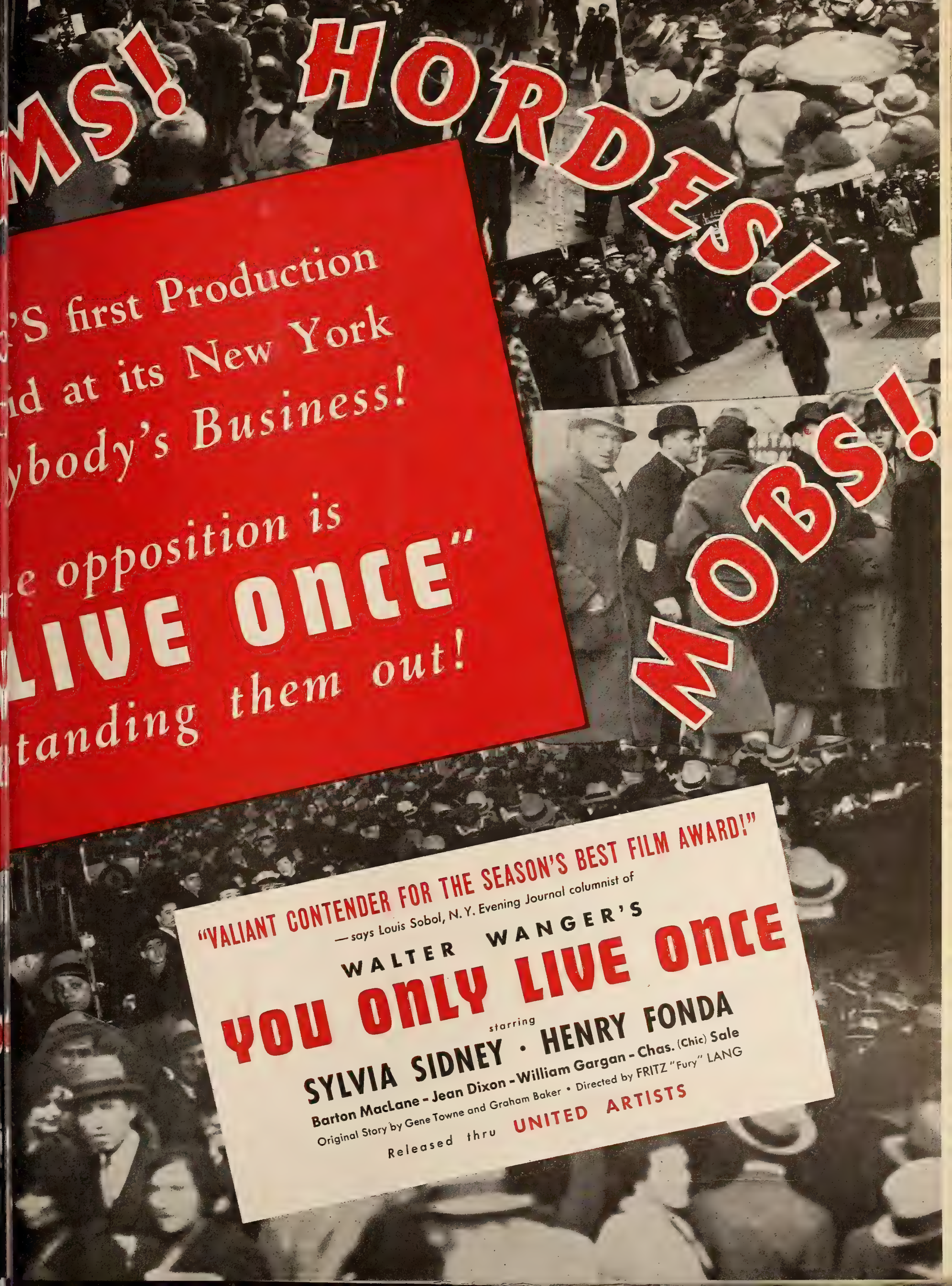
No matter wha

"YOU ONL
will stand out


MS!
HORDES!
MOBS!

'S first Production
id at its New York
ybody's Business!

e opposition is
LIVE ONCE"
tanding them out!

"VALIANT CONTENDER FOR THE SEASON'S BEST FILM AWARD!"
— says Louis Sobol, N. Y. Evening Journal columnist of

WALTER WANGER'S
YOU ONLY LIVE ONCE
starring
SYLVIA SIDNEY · HENRY FONDA
Barton MacLane - Jean Dixon - William Gargan - Chas. (Chic) Sale
Original Story by Gene Towne and Graham Baker • Directed by FRITZ "Fury" LANG
Released thru UNITED ARTISTS

"Smart Girls" $28,600 Lead For the Loop

CHICAGO, Feb. 1.—"Three Smart Girls" with the help of another smart young lady, Jane Withers in person, topped Loop business and grossed a big $28,600 at the Palace, which was $9,400 above average. The picture was held another week.

"One in a Million" at the Garrick, following a week at the Chicago, did well and got $7,900. The State-Lake, with "Counterfeit Lady" and a big stage show, grossed a fine $16,600 and "God's Country and the Woman" at the Roosevelt was another money-maker with a gross of $14,700.

Thirty thousand delegates to the national canners' convention helped swell night business. Rain and sleet kept many away over the weekend, but business came back strong when the weather cleared up.

"Great Guy" at the Chicago was under average despite the fact that a sellout to the American Can Co. on the last evening of the week helped the gross mightily. This is the third year the Chicago theatre has been taken over by this company and a special show staged for visiting delegates.

City health regulations halting theatres from allowing patrons to stand in the lobbies hurt when an overflow occurred, as customers refused to wait outside. The Palace was especially hard hit.

Total first run business was $140,800. Average is $118,000.

Week Ending Jan. 26:

"AFTER THE THIN MAN" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 4th week. **Gross:** $12,000. (Average, $15,000)

Week Ending Jan. 28:

"THREE SMART GIRLS" (Univ.)
PALACE — (2,509), 35c-55c-75c, 7 days. Stage: Jane Withers in person and revue. **Gross:** $28,600. (Average, $19,000)
"GREAT GUY" (G.N.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Milt Britton and Band. **Gross:** $30,000. (Average, $32,000)
"SMART BLONDE" (W.B.)
ORIENTAL — (3,490), 35c-55c, 7 days. Stage: "Monte Carlo" Revue. **Gross:** $15,000. (Average, $15,000)
"GOD'S COUNTRY AND THE WOMAN" (W.B.)
ROOSEVELT—(1,591), 35c-55c-75c, 7 days. **Gross:** $14,700. (Average, $11,000)
"THE PLAINSMAN" (Para.)
APOLLO—(1,400), 35c-55c-65c, 7 days, 4th Loop week. **Gross:** $6,000. (Average, $6,500)
"ONE IN A MILLION" (20th-Fox)
GARRICK — (900), 35c-55c-65c, 7 days. **Gross:** $7,900. (Average, $6,500)

Week Ending Jan. 29:

"COUNTERFEIT LADY" (Col.)
STATE-LAKE — (2,776), 20c-35c-40c, 7 days. Stage: "Texas Follies." **Gross:** $16,600. (Average, $13,000)

RKO Heads in Frisco

SAN FRANCISCO, Feb. 1.—Ned Depinet and Jules Levy of RKO came here from Hollywood on Saturday, and are expected to go to Portland and Seattle from here, returning to the RKO studio late in the week.

Stage Shows Gaining

SPOKANE, Feb. 1.—Stage shows had a comeback last month with five playing film houses, the greatest number in year. Improved business has encouraged the booking of three others this month.

"Lloyds of London" Hits $13,500, Cleveland High

CLEVELAND, Feb. 1.—"Lloyds of London" stepped way out front last week, doing the biggest business of the week at Warners' Hippodrome. It grossed $13,500 or $3,500 over average.

"One in a Million," at the Allen, playing a second week downtown immediately following a big week at Warners' Hippodrome, was the public's second choice. It went $1,000 over par to $6,000. "The Great Guy" made a splendid showing at the RKO Palace where Ben Marsden's "Riviera Follies" was the stage show. The take was $17,000, up by $2,000.

Total first run business was $57,000. Average for this city is $51,000.

Estimated takings for the week ending Jan. 29:

"ONE IN A MILLION" (20th-Fox)
ALLEN—(3,300), 30c-35c-42c, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,000)
"THE PLAINSMAN" (Para.)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $15,000. (Average, $15,000)
"CAMILLE" (M-G-M)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days, 2nd week. **Gross:** $5,500. (Average, $6,000)
"GREAT GUY" (G.N.)
RKO PALACE — (3,100), 30c-42c-60c, 7 days. Stage: Ben Marsden's "Riviera Follies." **Gross:** $17,000. (Average, $15,000)
"LLOYDS OF LONDON" (20th-Fox)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $13,500. (Average, $10,000)

Plea to Halt Union Agreement Is Denied

Justice Lyndon in N. Y. Supreme Court yesterday denied the plea of the Harris circuit of 12 houses for an injunction restraining the I.T.O.A. from concluding its agreement with Local 306, and restraining the Allied Union from proceeding with the proposed merger with 306 by which the latter is to absorb the membership of the Allied Union. A temporary injunction was granted on Saturday, but denied at a hearing yesterday.

It was indicated late yesterday that only a few minor details stand in the way of the conclusion of the final agreement which will clarify the union situation in New York theatres, through a 10-year contract between Local 306 and the I.T.O.A. It is anticipated that the deal will be closed within a day or two.

Sleet Hits Weekend Grosses in Kansas

KANSAS CITY, Feb. 1.—Exhibitors sustained another sock in the box office over the weekend when a day and a night's rain over Western Missouri, Greater Kansas City, and the northern half of Kansas turned to sleet and ice, and roads and streets became almost impassable. The weather has been cold, the underfooting treacherous, since early in the month, and both have had a bad effect on grosses.

MPPDA Votes Out Drunkenness Scenes

(*Continued from page* 1)

before production has advanced to the screening stage.

A letter has been sent by Joseph Breen to all major producers appraising them of the new censoring system and informing them that the code authority has been authorized to eliminate scenes which, in its judgment, come under the aforementioned category.

Ohio Playdate Suit Postponed 30 Days

CINCINNATI, Feb.1.—Another 30-day extension has been granted in the RKO suit against the state of Ohio to test the anti-preferred playdate bill in the U. S. Circuit Court of Appeals. The request for the delay was made by Paxton & Seasongood, attorneys for the plaintiffs.

"Legion" at $7,800 Indianapolis High

INDIANAPOLIS, Feb. 1.—"Black Legion" was the best grosser of the week with a take of $7,800 at the Lyric. This was $800 over normal. A vaudeville bill helped.

In its second week at the Apollo "One in a Million" held up to a par $4,500.

Retail business of virtually every sort downtown was off all week and the first runs showed sharp drops beginning Monday. Public gloom over the flood that drowned Indiana's southern boundary apparently was largely responsible. Indications are that the number of families here with relatives and close friends in the disaster area is enormous. Donations to the Red Cross from Indianapolis alone probably will exceed $200,000, an impressive total for this city.

Total first run business was $22,500. Average is $21,000.

Estimated takings for the week ending Jan. 29:

"ONE IN A MILLION" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days, 2nd week. **Gross:** $4,500. (Average, $4,500)
"MAN OF AFFAIRS" (G.B.)
"THE WOMAN ALONE" (G.B.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $4,200. (Average, $4,000)
"BELOVED ENEMY" (M-G-M)
"THE MAN WHO LIVED TWICE" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $6,000. (Average, $6,000)
"BLACK LEGION" (W.B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: "Laugh Week" vaudeville. **Gross:** $7,800. (Average, $7,000)

Film Firms Reading Bureau Award Plays

The story departments of seven major companies are reading the plays for which awards were announced late last week by the Bureau of New Plays, for possible adaptation to the screen, Theresa Helburn, director of the bureau, said yesterday. It is unlikely, Miss Helburn said, that more than one or two of the plays will be suitable for the screen, but in the event that several companies desire to use any one, lots will be drawn to determine which company is to get the play.

The bureau was organized last year under the auspices of M-G-M, RKO, Paramount, 20th Century-Fox, Universal, Columbia and Warners. The award ceremonies were broadcast yesterday by WOR at 4:30 P. M. Among the speakers was J. Robert Rubin, vice-president of M-G-M.

"Million" Up At $12,100, Kansas City

KANSAS CITY, Feb. 1.—Through winter weather "One in a Million" skated into the Mainstreet box-office with $12,100 and the best showing of the week for first runs. This was $4,100 over average, and the picture was moved to the Newman.

Bad underfooting, the cold and Leslie Howard in "Hamlet" two nights at the Auditorium held other first runs down. "Three Smart Girls," which played its first week earlier in the month at the Mainstreet, took $5,400, $1,400 over average, at the Uptown in a second stanza. "Sing Me a Love Song" pulled the Newman $300 over the $7,000 marker, while "The Holy Terror" left the Tower sitting on the $7,000 line. In spite of a big campaign, "Beloved Enemy" and "Woman in Distress" left the fans cold, and the Midland wangled only $8,500, $3,000 shy of par.

Total first run business was $40,300. Average is $37,500.

Estimated takings:

Week Ending Jan. 28:

"ONE IN A MILLION" (20th-Fox)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $12,100. (Average, $8,000)
"BELOVED ENEMY" (U.A.)
"WOMAN IN DISTRESS" (Col.)
MIDLAND — (4,000), 25c-40c, 7 days. **Gross:** $8,500. (Average, $11,500)
"SING ME A LOVE SONG" (F.N.)
NEWMAN — (1,900), 25c-40c, 7 days. **Gross:** $7,300. (Average, $7,000)
"THE HOLY TERROR" (20th-Fox)
TOWER—(2,200), 25c-35c, 7 days. Stage: Chandu; Foran Sisters & Tom; Rex Weber; Edison & Louise, and "The Two Step-Sons." **Gross:** $7,000. (Average, $7,000)
"THREE SMART GIRLS" (Univ.)
UPTOWN—(2,000), 25c-40c, 7 days, 2nd week. **Gross:** $5,400. (Average, $4,000)

"Romeo" at $4,000 2 Days in Spokane

SPOKANE, Wash., Feb. 1.—Record snowfall lowered attendance last week, but special bills at increased prices held receipts well above par. A two-day showing of "Romeo and Juliet" took $4,000 at the Fox.

"After the Thin Man" did a strong $5,200 at the State, $400 over par, and was held for a second week. "Mad Holiday" with Major Bowes' all-girl unit on the stage pulled $2,400 at the Orpheum in three days, $200 over par.

Total first run business was $18,400. Average is $13,400.

Estimated takings:

Week Ending Jan. 21:

"ROMEO AND JULIET" (M-G-M)
FOX—(2,300), increased prices, 58c-87c-$1.15, 2 days. **Gross:** $4,000.
"RAINBOW ON THE RIVER" (Radio)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
FOX—(2,300), 25c-40c, 5 days. **Gross:** $3,800. (Average, $3,800)
"AFTER THE THIN MAN" (M-G-M)
STATE—(1,000), 30c-40c, 7 days. **Gross:** $5,200. (Average, $4,800)
"MAD HOLIDAY" (M-G-M)
ORPHEUM — (1,200), 25c-40c, increased prices, 3 days. **Gross:** $2,400. (Average, $2,200)
"VALIANT IS THE WORD FOR CARRIE" (Para.)
"YELLOW CARGO" (G.N.)
ORPHEUM — (1,200), 20c-30c, 3 days. **Gross:** $1,000. (Average, $1,000)

"Camille" 2nd Week Frisco Top, $13,800

SAN FRANCISCO, Feb. 1.—"Camille," in its second week on a dual with "Let's Make a Million" at the Warfield, led the first runs in a dull week with a take of $13,800. This topped normal by a scant $800.

"After the Thin Man," on a dual with "Hats Off," at the St. Francis for a third downtown week, was the only other attraction to pass par. The $6,800 take was $800 up.

The weather was warmer, but rain continued. There was no stage competition.

Total first run business was $75,300. Average is $85,000.

Estimated takings:

Week Ending Jan. 26:

"MYSTERIOUS CROSSING" (Univ.)
"CONFLICT" (Univ.)
EMBASSY — (1,400), 15c-30c-35c-40c, 7 days. **Gross:** $3,200. (Average, $4,500)

"GREAT GUY" (W.B.)
"MARCH OF TIME" (Radio)
GOLDEN GATE—(2,850), 15c-30c-35c-40c-55c, 7 days. Stage: vaudeville. **Gross:** $13,500. (Average, $16,000)

"THREE SMART GIRLS" (Univ.)
"FIND THE WITNESS" (Col.)
ORPHEUM—(2,440), 15c-30c-35c-40c, 7 days, 2nd week. **Gross:** $6,800. (Average, $9,500)

Week Ending Jan. 27:

"BLACK LEGION" (W.B.)
"MIND YOUR OWN BUSINESS" (Para.)
FOX — (5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $14,200. (Average, $16,000)

"GOD'S COUNTRY AND THE WOMAN" (W.B.)
"CRACK-UP" (20th-Fox)
PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $10,500. (Average, $13,000)

"AFTER THE THIN MAN" (M-G-M)
"HATS OFF" (G.N.)
ST. FRANCIS—(1,400), 15c-30c-35c-40c, 7 days, 3rd downtown week. **Gross:** $6,800. (Average, $6,000)

"GARDEN OF ALLAH" (U.A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days, 2nd week. **Gross:** $5,400. (Average, $6,000)

Week Ending Jan. 28:

"CAMILLE" (M-G-M)
"LET'S MAKE A MILLION" (Para.)
WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $13,800. (Average, $13,000)

Week Ending Jan. 29:

"SON OF MONGOLIA" (Amkino)
CLAY—(400), 15c-35c, 7 days. **Gross:** $1,100. (Average, $1,000)

Will Liquidate Unit

NEW ORLEANS, Feb. 1.—Shareholders of Allied Exhibitors, Inc., have voted for liquidation out of court and appointed Henry Lazarus, Ira Weingrun and I. J. Harrelson as a committee to conclude its affairs.

RKO Will Celebrate

RKO will celebrate the 55th anniversary of two Boston houses on Feb. 18 and 19. On the first date the Memorial will put on a special show with Keith's following the next day. Special tieups and a national broadcast are now being arranged.

Snow Hits Deliveries

OMAHA, Feb. 1.—Recent heavy snows in this area paralyzed the delivery system out of the local exchanges and marooned several local managers and salesmen. Caught in drifts, Edward Rostermund had to follow a snow plow 20 miles to get out.

Flood Bumps Pittsburgh's Grosses Hard

PITTSBURGH, Feb. 1.—Flood scare was too much for theatres last week and grosses dropped. Only the Warner, located on Fifth avenue beyond the high water zone, managed to better an even break and "We Who Are About to Die" and "Smart Blonde" came through with $5,800, the only first-run to outdistance par. The Warner also got a break last Tuesday when both the Stanley and the Fulton closed for a day to dry damp electrical equipment.

Elsewhere, however, business was terrible. At the Penn, where the management wasn't sure whether they would be open from one day to the next, "The Garden of Allah" did only $8,500, while at the Alvin, right next to the river, "One In A Million" dropped to $4,200 in its second week. The Stanley was heading for a nice week with "That Girl from Paris" and Fats Waller's band when forced to close for 24 hours and that seriously cut in on the gross, keeping it down to $14,000. At the Fulton, "Love Letters of a Star," despite the debut of a local girl, Polly Rowles, and "Can This Be Dixie?" got only $2,600.

Total first run business was $35,100. Average is $44,000.

Estimated takings for the week ending Jan. 28:

"ONE IN A MILLION" (20th-Fox)
ALVIN—(2,000), 25c-40c, 7 days, 2nd week. **Gross:** $4,200. (Average, $5,500)

"LOVE LETTERS OF A STAR" (Univ.)
"CAN THIS BE DIXIE?" (20th-Fox)
FULTON—(1,750), 25c-40c, 6 days. **Gross:** $2,600. (Average, 7 days, $4,500)

"GARDEN OF ALLAH" (U.A.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $8,500. (Average, $11,000)

"THAT GIRL FROM PARIS" (Radio)
STANLEY—(3,600), 25c-60c, 6 days. Stage: Fats Waller's band, Myra Johnson, Chuck and Chuckles. **Gross:** $14,000. (Average, 7 days, $18,500)

"SMART BLONDE" (W.B.)
"WE WHO ARE ABOUT TO DIE" (Radio)
WARNER—(2,000), 25c-40c, 7 days. **Gross:** $5,800. (Average, $4,500)

Resume Original Title

HOLLYWOOD, Feb. 1.—"Castles in Spain," the original title of the film, has been chosen by Walter Wanger as the final title for the production which he had tentatively called "The Loves of Jeanne Ney."

Shift Two Boston Houses

BOSTON, Feb. 1.—The Modern and Scollay Square downtown have been put on a day-and-date policy, similar to that already employed by the Paramount and Fenway. Martin Glazier, Quigley awards winner, has been made publicity manager of both. Abner Pinanski and Jack Goodwin are the respective managers under the new setup.

Dismiss Damage Suit

CHESTERTOWN, MD., Feb. 1.—The damage suit of George W. Baldwin of Chestertown against the Centerville Opera House of Centerville for injuries alleged to have been received when he slipped into a manhole in front of the theatre was taken from a jury and dismissed in the Caroline County Court here.

Try 'Em First

Madison, Conn., Feb. 1.—The lobby of the Bonoff advertises, not pictures, but chairs. Eight chairs, furnished as samples by various concerns, are being submitted to patrons for their trial and expression of choice.

The floor of the theatre will be inclined and a contract for seating awarded for both this and a new 638-seat theatre in Saybrook, on which construction will begin in the spring.

"Million" on Dual Best in New Haven

NEW HAVEN, Feb. 1.—"One in a Million," with "Crack-up," topped the town's business with a $10,800 gross, up from the usual by $3,800. The bill held at the College.

The Roger Sherman, with "God's Country and the Woman" and "Sing Me a Love Song," ranked second, taking $7,000, up by $2,300. "The Gay Desperado" and "Make Way for a Lady" were $600 to the good at the College, grossing $3,400. The Paramount, with "Mind Your Own Business" and "Bulldog Drummond Escapes," dipped $400 under the $4,900 par.

The weekend held up in spite of rain and icy pavements, and the weather was otherwise favorable.

Total first run business was $25,700. Average is $19,400.

Estimated takings for the week ending Jan. 29:

"THE GAY DESPERADO" (U.A.)
"MAKE WAY FOR A LADY" (Radio)
COLLEGE—(1,499), 25c-35c, 7 days. **Gross:** $3,400. (Average, $2,800)

"MIND YOUR OWN BUSINESS" (Para.)
"BULLDOG DRUMMOND ESCAPES" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $4,500. (Average, $4,900)

"ONE IN A MILLION" (20th-Fox)
"CRACK-UP" (20th-Fox)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $10,800. (Average, $7,000)

"GOD'S COUNTRY AND THE WOMAN" (W.B.)
"SING ME A LOVE SONG" (W.B.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $7,000. (Average, $4,700)

Asher Heads Epilogues

BOSTON, Feb. 1.—Harry Asher, former head of the American Film Exchange which went out of business last fall, is now national head of Epiloques, Inc. He has established headquarters on Piedmont St.

Show New Speed Camera

BOSTON, Feb. 1.—A new speed camera has been demonstrated here by its inventor, Prof. H. E. Edgerton of the Massachusetts Institute of Technology. It has an exposure as brief as one-100,000th of a second, he says.

Pickford Signs Talent

HOLLYWOOD, Feb. 1.—Mary Pickford will start a stock company consisting of from three to six players on her return from Europe where she is expected to marry Buddy Rogers in March.

She is expected to return to active production, but is not ready to announce her plans. Barry Fitzgerald of the Abbey Players is the first man signed.

"Million" at $31,000 Smash In Washington

WASHINGTON, Feb. 1.—"One in a Million" plus a personal appearance of Johnny Weismuller and Lupe Velez shot Loew's Capitol gross to $31,000, over average by $10,100.

Surprise of the week was "One Way Passage" at the Metropolitan, where the $6,500 gross exceeded average by $2,200. Loew's Columbia, playing a return engagement of "Camille," did $5,800 to exceed par by $2,200. "More Than a Secretary" at the Earle, plus a stage show, took $19,100, over the average by $700.

RKO Keith's, with "The Plough and the Stars" slipped to $7,500, under par by $3,100.

Rain cut the size of the inaugural crowds expected, but the downpours of that and other days did drive a few visitors to theatres.

Total first run business was $84,100. Average is $73,700.

Estimated takings, exclusive of tax, for the week ending Jan. 21:

"MORE THAN A SECRETARY" (Col.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Benny Davis, Vera, Shirley Ross, Paul Regan, Miss Bratz, Robert Baxter, Shea & Raymond. **Gross:** $19,100. (Average: $18,400)

"ONE IN A MILLION" (20th-Fox)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Johnny Weissmuller & Lupe Velez, Borrah Minnevitch & Harmonica Rascals, Frank Gaby, Elida Ballet. **Gross:** $31,000. (Average: $20,900)

"CAMILLE" (M-G-M)
LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days (return engagement). **Gross:** $5,800. (Average, first run: $3,600)

"ONE WAY PASSAGE" (W. B.)
METROPOLITAN—(1,591), 25c-40c, 7 days (reissue). **Gross:** $6,500. (Average, first run: $4,300)

"THE PLOUGH AND THE STARS" (RKO)
RKO KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $7,500. (Average, $10,600)

"AFTER THE THIN MAN" (M-G-M)
LOEW'S PALACE—(2,370), 35c-55c, 8 days (return engagement). **Gross:** $14,200. (Average, first run: $15,900)

Would Increase Levy

KANSAS CITY, Feb. 1.—Senator Skovgard has introduced a bill in the Kansas Senate which would increase the net income tax on corporations from two to three per cent with no exemptions, and would reduce the exemptions on persons to $500.

May Discuss Prices

OMAHA, Feb. 1.—District Manager E. R. Cummings of Tri-States theatres has expressed a willingness to confer with William Youngclaus, who recently took over the 600-seat Island at Grand Island, Neb., on the price situation there. Youngclaus has the 490-seat Empress at Grand Island, while Tri-States has the 1,177-seat Capitol and the 1,000-seat Majestic.

Dickinson Making Tour

Arthur Dickinson of the M.P.P.D.A. is visiting the principal exchange cities throughout the country for the purpose of inspecting the facilities for handling the new 2,000-foot reels. Exchange operations in connection with the reels will be studied also with a view to developing standard methods for maximum efficiency. Dickinson is expected back here about the middle of February.

"Camille" Is Best in Phila. With $23,000

PHILADELPHIA, Feb. 1.—"Camille" at the Boyd did a strong $23,000, holding the town's top and developing into a steady second week's draw. The average there is $14,000.

For the second straight week, adverse weather conditions took a toll although on the whole, business was favorable.

Returning to its stage show policy, the Fox got $17,000, up by $3,000, with "That Girl from Paris." For its second and final week, "Great Guy" grossed $3,100, a strong figure, at the Arcadia.

Total first run business was $86,300. Average is $80,400.

Estimated takings for the week ending Jan. 21:

"WINGS OF THE MORNING" (20th-Fox)
ALDINE—(1,300), 40c-55c-65c, 6 days. **Gross:** $5,000. (Average, 7 days, $8,160)

"GREAT GUY" (Grand National)
ARCADIA—(600), 25c-40c-50c, 7 days, 2nd week. **Gross:** $3,100. (Average, $2,400)

"CAMILLE" (M-G-M)
BOYD—(2,400), 40c-55c, 7 days. **Gross:** $23,000. (Average, $14,000)

"CRACK UP" (20th-Fox)
EARLE—(2,000), 25c-40c-55c, 7 days. Stage: Helen Denizon, Midgie and Raye, Stewart and Martin, "Lazy" Bill Higgins, American Rockets. **Gross:** $14,000. (Average, $14,000)

"THAT GIRL FROM PARIS" (RKO)
FOX—(3,000), 40c-55c-65c, 7 days. Stage: James Melton, Three Samuels and Harriet Hayes, Captain Willie Mauss. **Gross:** $17,000. (Average, $14,000)

"BELOVED ENEMY" (U.A.)
KARLTON—(1,000), 25c-35c-40c, 7 days, 2nd run. **Gross:** $2,900. (Average, $4,000)

"AFTER THE THIN MAN" (M-G-M)
KEITH'S—(2,000), 30c-40c-50c, 7 days, 2nd run. **Gross:** $3,300. (Average, $4,000)

"THE PLAINSMAN" (Para.)
STANLEY—(3,700), 40c-55c, 7 days, 2nd week. **Gross:** $12,000. (Average, $14,000)

"SMART BLONDE" (Warners)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $6,000. (Average, $7,000)

"Love Song," Show Smash Denver Hit

DENVER, Feb. 1.—Below zero weather failed to halt "Sing Me a Love Song" and a Major Bowes unit at the Denver. The take of $12,000 was over par by $4,500, and there were holdouts all week in spite of the frigid winds.

"Camille" and "Mad Holiday" went to $8,000 at the Orpheum and "Great Guy" and "Case of the Black Cat" made an excellent showing with $4,000 at the Paramount, but business was light elsewhere.

Total first run business was $32,500. Average is $26,500.

Estimated takings for the week ending Jan. 21:

"GOLD DIGGERS OF 1937" (F. N.)
ALADDIN—(1,500), 25c-40c-50c, 7 days, following a week at the Denver. **Gross:** $2,500. (Average, $3,000)

"GARDEN OF ALLAH" (U. A.)
BROADWAY—(1,500), 25c-40c, 7 days, following a week each at the Denver and Aladdin. **Gross:** $2,000. (Average, $2,000)

"THE PLAINSMAN" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days, 3rd week. **Gross:** $4,000. (Average, $4,500)

"SING ME A LOVE SONG" (F. N.)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage: Major Bowes unit. **Gross:** $12,000. (Average, $7,500)

"CAMILLE" (M-G-M)
"MAD HOLIDAY" (M-G-M)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $8,000. (Average, $6,000)

"GREAT GUY" (G.N.)
"CASE OF THE BLACK CAT" (F. N.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

"Great Guy," Sullivan Top Detroit Draw

DETROIT, Feb. 1.—"Great Guy," with Ed Sullivan's "Dawn Patrol" show, turned in the best showing of the week at the Fox, the take going to $25,500, over normal by $5,500.

"God's Country and the Woman," helped by Little Jack Little on the stage, also turned in a profitable gross, $23,400, at the Michigan. This was $3,400 up. "After the Thin Man" was good with $11,600 at the United Artists.

Excessive rain hurt business.

Total first run business was $80,000. Average is $70,000.

Estimated takings for the week ending Jan. 21:

"MAN WHO LIVED TWICE" (Col.)
"PENNIES FROM HEAVEN" (Col.)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $7,200. (Average, $5,000)

"GREAT GUY" (G. N.)
FOX—(5,100), 15c-75c, 7 days. Stage: Ed Sullivan "Dawn Patrol" revue, Al Bernie, Joan Britton, Gloria Gilbert, 12 Ben Yost Singers. **Gross:** $25,500. (Average, $20,000)

"GOD'S COUNTRY AND THE WOMAN" (W. B.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Little Jack Little and band, Housten & Harden, Novak & Faye, Don Cummings. **Gross:** $23,400. (Average, $20,000)

"THE PLAINSMAN" (Para.)
"SMARTEST GIRL IN TOWN" (Radio)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $3,800. (Average, $5,000)

"AFTER THE THIN MAN" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $11,600. (Average, $10,000)

"BELOVED ENEMY" (U. A.)
MADISON—(2,000), 15c-65c, 7 days. **Gross:** $8,500. (Average, $10,000)

"Great Guy," Dual Tops Providence

PROVIDENCE, Feb. 1.—"Great Guy" at the RKO Albee was the best bet of the week, taking $8,200, $1,200 over par, on a dual with "The Flying Hostess." "Sing Me a Love Song" and "Polo Joe" garnered $7,800 for the Majestic, up by $800 and Fay's was $100 to the good with "Laughing at Trouble" and five acts of vaudeville. The take was $7,100.

Pro hockey and boxing matches continue to provide the major competition with the weather continuing fair and warm.

Total first run business was $41,600. Average is $39,500.

Estimated takings for the week ending Jan. 21:

"SING ME A LOVE SONG" (W.B.)
"POLO JOE" (W.B.)
MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $7,800. (Average, $7,000)

"THE PLAINSMAN" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,500. (Average, $6,500)

"GREAT GUY" (G.N.)
"THE FLYING HOSTESS" (Univ.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $8,200. (Average, $7,000)

"LAUGHING AT TROUBLE" (Univ.)
FAY'S—(1,600), 15c-40c, 7 days. On stage: Five acts of vaudeville. **Gross:** $7,100. (Average, $7,000)

"THE GARDEN OF ALLAH" (U.A.)
"COUNTERFEIT LADY" (Col.)
LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $12,000. (Average, $12,000)

Plans Richmond House

RICHMOND, Feb. 1.—Elmer H. Brient has approved plans for a new house on Rappahannock St. to be called the Ginter Park. It will cost $80,000 and will seat 1,000.

Money's Worth

Camden, O., Feb. 1.—The record for an entertainment bargain in this territory goes to the Camden, which recently played a double feature program and several acts of vaudeville in addition to Bank Night, at 15 cents admission.

Bad Weather Hurts Grosses at Lincoln

LINCOLN, Neb., Feb. 1. — Bad weather and weak bookings slapped grosses, the Orpheum came out on top with a strange seven days which saw a vaudeville-film combination, a roadshow, and a return showing for the sixth time of an old Will Rogers print—all in a single seven days. High prices asked for two days of "Romeo and Juliet" coupled with the good weekend of vaudeville with "Woman Wise" drew $3,100, up by $1,350.

"Polo Joe" crumpled in three days and was replaced by "Sing Me a Love Song" barely edging the Lincoln in with $200 profit on the $2,400 take. "Rainbow on the River" was without the pot of gold at either end, a slim $2,700, $400 low.

Total first run business was $10,000. Average is $9,000.

Estimated takings:

Week Ending Jan. 27:

"CALIFORNIA MAIL" (W.B.)
"ANNAPOLIS FAREWELL" (Para.)
"UNDER COVER OF NIGHT" (M-G-M)
"13 HOURS BY AIR" (Para.)
LIBERTY—(1,200), 10c-15c, 7 days. **Gross:** $800. (Average, $850)

Week Ending Jan. 28:

"POLO JOE" (W.B.)
"SING ME A LOVE SONG" (F.N.)
LINCOLN—(1,600), 10c-20c-25c, 7 days, split week. **Gross:** $2,400. (Average, $2,200)

"WOMAN WISE" (20th-Fox)
"ROMEO AND JULIET" (M-G-M)
"DR. BULL" (20th-Fox)
ORPHEUM—(1,350), 10c-15c-20c-25c, 7 days. Stage: Paul Cholet's "Kit Kat Club Revue," 3 days. Price range for "Romeo and Juliet," 55c-$1.10. **Gross:** $3,100. (Average, $1,750)

"DEVIL'S PLAYGROUND" (Col.)
VARSITY—(1,100), 10c-20c-25c, 7 days. **Gross:** $1,000. (Average, $1,100)

Week Ending Jan. 29:

"RAINBOW ON THE RIVER" (Radio)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $2,700. (Average, $3,100)

Cantor's First Retitled

"Ali Baba Goes to Town" will be the title of Eddie Cantor's first under his contract with 20th Century-Fox. The picture tentatively had been titled "His Arabian Nights." Laurence Schwab is associate producer.

Set Next Cooper Film

HOLLYWOOD, Feb. 1.—"Kiss in the Sun," original by Leo McCarey and Frank R. Adams, has been purchased by Samuel Goldwyn as the next starring vehicle for Gary Cooper, who will be co-starred with Merle Oberon. Frederick Lonsdale has been signed to do the screenplay.

Change Opening Day

BOSTON, Feb. 1.—The Metropolitan M. & P. de luxe house which has been opening for years on Friday, has shifted its opening day to Thursday. This action of Manager Henry Taylor puts the Metropolitan in line with Loew's and RKO first runs in the city.

"Diggers" at $17,500 Best In St. Louis

ST. LOUIS, Feb. 1.—"Gold Diggers of 1937" and a stage show at the Ambassador proved the best draw of the week with a take of $17,500, about $3,500 above the new average for that house.

Loew's, with "The Garden of Allah" and "Gay Desperado," grossed a nice $16,250, the second best take of the week, and $2,250 above what that house should do under the new line of first run business here.

The new policy at the Missouri Theatre has proven very profitable for that house and its business has increased from week to week. The week just closed with "The Plainsman" and "That Girl from Paris" as the screen attraction this house grossed $13,250, or $2,250 above normal. "Charlie Chan at the Opera," a second run at the St. Louis with vaudeville, took $7,750.

The only first run attraction to dip below par was "The Plough and the Stars" and "Woman Wise" at the Fox.

Total first run business was $63,750. Average is $59,000. Estimated takings for the week ending Jan. 21:

"GOLD DIGGERS OF 1937" (F.N.)
AMBASSADOR — (3,018), 25c-40c-55c, 7 days. Stage: specialty acts. **Gross:** $17,500. (Average, $14,000)

"PLOUGH AND THE STARS" (Radio)
"WOMAN WISE" (20th-Fox)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $9,000. (Average, $13,000)

"GARDEN OF ALLAH" (U.A.)
"GAY DESPERADO" (U.A.)
LOEW'S — (3,162), 25c-35c-55c, 7 days. **Gross:** $16,250. (Average, $14,000)

"THE PLAINSMAN" (Para.)
"THAT GIRL FROM PARIS" (Radio)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $13,250. (Average, $11,000)

"CHARLIE CHAN AT THE OPERA" (20th-Fox)
ST. LOUIS — (4,000), 25c-40c, 7 days. Stage: Vaudeville. **Gross:** $7,750. (Average, $7,000)

"Smart Girls" Gets Big Okla. Money

OKLAHOMA CITY, Feb. 1.—"Three Smart Girls" garnered top money here in a generally dull week. The $6,000 take was over par by $1,000 at the Criterion.

"The Man Who Lived Again" and "Girl of the Ozarks" at the Liberty took $2,100 in four days. Normal for a week is $2,500. Elsewhere business was off.

Total first run business was $14,000. Average is $13,500.

Estimated takings for the week ending Jan. 30:

"THREE SMART GIRLS" (Univ.)
CRITERION—(1,700), 10c-35c-55c, 7 days. **Gross:** $6,000. (Average, $5,000)

"BELOVED ENEMY" (U.A.)
MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $2,800. (Average, $4,000)

"REMBRANDT" (U.A.)
CAPITOL — (1,200), 10c-25c-40c, 7 days. **Gross:** $2,000. (Average, $2,000)

"THE MAN WHO LIVED AGAIN" (G.B.)
"GIRL OF THE OZARKS" (Para.)
LIBERTY—(1,500), 10c-25c-35c, 4 days. **Gross:** $2,100. (Average, for week, $2,500)

"STRAIGHT FROM THE SHOULDER" (Para.)
"MAKE WAY FOR A LADY" (Radio)
LIBERTY—(1,500), 10c-25c-35c, 4 days. **Gross:** $1,100. (Average, for week, $2,500)

"Thin Man" Is High Draw in Twin Cities

Minneapolis, Feb. 1. — "Three Smart Girls" and "After the Thin Man" were top pictures in the Twin Cities for the week, with total grosses, hurt by sub-zero weather, slightly above average.

"Three Smart Girls" drew $1,300 more than the average $2,000 at the World as it went into its fourth week in Minneapolis. The latter picture was $2,500 better than an average $5,500 at the St. Paul Paramount and ended a second week in Minneapolis with $2,000 more than normal at the Century where par is $5,000.

"Camille" passed an average $10,000 at the Minnesota by $1,000 and a twin bill of "Smart Blonde" and "The Plot Thickens" went over a normal $1,500 at the Towers to $1,800, the only dual bill to better par in the Twin Cities.

Total first run business in Minneapolis was $28,800. Average is $28,500. Total first run business in St. Paul was $15,600. Average is $14,500.

Estimated grosses:

Minneapolis:

Week Ending Jan. 21:

"CAMILLE" (M-G-M)

MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $11,000. (Average, $10,000)

"COME AND GET IT" (U.A.)

ORPHEUM — (2,900), 25c-40c, 7 days. **Gross:** $4,500. (Average, $6,000)

"AFTER THE THIN MAN" (M-G-M)

CENTURY—(1,600), 25c-40c, 7 days, 2nd week. **Gross:** $7,000. (Average, $5,000)

"THREE SMART GIRLS" (Univ.)

WORLD—(400), 25c-35c, 7 days, 3rd week. **Gross:** $3,300. (Average, $2,000)

Week Ending Jan. 20:

"HERE COMES CARTER" (F.N.)
"WANTED: JANE TURNER" (RKO)

STATE—(2,400), 25c-40c, 7 days. **Gross:** $3,000. (Average, $5,500)

St. Paul:

Week Ending Jan. 21:

"AFTER THE THIN MAN" (MGM)

PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $8,000. (Average, $5,500)

"HERE COMES CARTER" (F.N.)
"WANTED: JANE TURNER" (RKO)

RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $2,000. (Average, $3,500)

Week Ending Jan. 20:

"PENNIES FROM HEAVEN" (Col.)

ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $3,800. (Average, $4,000)

Week Ending Jan. 22:

"SMART BLONDE" (W.B.)
"THE PLOT THICKENS" (RKO)

TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,800. (Average, $1,500)

Spanagel Joins L. & S.

Cincinnati, Feb. 1.—G. E. Spanagel, Columbia salesman, has been named assistant general manager of L. & S. Theatres, Inc., and will work under Maurice White, general manager, with headquarters here.

Ted Lehmiere, manager of the local Forest, has been transferred to the Riverdale, Dayton. M. Abrams, assistant, is the new manager of the Forest.

Move Seattle Managers

Seattle, Feb. 1.—William Cooley has been named manager of Jensen-Von Herberg's Venetian, replacing Arthur Hile, resigned. Cooley has been succeeded at the Ballard Roxy by Robert Shearer.

"Millions" $19,000 Smash in Buffalo

Buffalo, Feb. 1.—"One in a Million" was a box-office bellwether here in a week of mild sloppy weather. Sonja Henie's ice skating brought $19,000 to the Buffalo to beat par by $7,000.

At the Great Lakes, "The Plainsman" was a strong runner up, more than doubling a $7,300 average with a take of $15,000. It was held.

Duals at the Century and the Lafayette held to average, "Wanted: Jane Turner" and "King of Hockey" getting $6,000 at the former and "Flying Hostess" and "Country Gentleman" the same at the Lafayette.

Total first run business was $52,200. Average is $38,400.

Estimated takings for the week ending Jan. 23:

"ONE IN A MILLION" (20th-Fox)

BUFFALO — (3,000), 30c-50c, 7 days. **Gross:** $19,000. (Average, $12,000)

"SING ME A LOVE SONG" (W.B.)
"THE CASE OF THE BLACK CAT" (W.B.)

HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $6,200. (Average, $7,300)

"THE PLAINSMAN" (Para.)

GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $15,000. (Average, $7,300)

"WANTED: JANE TURNER" (Radio)
"KING OF HOCKEY" (W.B.)

CENTURY—(3,000). 25c, 7 days. **Gross:** $6,000. (Average, $5,800)

"FLYING HOSTESS" (Univ.)
"THE COUNTRY GENTLEMAN" (Republic)

LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $6,000. (Average, $6,000)

"Plainsman" Tops Montreal, $12,000

Montreal, Feb. 1.—"The Plainsman" was out front among Montreal first runs, getting $12,000 at the Capitol, $2,500 over average. "Jungle Princess" at Loew's, with Leon Errol and his troupe on the stage, did $13,000, also up $2,500.

"The Man Who Could Work Miracles," topping a British dual, accounted for $6,000 at His Majesty's, up $1,000. The second week of "Lloyds of London" brought $9,000 to the Palace while "The Garden of Allah" and a second feature grossed $5,500 for the second week at the Princess.

Total first run business was $45,500. Average is $43,000.

Estimated takings for the week ending Jan. 23:

"THE PLAINSMAN" (Para.)

CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $12,000. (Average, $9,500)

"THE MAN WHO COULD WORK MIRACLES" (British)
"LAND WITHOUT MUSIC" (British)

HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days. **Gross:** $6,000. (Average, $5,000)

"JUNGLE PRINCESS" (Para.)

LOEW'S — (3,115), 25c-34c-40c-50c-60c, 7 days. Stage: Leon Errol and Hollywood Follies of 1937. **Gross:** $13,000. (Average, $10,500)

"LLOYDS OF LONDON" (20th Cent.-Fox)

PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $9,000. Second week. (Average, $11,000)

"GARDEN OF ALLAH" (U.A.)
"THE PLOT THICKENS" (Radio)

PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $5,500. Second week. (Average, $7,000)

Opening Foreign House

Bridgeport, Conn., Feb. 1.—Louis Anger has leased St. Stephens hall in the west end and will operate it exclusively as a foreign language film house. The majority of the films being booked are Hungarian with a few Polish and Italian.

"Camille" Dual Big Hit in Milwaukee

Milwaukee, Feb. 1.—"Camille" and "Mr. Cinderella," dualling at Fox's Wisconsin, took high money, $10,000, just $2,000 above average.

Second money went to "Three Smart Girls" and "God's Country and the Woman" at the Warner with an $8,800 take for nine days. This was $3,800 to the good.

Other business was below par due to competition from the six-day bike race at the Auditorium, which attracted an estimated 20,000 people.

Total first run business was $29,100. Average is $24,500.

Estimated takings:

Week Ending Jan. 26:

"GOLD DIGGERS OF 1937" (F.N.)
"WANTED, JANE TURNER" (Radio)

STRAND—(1,400), 25c-35c-50c, 5 days. **Gross:** $800. (Average, $1,500)

Week Ending Jan. 28:

"NORTH OF NOME" (Col.)

RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: "Yacht Club Revue." **Gross:** $4,500. (Average, $5,000)

"THREE SMART GIRLS" (Univ.)
"GOD'S COUNTRY AND THE WOMAN" (W.B.)

WARNER—(2,400), 25c-35c-50c, 9 days. **Gross:** $8,800. (Average, $5,000)

"CAMILLE" (M-G-M)
"MR. CINDERELLA" (M-G-M)

WISCONSIN—(3,200), 25c-35c-50c, 7 days. **Gross:** $10,000. (Average, $8,000)

"LET'S MAKE A MILLION" (Para.)
"A DOCTOR'S DIARY" (Para.)

PALACE—(2,400), 25c-35c-50c, 8 days. **Gross:** $5,000. (Average, $5,000)

"Allah" Leader in Fair Houston Week

Houston, Feb. 1.—"The Garden of Allah," although not received with enthusiasm by the critics, led the picture parade this week, taking $7,300 at Loew's State, $300 over par.

"Hideaway Girl" at the Metropolitan combined with Jan Garber and his stage unit to get $14,500 against an average of $7,000, but the picture was credited with less than average draw. "That Girl from Paris" at the Majestice fell under the line by $100, taking $6,900 for the week.

The weather was warm but wet. To date Houston has had but two days of sunshine during the past month. Paul Whiteman's one night stand at the Rice Terrace, Milt Britton and company at a night club were the principal competition.

Total first run business was $32,900. Average is $26,000.

"THE END OF THE TRAIL" (Col.)

KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,100. (Average, 7 days, $5,000)

"HOLLYWOOD BOULEVARD" (Para.)

KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,300. (Average, 7 days, $5,000)

"A WOMAN REBELS" (Radio)

KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

"THE GARDEN OF ALLAH" (U.A.)

LOEW'S STATE—(2,750), 25c-50c, 7 days. **Gross:** $7,300. (Average, $7,000)

"THAT GIRL FROM PARIS" (RKO)

MAJESTIC — (2,250), 25c-50c, 7 days. **Gross:** $6,900. (Average, $7,000)

"HIDEAWAY GIRL"
(Jan Garber on the Stage)

METROPOLITAN — (a,600), 25c-50c, 7 days. **Gross:** $14,500. (Average, $7,000)

Approve English House

London, Feb. 1.—The Bradford City Council has agreed to lease a site in the center of the city for a 2,000-seat house controlled by Associated British Pictures. Recently the Council refused a plan for the sale of Kirkgate Market to interests which planned a theatre.

"Million" Is Boston Smash With $40,000

Boston, Feb. 1.—Grosses rolled along again this week to high levels, "One in a Million" leading with a $40,000 gross at the Metropolitan, with Fred Waring and his Pennsylvanians on the stage, doing $18,000 above average.

Lack of snow and moderate temperatures continue to help boost the figures. "Three Smart Girls" drew $18,000 at the RKO Memorial. Average for the house is $12,000.

"Pennies from Heaven" dualed with "More Than a Secretary" grossed $8,000 above the level at the Loew's Orpheum with takings of $20,000. The same program at the Loew's State drew $18,000 for seven days, $7,000 over par.

"Luckiest Girl in the World" at the RKO Boston did $26,000 along with Vogues & Vanities on the stage featuring Sally Rand and Benny Fields.

Total first run business was $136,900. Average is $90,500.

Estimated takings for week ending Jan. 21:

"THE PLAINSMAN" (Para.)
"EASY TO TAKE" (Para.)

FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $6,000. (Average, $4,500)

"THREE SMART GIRLS" (Univ.)

RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $18,000. (Average, $12,000)

"PENNIES FROM HEAVEN" (Col.)
"MORE THAN A SECRETARY" (Col.)

LOEW'S ORPHEUM—(2,970), 35c-45c-65c, 7 days. **Gross:** $20,000. (Average, $12,000)

"PENNIES FROM HEAVEN" (Col.)
"MORE THAN A SECRETARY" (Col.)

LOEW'S STATE—(3,037), 35c-45c-65c, 7 days. **Gross:** $18,000. (Average, $11,000)

"ONE IN A MILLION" (20th-Fox)

METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Fred Waring & Orchestra. **Gross:** $40,000. (Average, $22,000)

"PLAINSMAN" (Para.)
"EASY TO TAKE" (Para.)

PARAMOUNT—(1,793), 35c-50c, 7 days. **Gross:** $8,900. (Average, $7,000)

"LUCKIEST GIRL IN THE WORLD" (Univ.)

RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: Vogues & Vanities with Sally Rand and Benny Fields. **Gross:** $26,000. (Average, $22,000)

Plan Des Moines Dance

Des Moines, Feb. 1.—The Variety Club will hold a charity ball in the ballroom of the Savery Hotel on Feb. 13.

Interstate in Changes

Canton, O., Feb. 1.—Management changes made effective by George A. Delis, district manager for Interstate Theatres, include: Keith Chambers, from the Palace here to the State, East Liverpool; R. H. Shaffer, from the New Garden, Portsmouth, to Chambers' place here; C. A. Metro, placed in Shaffer's post.

Gebber Staff Complete

Hollywood, Feb. 1.—Executives of Hollywood Studios, Inc., have been appointed by President Maurice Gebber. Besides Gebber, the executives are: Vice-President, Lloyd H. Clifton; studio attorney, Oscar L. Horn; secretary-treasurer, Louis Felix; director of public relations, Ray Kleinburger; studio manager, John F. Meehan; publicity, Dick Hunt; casting director, Harry Jolson; musical adviser, Joseph Diskay.

"Camille" Is Best in Phila. With $23,000

PHILADELPHIA, Feb. 1.—"Camille" at the Boyd did a strong $23,000, holding the town's top and developing into a steady second week's draw. The average there is $14,000.

For the second straight week, adverse weather conditions took a toll although on the whole, business was favorable.

Returning to its stage show policy, the Fox got $17,000, up by $3,000, with "That Girl from Paris." For its second and final week, "Great Guy" grossed $3,100, a strong figure, at the Arcadia.

Total first run business was $86,300. Average is $80,400.

Estimated takings for the week ending Jan. 21:

"WINGS OF THE MORNING" (20th-Fox)
ALDINE—(1,300), 40c-55c-65c, 6 days. **Gross:** $5,000. (Average, 7 days, $8,160)

"GREAT GUY" (Grand National)
ARCADIA—(600), 25c-40c-50c, 7 days, 2nd week. **Gross:** $3,100. (Average, $2,400)

"CAMILLE" (M-G-M)
BOYD—(2,400), 40c-55c, 7 days. **Gross:** $23,000. (Average, $14,000)

"CRACK UP" (20th-Fox)
EARLE—(2,000), 25c-40c-55c, 7 days. Stage: Helen Denizon, Midgie and Raye, Stewart and Martin, "Lazy" Bill Higgins, American Rockets. **Gross:** $14,000. (Average, $14,000)

"THAT GIRL FROM PARIS" (RKO)
FOX—(3,000), 40c-55c-65c, 7 days. Stage: James Melton, Three Samuels and Harriet Hayes, Captain Willie Mauss. **Gross:** $17,000. (Average, $14,000)

"BELOVED ENEMY" (U.A.)
KARLTON—(1,000), 25c-35c-40c, 7 days, 2nd run. **Gross:** $2,900. (Average, $4,000)

"AFTER THE THIN MAN" (M-G-M)
KEITH'S—(2,000), 30c-40c-50c, 7 days, 2nd run. **Gross:** $3,300. (Average, $4,000)

"THE PLAINSMAN" (Para.)
STANLEY—(3,700), 40c-55c, 7 days, 2nd week. **Gross:** $12,000. (Average, $14,000)

"SMART BLONDE" (Warners)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $6,000. (Average, $7,000)

"Love Song," Show Smash Denver Hit

DENVER, Feb. 1.—Below zero weather failed to halt "Sing Me a Love Song" and a Major Bowes unit at the Denver. The take of $12,000 was over par by $4,500, and there were holdouts all week in spite of the frigid winds.

"Camille" and "Mad Holiday" went to $8,000 at the Orpheum and "Great Guy" and "Case of the Black Cat" made an excellent showing with $4,000 at the Paramount, but business was light elsewhere.

Total first run business was $32,500. Average is $26,500.

Estimated takings for the week ending Jan. 21:

"GOLD DIGGERS OF 1937" (F. N.)
ALADDIN—(1,500), 25c-40c-50c, 7 days, following a week at the Denver. **Gross:** $2,500. (Average, $3,000)

"GARDEN OF ALLAH" (U. A.)
BROADWAY—(1,500), 25c-40c, 7 days, following a week each at the Denver and Aladdin. **Gross:** $2,000. (Average, $2,000)

"THE PLAINSMAN" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days, 3rd week. **Gross:** $4,000. (Average, $4,500)

"SING ME A LOVE SONG" (F. N.)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage: Major Bowes unit. **Gross:** $12,000. (Average, $7,500)

"CAMILLE" (M-G-M)
"MAD HOLIDAY" (M-G-M)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $8,000. (Average, $6,000)

"GREAT GUY" (G.N.)
"CASE OF THE BLACK CAT" (F. N.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

"Great Guy," Sullivan Top Detroit Draw

DETROIT, Feb. 1.—"Great Guy," with Ed Sullivan's "Dawn Patrol" show, turned in the best showing of the week at the Fox, the take going to $25,500, over normal by $5,500.

"God's Country and the Woman," helped by Little Jack Little on the stage, also turned in a profitable gross, $23,400, at the Michigan. This was $3,400 up. "After the Thin Man" was good with $11,600 at the United Artists.

Excessive rain hurt business.

Total first run business was $80,000. Average is $70,000.

Estimated takings for the week ending Jan. 21:

"MAN WHO LIVED TWICE" (Col.)
"PENNIES FROM HEAVEN" (Col.)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $7,200. (Average, $5.000)

"GREAT GUY" (G. N.)
FOX—(5,100), 15c-75c, 7 days. Stage: Ed Sullivan "Dawn Patrol" revue, Al Bernie, Joan Britton, Gloria Gilbert, 12 Ben Yost Singers. **Gross:** $25,500. (Average, $20.000)

"GOD'S COUNTRY AND THE WOMAN" (W. B.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Little Jack Little and band, Housten & Harden, Novak & Faye, Don Cummings. **Gross:** $23,400. (Average, $20,000)

"THE PLAINSMAN" (Para.)
"SMARTEST GIRL IN TOWN" (Radio)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $3,800. (Average, $5,000)

"AFTER THE THIN MAN" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $11,600. (Average, $10,000)

"BELOVED ENEMY" (U. A.)
MADISON—(2,000), 15c-65c, 7 days. **Gross:** $8,500. (Average, $10,000)

"Great Guy," Dual Tops Providence

PROVIDENCE, Feb. 1.—"Great Guy" at the RKO Albee was the best bet of the week, taking $8,200, $1,200 over par, on a dual with "The Flying Hostess." "Sing Me a Love Song" and "Polo Joe" garnered $7,800 for the Majestic, up by $800 and Fay's was $100 to the good with "Laughing at Trouble" and five acts of vaudeville. The take was $7,100.

Pro hockey and boxing matches continue to provide the major competition with the weather continuing fair and warm.

Total first run business was $41,600. Average is $39,500.

Estimated takings for the week ending Jan. 21:

"SING ME A LOVE SONG" (W.B.)
"POLO JOE" (W.B.)
MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $7,800. (Average, $7,000)

"THE PLAINSMAN" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,500. (Average, $6,500)

"GREAT GUY" (G.N.)
"THE FLYING HOSTESS" (Univ.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $8,200. (Average, $7,000)

"LAUGHING AT TROUBLE" (Univ.)
FAY'S—(1,600), 15c-40c, 7 days. On stage: Five acts of vaudeville. **Gross:** $7,100. (Average, $7,000)

"THE GARDEN OF ALLAH" (U.A.)
"COUNTERFEIT LADY" (Col.)
LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $12,000. (Average, $12,000)

Plans Richmond House

RICHMOND, Feb. 1.—Elmer H. Brient has approved plans for a new house on Rappahannock St. to be called the Ginter Park. It will cost $80,000 and will seat 1,000.

Money's Worth

Camden, O., Feb. 1.—The record for an entertainment bargain in this territory goes to the Camden, which recently played a double feature program and several acts of vaudeville in addition to Bank Night, at 15 cents admission.

Bad Weather Hurts Grosses at Lincoln

LINCOLN, Neb., Feb. 1. — Bad weather and weak bookings slapped grosses, the Orpheum came out on top with a strange seven days which saw a vaudeville-film combination, a roadshow, and a return showing for the sixth time of an old Will Rogers print—all in a single seven days. High prices asked for two days of "Romeo and Juliet" coupled with the good weekend of vaudeville with "Woman Wise" drew $3,100, up by $1,350.

"Polo Joe" crumpled in three days and was replaced by "Sing Me a Love Song" barely edging the Lincoln in with $200 profit on the $2,400 take. "Rainbow on the River" was without the pot of gold at either end, a slim $2,700, $400 low.

Total first run business was $10,000. Average is $9,000.

Estimated takings:

Week Ending Jan. 27:

"CALIFORNIA MAIL" (W.B.)
"ANNAPOLIS FAREWELL" (Para.)
"UNDER COVER OF NIGHT" (M-G-M)
"13 HOURS BY AIR" (Para.)
LIBERTY—(1,200), 10c-15c, 7 days. **Gross:** $800. (Average, $850)

Week Ending Jan. 28:

"POLO JOE" (W.B.)
"SING ME A LOVE SONG" (F.N.)
LINCOLN—(1,600), 10c-20c-25c, 7 days, split week. **Gross:** $2,400. (Average, $2,200)

"WOMAN WISE" (20th-Fox)
"ROMEO AND JULIET" (M-G-M)
"DR. BULL" (20th-Fox)
ORPHEUM—(1,350), 10c-15c-20c-25c, 7 days. Stage: Paul Cholet's "Kit Kat Club Revue," 3 days. Price range for "Romeo and Juliet," 55c-$1.10. **Gross:** $3,100. (Average, $1,750)

"DEVIL'S PLAYGROUND" (Col.)
VARSITY—(1,100), 10c-20c-25c, 7 days. **Gross:** $1,000. (Average, $1,100)

Week Ending Jan. 29:

"RAINBOW ON THE RIVER" (Radio)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $2,700. (Average, $3,100)

Cantor's First Retitled

"Ali Baba Goes to Town" will be the title of Eddie Cantor's first under his contract with 20th Century-Fox. The picture tentatively had been titled "His Arabian Nights." Laurence Schwab is associate producer.

Set Next Cooper Film

HOLLYWOOD, Feb. 1.—"Kiss in the Sun," original by Leo McCarey and Frank R. Adams, has been purchased by Samuel Goldwyn as the next starring vehicle for Gary Cooper, who will be co-starred with Merle Oberon. Frederick Lonsdale has been signed to do the screenplay.

Change Opening Day

BOSTON, Feb. 1.—The Metropolitan M. & P. de luxe house which has been opening for years on Friday, has shifted its opening day to Thursday. This action of Manager Henry Taylor puts the Metropolitan in line with Loew's and RKO first runs in the city.

"Diggers" at $17,500 Best In St. Louis

ST. LOUIS, Feb. 1.—"Gold Diggers of 1937" and a stage show at the Ambassador proved the best draw of the week with a take of $17,500, about $3,500 above the new average for that house.

Loew's, with "The Garden of Allah" and "Gay Desperado," grossed a nice $16,250, the second best take of the week, and $2,250 above what that house should do under the new line of first run business here.

The new policy at the Missouri Theatre has proven very profitable for that house and its business has increased from week to week. The week just closed with "The Plainsman" and "That Girl from Paris" as the screen attraction this house grossed $13,250, or $2,250 above normal. "Charlie Chan at the Opera," a second run at the St. Louis with vaudeville, took $7,750.

The only first run attraction to dip below par was "The Plough and the Stars" and "Woman Wise" at the Fox.

Total first run business was $63,750. Average is $59,000. Estimated takings for the week ending Jan. 21:

"GOLD DIGGERS OF 1937" (F.N.)
AMBASSADOR — (3,018), 25c-40c-55c, 7 days. Stage: specialty acts. **Gross:** $17,500. (Average, $14,000)

"PLOUGH AND THE STARS" (Radio)
"WOMAN WISE" (20th-Fox)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $9,000. (Average, $13,000)

"GARDEN OF ALLAH" (U.A.)
"GAY DESPERADO" (U.A.)
LOEW'S — (3,162), 25c-35c-55c, 7 days. **Gross:** $16,250. (Average, $14,000)

"THE PLAINSMAN" (Para.)
"THAT GIRL FROM PARIS" (Radio)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $13,250. (Average, $11,000)

"CHARLIE CHAN AT THE OPERA" (20th-Fox)
ST. LOUIS — (4,000), 25c-40c, 7 days. Stage: Vaudeville. **Gross:** $7,750. (Average, $7,000)

"Smart Girls" Gets Big Okla. Money

OKLAHOMA CITY, Feb. 1.—"Three Smart Girls" garnered top money here in a generally dull week. The $6,000 take was over par by $1,000 at the Criterion.

"The Man Who Lived Again" and "Girl of the Ozarks" at the Liberty took $2,100 in four days. Normal for a week is $2,500. Elsewhere business was off.

Total first run business was $14,000. Average is $13,500.

Estimated takings for the week ending Jan. 30:

"THREE SMART GIRLS" (Univ.)
CRITERION—(1,700), 10c-35c-55c, 7 days. **Gross:** $6,000. (Average, $5,000)

"BELOVED ENEMY" (U.A.)
MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $2,800. (Average, $4,000)

"REMBRANDT" (U.A.)
CAPITOL — (1,200), 10c-25c-40c, 7 days. **Gross:** $2,000. (Average, $2,000)

"THE MAN WHO LIVED AGAIN" (G.B.)
"GIRL OF THE OZARKS" (Para.)
LIBERTY—(1,500), 10c-25c-35c, 4 days. **Gross:** $2,100. (Average, for week, $2,500)

"STRAIGHT FROM THE SHOULDER" (Para.)
"MAKE WAY FOR A LADY" (Radio)
LIBERTY—(1,500), 10c-25c-35c, 4 days. **Gross:** $1,100. (Average, for week, $2,500)

"Thin Man" Is High Draw in Twin Cities

MINNEAPOLIS, Feb. 1. — "Three Smart Girls" and "After the Thin Man" were top pictures in the Twin Cities for the week, with total grosses, hurt by sub-zero weather, slightly above average.

"Three Smart Girls" drew $1,300 more than the average $2,000 at the World as it went into its fourth week in Minneapolis. The latter picture was $2,500 better than an average $5,500 at the St. Paul Paramount and ended a second week in Minneapolis with $2,000 more than normal at the Century where par is $5,000.

"Camille" passed an average $10,000 at the Minnesota by $1,000 and a twin bill of "Smart Blonde" and "The Plot Thickens" went over a normal $1,500 at the Towers to $1,800, the only dual bill to better par in the Twin Cities.

Total first run business in Minneapolis was $28,800. Average is $28,500. Total first run business in St. Paul was $15,600. Average is $14,500.

Estimated grosses:

Minneapolis:

Week Ending Jan. 21:

"CAMILLE" (M-G-M)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $11,000. (Average, $10,000)

"COME AND GET IT" (U.A.)
ORPHEUM — (2,900), 25c-40c, 7 days. **Gross:** $4,500. (Average, $6,000)

"AFTER THE THIN MAN" (M-G-M)
CENTURY—(1,600), 25c-40c, 7 days, 2nd week. **Gross:** $7,000. (Average, $5,000)

"THREE SMART GIRLS" (Univ.)
WORLD—(400), 25c-35c, 7 days, 3rd week. **Gross:** $3,300. (Average, $2,000)

Week Ending Jan. 20:

"HERE COMES CARTER" (F.N.)
"WANTED: JANE TURNER" (RKO)
STATE—(2,400), 25c-40c, 7 days. **Gross:** $3,000. (Average, $5,500)

St. Paul:

Week Ending Jan. 21:

"AFTER THE THIN MAN" (MGM)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $8,000. (Average, $5,500)

"HERE COMES CARTER" (F.N.)
"WANTED: JANE TURNER" (RKO)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $2,000. (Average, $3,500)

Week Ending Jan. 20:

"PENNIES FROM HEAVEN" (Col.)
ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $3,800. (Average, $4,000)

Week Ending Jan. 22:

"SMART BLONDE" (W.B.)
"THE PLOT THICKENS" (RKO)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,800. (Average, $1,500)

Spanagel Joins L. & S.

CINCINNATI, Feb. 1.—G. E. Spanagel, Columbia salesman, has been named assistant general manager of L. & S. Theatres, Inc., and will work under Maurice White, general manager, with headquarters here.

Ted Lehmiere, manager of the local Forest, has been transferred to the Riverdale, Dayton. M. Abrams, assistant, is the new manager of the Forest.

Move Seattle Managers

SEATTLE, Feb. 1.—William Cooley has been named manager of Jensen-Von Herberg's Venetian, replacing Arthur Hile, resigned. Cooley has been succeeded at the Ballard Roxy by Robert Shearer.

"Millions" $19,000 Smash in Buffalo

BUFFALO, Feb. 1.—"One in a Million" was a box-office bellwether here in a week of mild sloppy weather. Sonja Henie's ice skating brought $19,000 to the Buffalo to beat par by $7,000.

At the Great Lakes, "The Plainsman" was a strong runner up, more than doubling a $7,300 average with a take of $15,000. It was held.

Duals at the Century and the Lafayette held to average, "Wanted: Jane Turner" and "King of Hockey" getting $6,000 at the former and "Flying Hostess" and "Country Gentleman" the same at the Lafayette.

Total first run business was $52,200. Average is $38,400.

Estimated takings for the week ending Jan. 23:

"ONE IN A MILLION" (20th-Fox)
BUFFALO — (3,000), 30c-50c, 7 days. **Gross:** $19,000. (Average, $12,000)

"SING ME A LOVE SONG" (W.B.)
"THE CASE OF THE BLACK CAT" (W.B.)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $6,200. (Average, $7,300)

"THE PLAINSMAN" (Para.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $15,000. (Average, $7,300)

"WANTED: JANE TURNER" (Radio)
"KING OF HOCKEY" (W.B.)
CENTURY—(3,000). 25c, 7 days. **Gross:** $6,000. (Average, $5,800)

"FLYING HOSTESS" (Univ.)
"THE COUNTRY GENTLEMAN" (Republic)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $6,000. (Average, $6,000)

"Plainsman" Tops Montreal, $12,000

MONTREAL, Feb. 1.—"The Plainsman" was out front among Montreal first runs, getting $12,000 at the Capitol, $2,500 over average. "Jungle Princess" at Loew's, with Leon Errol and his troupe on the stage, did $13,000, also up $2,500.

"The Man Who Could Work Miracles," topping a British dual, accounted for $6,000 at His Majesty's, up $1,000. The second week of "Lloyds of London" brought $9,000 to the Palace while "The Garden of Allah" and a second feature grossed $5,500 for the second week at the Princess.

Total first run business was $45,500. Average is $43,000.

Estimated takings for the week ending Jan. 23:

"THE PLAINSMAN" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $12,000. (Average, $9,500)

"THE MAN WHO COULD WORK MIRACLES" (British)
"LAND WITHOUT MUSIC" (British)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days. **Gross:** $6,000. (Average, $5,000)

"JUNGLE PRINCESS" (Para.)
LOEW'S — (3,115), 25c-34c-40c-50c-60c, 7 days. Stage: Leon Errol and Hollywood Follies of 1937. **Gross:** $13,000. (Average, $10,500)

"LLOYDS OF LONDON" (20th Cent.-Fox)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $9,000. Second week. (Average, $11,000)

"GARDEN OF ALLAH" (U.A.)
"THE PLOT THICKENS" (Radio)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $5,500. Second week. (Average, $7,000)

Opening Foreign House

BRIDGEPORT, Conn., Feb. 1.—Louis Anger has leased St. Stephens hall in the west end and will operate it exclusively as a foreign language film house. The majority of the films being booked are Hungarian with a few Polish and Italian.

"Camille" Dual Big Hit in Milwaukee

MILWAUKEE, Feb. 1.—"Camille" and "Mr. Cinderella," dualling at Fox's Wisconsin, took high money, $10,000, just $2,000 above average.

Second money went to "Three Smart Girls" and "God's Country and the Woman" at the Warner with an $8,800 take for nine days. This was $3,800 to the good.

Other business was below par due to competition from the six-day bike race at the Auditorium, which attracted an estimated 20,000 people.

Total first run business was $29,100. Average is $24,500.

Estimated takings:

Week Ending Jan. 26:

"GOLD DIGGERS OF 1937" (F.N.)
"WANTED, JANE TURNER" (Radio)
STRAND—(1,400), 25c-35c-50c, 5 days. **Gross:** $800. (Average, $1,500)

Week Ending Jan. 28:

"NORTH OF NOME" (Col.)
RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: "Yacht Club Revue." **Gross:** $4,500. (Average, $5,000)

"THREE SMART GIRLS" (Univ.)
"GOD'S COUNTRY AND THE WOMAN" (W.B.)
WARNER—(2,400), 25c-35c-50c, 9 days. **Gross:** $8,800. (Average, $5,000)

"CAMILLE" (M-G-M)
"MR. CINDERELLA" (M-G-M)
WISCONSIN—(3,200), 25c-35c-50c, 7 days. **Gross:** $10,000. (Average, $8,000)

"LET'S MAKE A MILLION" (Para.)
"A DOCTOR'S DIARY" (Para.)
PALACE—(2,400), 25c-35c-50c, 8 days. **Gross:** $5,000. (Average, $5,000)

"Allah" Leader in Fair Houston Week

HOUSTON, Feb. 1.—"The Garden of Allah," although not received with enthusiasm by the critics, led the picture parade this week, taking $7,300 at Loew's State, $300 over par.

"Hideaway Girl" at the Metropolitan combined with Jan Garber and his stage unit to get $14,500 against an average of $7,000, but the picture was credited with less than average draw. "That Girl from Paris" at the Majestice fell under the line by $100, taking $6,900 for the week.

The weather was warm but wet. To date Houston has had but two days of sunshine during the past month. Paul Whiteman's one night stand at the Rice Terrace, Milt Britton and company at a night club were the principal competition.

Total first run business was $32,900. Average is $26,000.

"THE END OF THE TRAIL" (Col.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,100. (Average, 7 days, $5,000)

"HOLLYWOOD BOULEVARD" (Para.)
KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,300. (Average, 7 days, $5,000)

"A WOMAN REBELS" (Radio)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

"THE GARDEN OF ALLAH" (U.A.)
LOEW'S STATE—(2,750), 25c-50c, 7 days. **Gross:** $7,300. (Average, $7,000)

"THAT GIRL FROM PARIS" (RKO)
MAJESTIC — (2,250), 25c-50c, 7 days. **Gross:** $6,900. (Average, $7,000)

"HIDEAWAY GIRL"
(Jan Garber on the Stage)
METROPOLITAN — (a,600), 25c-50c, 7 days. **Gross:** $14,500. (Average, $7,000)

Approve English House

LONDON, Feb. 1.—The Bradford City Council has agreed to lease a site in the center of the city for a 2,000-seat house controlled by Associated British Pictures. Recently the Council refused a plan for the sale of Kirkgate Market to interests which planned a theatre.

"Million" Is Boston Smash With $40,000

BOSTON, Feb. 1.—Grosses rolled along again this week to high levels, "One in a Million" leading with a $40,000 gross at the Metropolitan, with Fred Waring and his Pennsylvanians on the stage, doing $18,000 above average.

Lack of snow and moderate temperatures continue to help boost the figures. "Three Smart Girls" drew $18,000 at the RKO Memorial. Average for the house is $12,000.

"Pennies from Heaven" dualed with "More Than a Secretary" grossed $8,000 above the level at the Loew's Orpheum with takings of $20,000. The same program at the Loew's State drew $18,000 for seven days, $7,000 over par.

"Luckiest Girl in the World" at the RKO Boston did $26,000 along with Vogues & Vanities on the stage featuring Sally Rand and Benny Fields.

Total first run business was $136,900. Average is $90,500.

Estimated takings for week ending Jan. 21:

"THE PLAINSMAN" (Para.)
"EASY TO TAKE" (Para.)
FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $6,000. (Average, $4,500)

"THREE SMART GIRLS" (Univ.)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $18,000. (Average, $12,000)

"PENNIES FROM HEAVEN" (Col.)
"MORE THAN A SECRETARY" (Col.)
LOEW'S ORPHEUM—(2,970), 35c-45c-65c, 7 days. **Gross:** $20,000. (Average, $12,000)

"PENNIES FROM HEAVEN" (Col.)
"MORE THAN A SECRETARY" (Col.)
LOEW'S STATE—(3,037), 35c-45c-65c, 7 days. **Gross:** $18,000. (Average, $11,000)

"ONE IN A MILLION" (20th-Fox)
METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Fred Waring & Orchestra. **Gross:** $40,000. (Average, $22,000)

"PLAINSMAN" (Para.)
"EASY TO TAKE" (Para.)
PARAMOUNT—(1,793), 35c-50c, 7 days. **Gross:** $8,900. (Average, $7,000)

"LUCKIEST GIRL IN THE WORLD" (Univ.)
RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: Vogues & Vanities with Sally Rand and Benny Fields. **Gross:** $26,000. (Average, $22,000)

Plan Des Moines Dance

DES MOINES, Feb. 1.—The Variety Club will hold a charity ball in the ballroom of the Savery Hotel on Feb. 13.

Interstate in Changes

CANTON, O., Feb. 1.—Management changes made effective by George A. Delis, district manager for Interstate Theatres, include: Keith Chambers, from the Palace here to the State, East Liverpool; R. H. Shaffer, from the New Garden, Portsmouth, to Chambers' place here; C. A. Metro, placed in Shaffer's post.

Gebber Staff Complete

HOLLYWOOD, Feb. 1.—Executives of Hollywood Studios, Inc., have been appointed by President Maurice Gebber. Besides Gebber, the executives are: Vice-President, Lloyd H. Clifton; studio attorney, Oscar L. Horn; secretary-treasurer, Louis Felix; director of public relations, Ray Kleinburger; studio manager, John F. Meehan; publicity, Dick Hunt; casting director, Harry Jolson; musical adviser, Joseph Diskay.

MOTION PICTURE DAILY

New Shows On the Air

For Charity

Until a bigger and better parade of talent comes along, last night's spectacular program devised to raise funds for the American Red Cross for the purpose of flood relief must be set down as the most lavish air show ever sent out into the ether. Not in all the 10 years of network history has any single program boasted such "names" as did this one. As a matter of fact, if the program proved a bit boring at any time it was because of an overdose of talent rather than from a dearth of it.

Preceding the battery of high-powered Hollywood talent was Will Hays who painted a vivid word-picture of the horrors of the flood and who asked his listeners to contribute unstintingly to the fund. Edwin C. Hill and Admiral Cary Grayson also appealed for contributions.

The program emanated from four different points—New York, Miami, London and Hollywood, beginning at 10 P. M. yesterday and concluding at 1 A. M. today. The artists who contributed their services included the bands of H. Leopold Spitalny, Ted Lewis, Russ Morgan, Wayne King and Frank Black; Jane Froman, Bob Burns, Jack Pearl, Harry Richman, Sheila Barrett, Morton Downey, Jack Dempsey, Ben Lyon, Bebe Daniels, Irvin S. Cobb, Carole Lombard, Bing Crosby, John McCormack and many others whose names, unfortunately, must be omitted because of space requirements.

All artists contributed their services gratis. NBC contributed the air time.

BANNER

KEHE Using Picture Names on the Coast

HOLLYWOOD, Feb. 1.—KEHE of the Hearst chain now has picture names on its programs. The players will make guest appearances on the regular film news programs given by Warren Stokes.

He introduced Marsha May Jones, child actress, and Smiley Burnette on Sunday. Today he interviewed Suzanne Kearen, who is currently appearing with Joe E. Brown in "When's Your Birthday?" and Wednesday he interviews Tex Ritter.

A representative of the Hays office is scheduled for an early broadcast.

'Frisco Short Shots

Back-on-the-airs include Police Chief Bill Quinn, starting a new series of crime dramas for KPO, and Chester Rowell, editor of the *San Francisco Chronicle,* who resumes his series of world events comments for KGO.

He's Tired

New Haven, Feb. 1.—Charlie Wright will replace Mack Parker as "The Early Bird" for February on WELI. Mack has decided that a year and a half of grey dawn early-birding deserves a vacation.

Aylesworth Move Seen Start Of 'Push' by Scripps-Howard

Observers in the radio field are of the opinion that the acquisition of Merlin H. Aylesworth by Scripps-Howard presages the beginning of an extensive radio "push" by that newspaper chain. The following reasons are cited to substantiate the claims:

After a long period of open hostility toward radio, Scripps-Howard, late in 1935, organized the Continental Radio Corp. with Karl Bickel, former head of the U.P. news service, as president. Immediately after the corporation was formed Scripps-Howard purchased WCPO, a 100 watt station in Cincinnati.

Gradually other stations were bought and the Scripps-Howard station list also includes WNBR, 500 watts, and WMC. 1000 watts, both in Memphis; and WNOX, 1000 watts, Knoxville.

Additionally, Continental Radio has filed applications with the F. C. C. for stations in Toledo, Columbus, Washington and Denver and, while no official word has been received from Washington, it is believed that the applications will be granted.

Thus, with the chain rapidly expanding, Scripps-Howard, it is held, could use the services of an organizer and radio veteran such as Aylesworth who helped organize NBC when the network was formed in 1926 and under whose guidance the web became the largest and most powerful broadcasting system in the world.

Transcriptions for Syrup

NEW ORLEANS, Feb. 1.—Fitzgerald Advertising Agency, Inc., is representing the Alabama-Georgia Syrup Co. of Montgomery, which is preparing an RCA-Victor transcription campaign through the NBC transcription service in New York. The series will include 26 quarter-hour periods featuring the Inkspots and titled "Melody Meeting." The campaign is starting Monday.

WHN in Magazine Deal

WHN yesterday completed two magazine tieups with the *New York Woman* and with *Current History.* In return for time on the air, each magazine will devote a page to the station. Lois Miller, managing editor of the *New York Woman,* and M. E. Tracy, editor of *Current History,* will conduct the programs for their respective publications. The schedules will begin in two weeks.

She Named Cantor

Parks Johnson and Wally Butterworth recently asked a woman who was being interviewed on their NBC "Vox Pop" program to name the most famous father of five girls and she nominated Eddie Cantor.

Apparently, she never heard of Papa Dionne.

More WOR "Spot" Deals

New "spot" business at WOR includes a recorded series of talks on gardening for the Ferry Morse Seed Co., beginning March 8 from 8:25 to 8:30 A. M., E. S. T. The transcriptions will be aired Mondays, Wednesdays and Fridays. N. W. Ayer & Son, Inc., the agency.

"Flowing Melodies," electrically transcribed for the Wm. A. Sheaffer Pen Co., begins March 2, and will be heard Tuesdays, Thursdays and Saturdays, from 5:05 to 5:10 P. M., E. S. T. Beginning March 9 the program will be broadcast 8:25 to 8:30 P. M., E. S. T. Baggaley, Horton & Hoyt, Inc., Chicago, the agency.

Additionally, "True Detective Mysteries," for MacFadden Publications, renews beginning March 9 over WOR and WLW. Ruthrauff and Ryan, Inc., the agency.

Richard Marvin to New York

CHICAGO, Feb. 1.—Richard Marvin has left for New York to direct the Nash Speedshow for the next three weeks. His place as radio director for the J. Walter Thompson Agency will be occupied by Buckingham Gunn, who will handle the Northerners and the Bowman Dairy programs until Marvin returns.

"Hit Parade" Extends

The Lucky Strike "Hit Parade" program on CBS adds an extra quarter-hour time to its weekly period beginning Feb. 13. The program thereafter will be heard from 10 to 10:45 P. M., E. S. T. Lord & Thomas is the agency.

Film Players for Crosby

Bing Crosby brings three film players to his support Thursday night on the Kraft "Music Hall" series. They are Basil Rathbone, William Frawley and Marion Clare.

So Cows Like to Dance

Lancaster, Pa., Feb. 1.—Poultrymen discovered some years back that they got more eggs by putting electric lights in their hen houses. Now Park Miller is ready to show his fellow dairymen that keeping a radio in the cowbarn will make for contented cows.

Miller installed a radio for his 31 cows a year ago. His experiment disclosed that cows like to hear dance orchestras. They seem to prefer snappy tunes to the dreamy waltz numbers; symphonies and bits from the classics are not so effective; murder thrillers, mystery plays, comedians and speeches never should be tuned in.

Tuned in to the right program, his cows show immediate interest. And even the hired men went about their chores with more vim and vigor when a snappy tune was on the air.

Warners Dickering On Waring Musical

Fred Waring and his troupe of Pennsylvanians spent the entire day yesterday undergoing screen tests at the Warner studios in Brooklyn. The tests will be continued today.

While it is not believed that the picture contract has been signed as yet, it is expected that the Pennsylvanians will be on the Warner lot in Hollywood sometime in March to film a college story for the studio. It is known that one of the vehicles discussed for the Pennsylvanians at a recent conference involving Waring, Jack Warner, Sam Bischoff and Hal Wallis, was "Brother Rat," current collegiate success now appearing on Broadway, and owned by Warners.

Waring's personal appearance itinerary will bring him to the coast in mid-March. Beginning Feb. 3 the Pennsylvanians will appear at the New York Paramount for two weeks with dates set for Cleveland, Detroit, Chicago and St. Louis, followed by a non-stop trek to Hollywood.

A 20th Century-Fox deal for Waring fell through this past summer because of a conflicting radio schedule. It was reported then that 20th Century-Fox had bid $185,000 for the troupe.

Those now being screen tested include Fred and Tom Waring, Priscilla and Rosemary Lane, Johnnie Davis, Poly McClintock, Gene Conklin, the McFarland twins, Scotty Bates, the "Three Fellows," and "Fern," all of whom are widely known to air audiences.

More developments in the radio field on page 16

Gibbons' Broadcast On Flood Protested

CINCINNATI, Feb. 1.—Indignant over Floyd Gibbons' inaccurate and garbled description of local flood conditions which he broadcast from here, top executives of the Chamber of Commerce and Retail Merchants' Bureau, backed by city officials and the American Red Cross, have wired protests to S. Bayard Colgate, president Colgate-Palmolive-Peet, sponsors, demanding a radio retraction. The Gibbons program was "Your True Adventures," broadcast on Thursdays at 10 P. M. over a CBS network.

The broadcast, fed to the Columbia web through WKRC, local CBS affiliate, originated in the downtown studios of WLW, an NBC outlet, located on a 55-foot elevation a block and a half from the nearest flood waters.

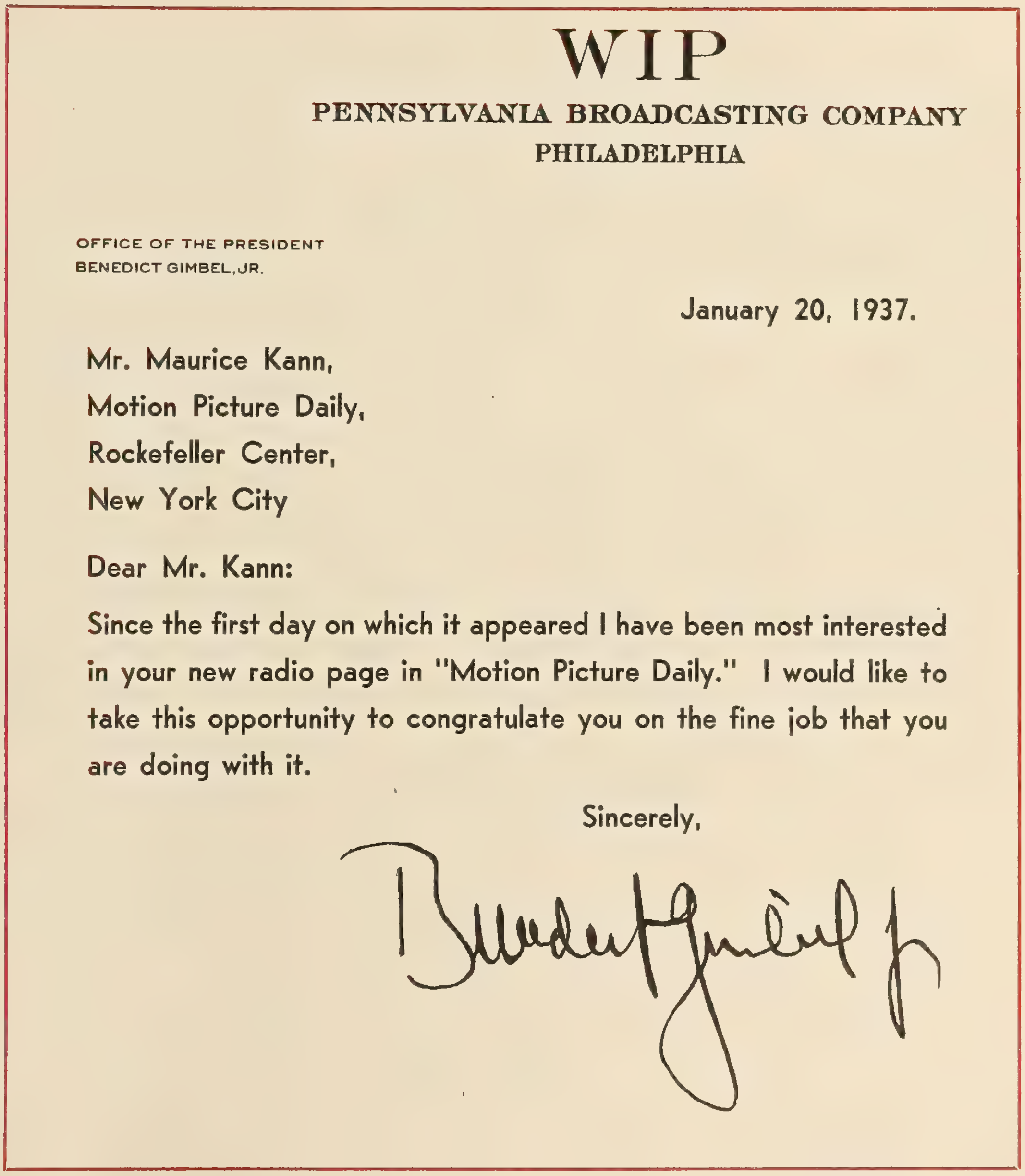
Gibbons, who refused to submit his script to local authorities before going on the air, because he "would not permit censorship," said that the studios were in the path of the flood, and that "the building might be engulfed at any minute." With sound

(*Continued on page 16*)

Program Title

Omaha, Feb. 1.—Kenneth Golden, local tenor, who recently opened his own mortuary, calls his daily program at 1:15 P. M. over KOIL the "Golden Hour."

Radio Acceptance



WIP
PENNSYLVANIA BROADCASTING COMPANY
PHILADELPHIA

OFFICE OF THE PRESIDENT
BENEDICT GIMBEL, JR.

January 20, 1937.

Mr. Maurice Kann,
Motion Picture Daily,
Rockefeller Center,
New York City

Dear Mr. Kann:

Since the first day on which it appeared I have been most interested in your new radio page in "Motion Picture Daily." I would like to take this opportunity to congratulate you on the fine job that you are doing with it.

Sincerely,

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

◀ Radio Personals ▶

DON GLASSMAN, free lance writer, yesterday joined the NBC press department. . . . No successor as yet has been named to H. V. McKee's position at Cecil, Warwick & Cecil. . . . Fred Waring has offered to broadcast a half-hour program for the Boy Scouts of America, without charge, during National Scout Week. . . . Frank Healy's new secretary at NBC is Virginia Blackly. . . . Li Ta Ming, Chinese actress, debuts on WGN's "Melody from the Sky" program next Sunday. . . .

✦

Douglas Allan, of the WINS staff, has received a request for an autographed copy of his book "Building Careers" from Premier Mussolini. . . . WMBG is cutting transcriptions of all important addresses for re-broadcast purposes so as to make the programs available to those who were unable to hear the original broadcasts. . . . Horace Heidt's "Brigadiers" will devote their full half-hour session Feb 8 to songs from motion pictures. . . .

✦

Herschell Williams, formerly of the radio department at J. Walter Thompson, is now at Benton & Bowles in a similar capacity. . . . Ralph Ginsburgh celebrates his fifth year on the air over WGN this week. . . . General Electric Co. will use five 15-minute studio shows weekly over WBT, Charlotte, beginning Feb. 16 and running 15 weeks. . . .

Chicago's Row Reporting

Skeleton crews are operating local stations with many staff members down in the flood zone handling special broadcasts. . . . Tom Fizdale is in Excelsior Springs. He left his candid camera home this trip. . . . Reports that Minnie the singing mouse was "infanticipating" are denied by NBC. Even the report that the offspring might form a choir to augment the NBC star is denied. . . . Joy Miller, 5 year old youngster from Davenport leaves local airwaves soon for try with Fred Allen in New York. . . . "Sing, Neighbor, Sing," was a new program yesterday over WLS, Monday through Friday at 6:15 A.M. It stars Chic Martin, Eloise Rowan, Nancy Lou and others. . . . Laura Satterwhite and Lester Lee Griffith both with NBC, have not set the wedding date yet.

Loses on Whiteman Tour

Omaha, Feb. 1.—Paul Whiteman's five-night swing of Tom Archer ballrooms in Sioux Falls, Des Moines, St. Joseph and concluding in Omaha left Archer holding with a deficit of $2,000.

Bemoaning his loss—the expense of hiring Whiteman's band at $7,500 for the five nights—Archer said this was the first time a "big name" band had flopped for him.

Whiteman, minus Ramona, hit Omaha on Bank Night, which might explain some of the loss here, but the take at all the other spots also failed to meet expenses for any one night, Archer said. And Whiteman didn't get in on Bank Night the other four towns.

Seek Toscanini for NBC-Victor Program

Samuel Chotzinoff, music critic of the *New York Post,* is on his way to Italy to confer with Arturo Toscanini about returning to America to conduct a series of concerts for NBC, it was learned yesterday. While no comment was forthcoming, it is believed that Chotzinoff, a personal friend of the conductor, sailed as the representative of David Sarnoff, president of RCA.

The conference will take place in Milan.

Toscanini recently declined Sarnoff's invitation to return to America, but strong hope is being entertained that the conductor will listen to Chotzinoff's plea.

If Toscanini returns here it is believed that he will make a transcontinental tour under the auspices of RCA Victor, in addition to a weekly broadcast. General Motors most likely will be the air sponsor.

Two Extended Deals Coast-Made by NBC

Recent NBC west coast program activities embrace contracts for the Gilmore Oil Co., and Sussman, Wormser & Co., fruit packers.

Beginning Feb. 15 and continuing for 52 weeks, the Gilmore Oil Co. will sponsor the "Gilmore Circus" over five Pacific Red stations. The stations are KPO, KFI, KGW, KOMO, and KHQ. The series, placed through the Raymond R. Morgan agency, Hollywood, will be aired Mondays from 6:30 to 7 P. M., P.S.T.

Signed for 104 weeks through Botsford, Constantine & Gardner, "S. & W. Junior News," for Sussman, Wormser & Co. will be broadcast twice weekly, Mondays and Fridays from 5:45 to 6 P. M., P.S.T., beginning Feb. 15, over the following Red-network stations: KPO, KFI, KGW, KOMO, KHQ, KFBK, KMJ, and KWG.

Gibbons' Broadcast On Flood Protested

(*Continued from page* 14)

effects he created the impression of torrents rushing by, presented screams of marooned women, and described the rescue of babies from flooded homes just prior to collapse. He told of an entire block of buildings crumbling in a certain location, when, in reality, but a single house was affected.

City Manager Clarence A. Dykstra was granted time over the CBS network by Paul White, special events director, New York, and he broadcast a definite denial.

Mayor Russell Wilson also broadcast a contradiction over WCPO, *Cincinnati Post* station.

"Mr. Deeds" Goes On

Motion Picture Daily on Jan. 28 reported that Cora C. Wilkening, literary agent for Clarence Budington Kelland, author of "Mr. Deeds Goes to Town," would restrain J. Walter Thompson and Lever Bros., agents and sponsors for the Lux "Radio Theatre," from broadcasting the Kelland story, which was aired last night, unless a $1,500 fee was paid the author.

It became known yesterday that the Thompson company had effected a compromise by paying $500 for the broadcast rights.

Zukor Will Attend MPTOA Miami Meet

(*Continued from page* 1)

in Washington, it was stated at M. P. T. O. A. headquarters here yesterday.

The exhibitor organization's invitation to attend the convention was delivered to Zukor at the Paramount studio on the occasion of the silver jubilee dinner in his honor on Jan. 8. His acceptance has been received. In addition, several "prominent Hollywood stars" are expected to attend the Miami convention, the M. P. T. O. A. states.

Preliminary plans for the meeting have been completed, with Mitchell Wolfson of Wometco Theatres, Miami, heading the convention arrangements committees and Jack Frost of the S. A. Lynch Theatres in Miami, chairman of the reception committee.

The convention arrangements now contemplate in addition to three days of conferences and business sessions, a golf tournament immediately following and additional days to be set aside for fishing, bathing and the races. A water carnival will augment the annual banquet, which will be "speech-less." Display booth reservations for the convention are available now at M. P. T. O. A. headquarters here.

"Camille" $65,000 First Capitol Week

"Camille" garnered approximately $65,000 in its first week at the Capitol and is said to be holding up in its second stanza. There is a possibility the picture will be held a third week.

The Roxy continues to do outstanding business on "Three Smart Girls," which after tallying $60,000 on the first week, took in $31,500 for the three days of the current week. Yesterday's business was better than $6,000. The film is definitely booked for a third week and may go a fourth.

"Plough and the Stars" at the Music Hall was good for $35,000 Saturday and Sunday and will probably get $75,000 on the week. "On the Avenue" will open Thursday.

The Rivoli, after finishing a second week with "Men Are Not Gods" at $16,500, got $13,800 for Saturday and Sunday on "You Only Live Once." The current attraction is expected to end the first seven days with $30,000.

"Black Legion" tallied about $15,000 in its second and final week at the Strand.

The fourth week of "Great Guy" at the Criterion ended with slightly over $8,000. A decision will be reached today on holding the Cagney film a sixth stanza.

Anna Neagle Named For Victoria Role

London, Feb. 1.—Anna Neagle has been selected to play the role of Queen Victoria in the Herbert Wilcox production, "Victoria the Great," which will be directed by Wilcox personally, and which will be ready for release June 21.

The date follows the expiration of the Lord Chamberlain's ban on performances depicting Queen Victoria. The scheduled stage appearance of Miss Neagle in New York has been postponed to enable her to appear in the film. Tests are under way for a player to take the part of the prince consort. H. B. Warner will play Lord Melbourne.

Congress Gets New Plea for Probe of FCC

(*Continued from page* 1)

three networks control all 40 clear channels and have 90 per cent of the broadcasting power. No independent station, he said, has more than 1,000 watts at night, but 163 network stations have power of 50,000 watts.

He also charged commission officials with giving erroneous and incomplete information to the committee during its consideration of the bill.

Wigglesworth renewed his recommendation that fees be charged for broadcasting licenses, declaring the industry makes huge sums of money from the use of Federal privileges.

Indiana Bill Seeks State Censor Board

Indianapolis, Feb. 1.—State censorship is provided in one of four bills affecting the industry introduced in the Indiana General Assembly just before it recessed until Feb. 8 because of flood conditions.

The bill would authorize censoring of all films except newsreels, and fix fees. Penalties would range from $25 to $300 fines for first offense and $300 to $500 for subsequent violations.

Introduced in the Senate was a bill providing for licensing of film theatres by the state fire marshall. Annual license fees of $15 for Class A and $10 for Class B houses was included.

A new bill in the house would provide for licensing of circuses, tent shows, carnivals and radio acts, daily fees to be $100, $50, and $25 respectively. Half the fee would go to the county welfare fund and half to the state emergency relief fund.

Representative Harry Muller, operator of the State, Anderson, Ind., who earlier in the session introduced a bill calling for the banning of Bank Night, has introduced another in the House which would prohibit designated play dates in contracts.

Birmingham Censor Aid Out

Birmingham, Feb. 1.—Mrs. Harriett Adams, Birmingham's assistant amusement inspector, and storm center of a recent City Commission movement to create a new amusement inspector, was legislated out of office Wednesday by the commissioners and her duties turned over to the Police Dept.

Police Chief Hollums announced that for the present he would give his personal supervision to the amusement situation and that later, if it seemed necessary, he might organize a committee of women to aid him.

Signs Alabama Sunday Bill

Birmingham, Feb. 1.—A bill by Representative John D. Chichester legalizing Sunday films in all Jefferson County municipalities is included in a batch of 17 signed by Governor Graves Saturday.

Tarrant is the only town in Jefferson County barring Sunday shows at present, and a movement is under way there to have the City Council repeal the prohibitive ordinance. Leeds had its first Sunday shows last Sunday.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Levine Quits Presidency of Republic Prod.

Half Interest Is Sold to An Unnamed Buyer

Hollywood, Feb. 2.—Nat Levine today resigned as president of Republic Productions, stating at the same time that he has disposed of his half interest in the company for a substantial sum. He would not divulge the name of the buyer.

Levine's resignation comes as the result of differences of opinion with Herbert J. Yates on questions of future company policy. The move was made, Levine said, under "friendliest conditions."

Yates today assured Motion Picture Daily that he had not purchased the Levine interest in the company, but here again the identity of the actual buyer could not be learned. When questioned as to whether the sale has been entirely completed, Yates stated, "Almost completed."

Yates promised an official statement within two days, indicating that final aspects of the negotiations have not been concluded. He said that the executive personnel at Republic will remain practically unchanged, but was silent concerning a successor to Levine.

The suit of Guarantee Liquidating Corp. against Republic, which is due for a hearing this week, is believed

(*Continued on page* 12)

Attorney Objects to Proposed Roxy Plan

Objections to the Roxy reorganization plan filed in behalf of the first mortgage bondholders have been presented to Judge Francis G. Caffey in U. S. District Court by Daniel W. Blumenthal, attorney. Blumenthal represents the Adler Committee for holders of defaulted securities of S. W. Straus & Co.

Blumenthal objects to control of the reorganized company by 20th Century-Fox on the theory that pictures

(*Continued on page* 12)

"Earth" Opening Is Heard in Shanghai

Claimed to have been the first effort of its kind, the radio hookup for last night's opening of "The Good Earth" at the Astor was broadcast through

(*Continued on page* 12)

Radio—Pages 10 and 12

Moyne Plans Sure to Fail, Declares KRS

Distributors Oppose New Suggested Quota

By BRUCE ALLAN

London, Feb. 2.—The recommendations of the Moyne committee "by the very nature of the complexity of the film industry cannot but fail to achieve the main purpose for which the Films Act was devised, that British films should be produced and shown in Great Britain," it was stated today in the letter from the Kinematograph Renters' Society (distributors) to the Board of Trade, embodying the organization's views on the recent report of the Lord Moyne committee suggesting changes in the Films Act, which expires in 1938.

The K. R. S. statement included no comment on the broad principles suggested that the Government should safeguard British control of the industry here, should encourage financing and maintain the quota principle for 10 years. The statement expressed the belief that shorts should be excluded from quota restrictions. The K. R. S. opposed the suggested new opening quota figures of 20 per

(*Continued on page* 6)

Distributors Deny Philippine Charges

Manila, P. I., Feb. 2.—Warner Brothers-First National, United Artists' Corp. and Fox Films Export Co., Inc., three American distributors, named as co-defendants in a suit for 180,000 pesos, brought in the Court of First Instance here by the Arco Amusement Co., Inc., have filed a demurrer denying unlawful practices in restraint of trade in the withholding of films and the granting of preferential distribution to Inocentes de la

(*Continued on page* 6)

GLOBE-WIDE SOUND THEATRES AT 55,563

3,866 Gain Over 1936, Says Government Bureau—95,379 in World

Washington, Feb. 2.—Of the 95,379 motion picture theatres declared by the Motion Picture Section of the Bureau of Foreign and Domestic Commerce to have been in operation throughout the world on Jan. 1, 1937, there were 55,563 wired for sound as compared with 51,697 on Jan. 1, 1936. This represents an increase of 3,866 for last year, according to the annual statistical survey made by N. D. Golden, chief of the section, and made public today.

At the dawn of the year, Golden declared world picture theatres were totaled at 95,379 comparing with 87,229 a year earlier, or an increase of 8,150. What the 39,816 silent theatres are running on their screens or whether or not they are even open are not covered in the analysis. It is pointed out, however, of the total increase as between 1935 and 1936, Russian theatres account for 4,299. "In Soviet Russia," Golden explained, "all clubs, workers' organizations and meeting halls are included as theatres, where films are exhibited. There are approximately 2,285 commercial theatres in operation in Soviet Russia."

"The greatest gain in theatre openings occurred in the European market," Golden pointed out. "On Jan. 1, 1936, there were a total of 60,150

(*Continued on page* 8)

Dominance

Washington, Feb. 2.—Seventy per cent of screen time in all foreign markets went to American product during 1936 and in a majority of overseas territories the percentage was above 80 per cent, stated N. D. Golden, chief of the M. P. Section of the Bureau of Foreign and Domestic Commerce, today in making public his annual survey of world theatres.

A five-year comparison of theatres throughout the world, by nations and by major geographical divisions, appears on pages 8 and 9 today.

Orpheum Accepts RKO $700,000 Bid

An Orpheum Circuit creditors' meeting yesterday voted to accept RKO's offer of $700,000 cash and subordination of its own claims for clear title to the Orpheum assets which are now in the possession of Stadium Theatres Corp., a wholly owned RKO subsidiary, through which the parent company's bid is made.

In so doing, the meeting rejected an offer of $2,000,000 cash for the same assets, which was presented yesterday to Federal Referee Oscar W. Ehrhorn and the Orpheum creditors for the first time by a committee of preferred stockholders of Orpheum. The assets in question recently were appraised at $2,772,714.

Referee Ehrhorn took the creditors'

(*Continued on page* 3)

Central Plot Twist Marks Mild Play Out for Films

By PLAYBOY

John Golden, the producer, entered a completely unimportant item in the theatrical ledger last night at John Golden, the theatre. His initial venture this dubious season, it is regrettable a more cheery critique is not possible.

"And Now Goodbye," this one was based on the novel by James Hilton, he of "Lost Horizon" and "Goodbye, Mr. Chips." The adaptation by Philip Howard finished itself off in three acts when two longer ones would have turned the trick insofar as time entered into the matter. The first act

(*Continued on page* 9)

Educational Shift Delayed to Feb. 8

Wilmington, Feb. 2.—A special meeting of stockholders of Educational Pictures, which was scheduled to be held here today to vote on the company's plans for corporate simplification and recapitalization, was adjourned to Feb. 8 without any action being taken. The adjournment was

(*Continued on page* 6)

Expect Warner Plan Before End of Month

With negotiations "progressing rapidly" with Hayden, Stone & Co., Warners are expected to file its recapitalization plan with SEC the end of the month, it was stated yesterday.

Under the plan, 900,000 shares of new common would be issued at $12.50 a share, one for each four now held

(*Continued on page* 3)

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Spry Is Named U. A. N. E. District Head

Thomas B. Spry, former Boston manager for Warners, has joined United Artists as New England district manager. He will have the Boston and New Haven territories under his supervision.

Haskell Masters, Canadian district manager, had been handling the New England exchanges until recently. Charles Stern, eastern district manager, has been pinch hitting for Masters. He returned yesterday from New Haven after a short trip.

Spry is well known in the New England field. Last week he was given a dinner by his many friends. A number of home office executives attended.

"Romeo" to Capitol Soon

"Romeo and Juliet" may follow "Camille" into the Capitol on Feb. 19. The picture was tentatively dated yesterday after four others were scheduled. Previously dated were "Maytime" and "The Last of Mrs. Cheyney." The latter was withdrawn because of a series of illnesses which held up retakes.

Para. Pep Club to Dance

Paramount's Pep Club will hold its annual dinner and dance at the Astor next Tuesday night.

Insiders' Outlook

By RED KANN

COURAGE as broad as the Pacific which practically washes its studios went into M-G-M's production of "The Good Earth." The picture, as you must know, opened at the Astor Theatre last night to the fanfare usual for this sort of plush hat premiere. Yet very far removed from the high-hatted and ermined audience which sat comfortably in its seats, if not comfortably on its well-being, was the stark, bitter and tragic drama which for two hours and a half the screen told. . . .

▼

It will be interesting to watch the career of this picture. The late Irving Thalberg worked hard and long over it. He sent camera crews to China in keeping with the meticulous care which marked all of his major enterprises. Many writers were on the script. Five hundred acres, more or less, of the California countryside were furrowed for the cameras to catch, accurately and authentically, Chinese wheat and rice fields under cultivation. In mood and in tempo and so far as these Occidental eyes, at least, could tell, this notable picture is true and faithful to the Pearl Buck story. To its dramatic texture, this applies as well. . . .

▼

A story of an oppressed and a far-removed race, "The Good Earth" is thoughtful and intermittently dramatic and touching. In its present length, it is also severely overlong. It is overlong to a degree where this saga of an earth, sometimes brutal and sometimes kind, to some of its most abiding disciples spends its force in footage. There would appear to be no substantial reason to recount the story of Wang and Olan, the fields they plow, the famines and revolutions they face, the wealth literally forced upon them and its attendant complications. Paul Muni, as Wang, here carves for himself a more deeply etched niche in his already rich acting career. But it is Luise Rainer, as Olan, the plodding wife who, like the tower of strength which she is, dominates Wang, the picture and all of the production investiture which Metro has poured into this unusual and inexplicable picture.

▼

We say inexplicable because whatever known precedents may be around to govern and to point the way for the picture business, in this case, fall by their own weight. "The Good Earth" is no light and inconsequential effort. It may not have been aimed in the direction of a social document, but certainly it emerges so in measures sweeping and broad. Moreover, it tells the life story of a Chinese man and woman. It might be and, indeed, it is the story of man and woman the world over. The question is: Will audiences feel as deeply as they might over the hardships of two people whose pigment is yellow and whose problems seem and are continents apart from the troubles which bedevil this one. Nobody can foretell. Not you. Not Metro. Certainly not we. . . .

▼ ▼

From this point on today, we embark on something which may term us irreligious. If there should be a rap heading our way for that which follows, our solar plexus is primed for the concussion. Altoona in Blair County, Pennsylvania is a six-day town. Flood relief quota for Blair was fixed recently at $16,000. By Sunday, $8,000 had been raised. Followed a plan to run a film, described by the *Altoona Tribune* as one of "unquestionable merit and dignity" on the forbidden day. The evening performance was to start at nine o'clock, deliberately to avoid conflict with any church service. The income from that performance was to be coupled with the receipts of an afternoon show and turned over to the Red Cross, minus deductions of any nature. The estimate was the two shows would raise $1,000. . . .

▼

But there is a ministry in Altoona, as there likewise is elsewhere. Collectively, it petitioned District Attorney Chester B. Wray who, standing on the law as properly he might be expected to, ruled: "No one has authority to grant permission for Sunday movies in this city. The law prohibits such shows regardless of the sponsors or the worthiness of the cause." Thus, the benefit was not held. Let it be said for the Altoona ministry that it saw sufficiently behind its limited horizon to recognize that the Ohio and its tributaries had overflowed its banks and that a state of emergency and dire need prevailed in the valley regions. Let it also be said that these men of God opposed a humanitarian act on the ground that here was a thinly veiled attempt to use the charity as a springboard seeking to foist regular Sunday shows upon a populace not now permitted to have them. . . .

▼

"The nation-wide attack that is ebing made upon the Sabbath by the moving picture interests and their sustained propaganda for a wide open Sunday gave this Sunday showing of moving pictures a far more sinister meaning than it would have had had not the moving picture interests shown the extent to which they will go to force Sunday moving pictures upon the country," the Altoona Ministerium subsequently informed its constituents. The men of the cloth, it appears, were much more concerned about the implication that a dangerous precedent might be set than the urgency of the need for flood relief. A poor justification. . . .

▼

The *Tribune* in Altoona, in a page one editorial, had the steel in its backbone sufficient to attack. For this contemporary we fire our approving salvos. It went further. "Those who conscientiously objected to this benefit and felt compelled to stop it, now, in all conscience should come forward, rolling up their sleeves, and assume the responsibility for meeting Blair County's quota quickly." To which adds Peter Lee, motion picture editor of this aggressive newspaper: "We of the *Tribune*, feel very ashamed of the action the ministers have taken. How they could have read into the announcement of the show a sinister move to secure Sunday movies for Altoona is beyond our comprehension. The narrowness and pettiness which they expressed in this crisis is entirely out of line with the kindness and charitableness we like to associate with the ministry but frequently know to be a fallacy. . . ."

Strong Now a Producer

Hollywood, Feb. 2.—Harry Sherman, rearranging his executive setup today elevated Eugene Strong to producership on "The Barrier" starting April 15. Harry Knight, former supervisor, takes over producer duties on two forthcoming "Hopalong Cassidy" films formerly scheduled for Strong.

Sherman is releasing through Paramount.

Plan "Grainger Month"

March 28 will usher in "J. R. Grainger Month" during which an advertising, publicity and exploitation drive will be conducted by the Universal sales staff. "Top of the Town" will be the first release for the playdate push.

Producers to Meet

Hollywood, Feb. 2.—Will H. Hays has called the annual meeting of the Producers' Ass'n for Thursday.

An informal conference was held Monday night, but no business was transacted because of lack of a quorum.

Penn. MPTO to Dance

Pittsburgh, Feb. 2.—In line with their drive for new members, the M.P.T.O. of Western Pennsylvania will stage a supper dance in the Chatterbox of the William Penn Hotel here next Tuesday night. Frank Fanoplos is chairman of the affair.

Orpheum Accepts RKO $700,000 Bid

(Continued from page 1)

recommendation under advisement and reserved decision, as well, on motions by the preferred stockholders' committee to direct Marcus Heiman, Orpheum trustee in bankruptcy, to file a petition for reorganization of Orpheum under Section 77-B as a subsidiary of RKO's; to have Orpheum intervene in the RKO reorganization proceedings, and to file objections to the RKO reorganization plan on the grounds that it discriminates against Orpheum while favoring other RKO subsidiaries.

RKO, through Stadium, has total claims of $3,450,695 against Orpheum, or approximately 60 per cent of the total outstanding. The company's bid for the Orpheum assets would, in effect, cancel these claims in addition to providing $700,000 cash, which would be available as a dividend to the holders of the remaining claims against Orpheum, which amount to $2,128,357. Of the latter claims, Phillip Snyder of Buffalo, trustee for the Omaha Orpheum bondholders, represents $1,110,000, or more than 50 per cent of the claims exclusive of RKO's. Snyder's claims were voted in favor of acceptance of the RKO offer and against the preferred stockholders' offer yesterday, while neither RKO nor Stadium voted on either offer.

Filed by Jersey Company

The Orpheum preferred stockholders' bid, presented by Isidor J. Kresel, attorney for the committee, was made through Hudson County Warehouses, Inc., by John Sherman, treasurer. Kresel identified the bidder merely as "a New Jersey company with as much capital as Stadium has." The preferred stockholders' committee consists of Martin Beck, Harry Borns, Asher Levy, Julian Livingston and Alex Young, Jr., and claims to represent 16,210 shares of the 62,551 preferred shares of Orpheum. Under RKO's offer for the Orpheum assets, creditors would receive about 30 cents on the dollar for their claims and, consequently, there would be nothing available for stockholders.

The Orpheum assets in question include such properties as Champaign (Ill.) Orpheum, Chicago Orpheum, Des Moines Consolidated Theatres, St. Paul Theatres Co., Junior Orpheum, Los Angeles; Junior Orpheum, San Francisco, Kansas City Junior Orpheum, Orpheum Circuit Booking Corp., RKO Western Vaudeville and other companies.

Objections Advanced

In opposing the stockholders' offer, D. M. Black, attorney for the Orpheum bankruptcy trustee, asserted that its acceptance would mean that creditors, aside from Stadium, would receive about $680,000 gross, as compared with the $700,000 gross offered by Stadium.

"In other words," Black said, "the creditors are offered $2,000,000 providing the trustee can raise $3,608,000 to pay off Stadium's lien on the Orpheum assets."

He stated that the Orpheum trustee is not in a position to deliver the assets to the preferred stockholders "free of the Stadium lien," as required by their offer, which made acceptance of the offer impossible, he said. Black also opposed the other motions presented by Kresel, declaring that Orpheum did not have the legal standing on which any of the proposed moves could be made.

J. C. Randall, attorney for Snyder, who also opposed the Kresel motions, pointed out that the admission of Orpheum to reorganization under Section 77-B would bring about the reintroduction of numerous claims by landlords and others which are not provable in bankruptcy, with the result that the claims against Orpheum then would be increased to about $6,500,000. Consequently, the preferred stockholders still would have little or no chance for a participation, he said.

RKO's reorganization plan makes no provision for Orpheum creditors or stockholders.

◂ Purely Personal ▸

ALBERT LEWIN of Paramount, Fidele Koenig, Paramount Studio engineer, and Swana Wanda, film player, arrive today on the *Paris*.

●

Matthew Boulton, who has the role of a detective in G. B.'s "The Woman Alone," will leave tomorrow for the coast. He has been appearing recently on the stage here in "Night Must Fall."

●

Joe E. Brown, who was due yesterday from the coast, did not make the trip east. He was grounded at Albuquerque and decided to return to Hollywood without completing the trip.

●

Hal Horne and Al Gottlieb will leave for the coast this afternoon. Horne has been delayed here making tests for "Walter Wanger's Vogues of 1938."

●

Danielle Darrieux, French actress signed by J. Cheever Cowdin for Universal, will arrive on the *Paris* today en route to the coast.

●

Harry A. Ross was discharged from Mt. Vernon Hospital today after a serious sickness and plans to leave for Florida on Friday.

●

E. B. Hatrick, who has just returned from a month's vacation in Miami, will leave for the coast the end of the week.

●

Eddie Churchill of Donahue & Coe returns tomorrow from Florida where he has been visiting Nicholas M. Schenck.

●

George Sussman, brother of Bill, and also with 20th Century-Fox, has a new member in the family, a boy, since last week.

●

A. H. Schwartz, who sails Friday on the *Statendam*, intends to get in a little fishing on his West Indies cruise.

●

Nat B. Finkler of 20th Century-Fox is celebrating his silver anniversary with the company.

●

Marlene Dietrich is due on the *Berengaria* today. Lou Holtz is another.

●

Leopold Friedman returned last night from Miami and a two-week rest.

●

George Schaefer plans to leave tomorrow for a short vacation in Florida.

●

Howard Benedict is expected to leave for the coast Friday.

●

Albert Howson, Warner executive, celebrates a birthday today.

●

Clarence Budington Kelland is in Texas vacationing.

●

CARL LESERMAN returned yesterday from New Haven where he attended the dinner given to Nat Furst and John Pavone at the Taft Hotel. Furst, former New Haven manager for Warners, is now Boston head, and Pavone was promoted from salesman to manager of the New Haven exchange.

●

Luise Rainer will arrive this morning on the Century and will attend the first matinee showing of "The Good Earth" at the Astor this afternoon.

●

Gene Picker has delayed his departure for Havana until Marvin Schenck returns from Miami next week.

●

Eric Hatch's novel, "Road Show," has been purchased by Hal Roach as a co-starring vehicle for Patsy Kelly and Lyda Roberti.

●

John Balaban and Archie Mayo arrived in Havana yesterday on the *Transylvania*. Harry Balaban met them at the pier.

●

Oscar Serlin and Julius Steger are here from Hollywood. Howard S. Benedict now plans to fly west Friday.

●

Joe Hornstein leaves today by car for a tour of the South and Cuba. It's business, and not pleasure, this time.

●

Harry Moskowitz, head of Loew's construction department, is back from Pittsburgh and a trip to the South.

●

Lucinda Reichenbach has cut her winter in South America short and is back in New York.

●

Kay Kamen will leave Hollywood on Feb. 15 for New York.

●

Al Altman of Loew's had a tooth pulled yesterday.

●

Stephen Pallos is in town and will sail for London next week.

●

Miss Rebecca leaves for the coast today.

●

Rita Kaufman in from Hollywood.

●

. . . Paris

Rod and Mrs. La Rocque (Vilma Banky) spent a few days in Paris coming from Hungary and Austria, on their way to London.

William Wyler, who was born in Mulhouse, Alsace, and who speaks French as well as any Frenchman, was introduced to the French journalists at a reception organized by the French branch of United Artists. He has gone to Switzerland for the winter sports.

Ruth Chatterton, now traveling in Europe, was here for a few days.

Texas Case May Not Be Tried Until Fall

Dallas, Feb. 2.—Preliminary legal skirmishing between Interstate Circuit and the Government over charges of restraint of trade in connection with first run film contracts may continue all summer.

John Moroney, counsel for Interstate, reports that supplementary petitions will be filed in Federal Court, both by the defendants and the Government, before the case actually comes to trial before Judge William Hawley Atwell. He predicts it may be autumn before the case is definitely set.

The Government alleges admission and double feature restrictions amount to conspiracy and restraint of trade. The whole question was thrashed out in state courts of Texas with Interstate winning the verdict. That suit was in the legal hopper for two years before final judgment.

Peekskill Case Settled

Six actions brought by Fox Film Corp., Universal, Radio, RKO Pathe Distributing Corp., Christie Film Corp. and Screen Gems, Inc., against Peekskill Theatre, Inc., were settled in Federal Court yesterday. The actions arose from the defendant's use of the various plaintiffs' films without proper license. The actions were settled by filing of stipulations by attorneys.

Philipp Music Suit Ended

The action brought by Adolph Philipp against Jerome H. Remick, Remick Music Corp., Gene Buck, as president of Ascap; CBS, NBC and Rudy Vallee was settled in U. S. District Court yesterday. The plaintiff claimed the defendants used the song, "Alma," and asked for a declaratory judgment determining the right of the parties to the song and for an injunction and damages. The defendants' answer set forth that on Feb. 9, 1910, Joseph Webber, Jean Briquet and George V. Hobart, co-composers of the song, sold their rights to Remick.

Expect Warner Plan Before End of Month

(Continued from page 1)

by stockholders. A new $5 preferred would replace the $3.85 cumulative no par preferred on a share for share basis.

At the directors' meeting last week when Harry M. Warner returned from the coast, a preliminary discussion was held on the plan. Another board session will be held later in the month.

N. O. Saenger Robbed

New Orleans, Feb. 2. — Bandits who had been seated in the balcony in the proximity of the Saenger office late last night held up an armored car messenger who had called for the night's receipts, and after taking $1,875 from him, ran down the theatre stairs and escaped in a stolen automobile. The bandits are believed to be the ones who held up the Liberty here several nights ago. The loss is covered by insurance.

Verhalen Quits as Editor

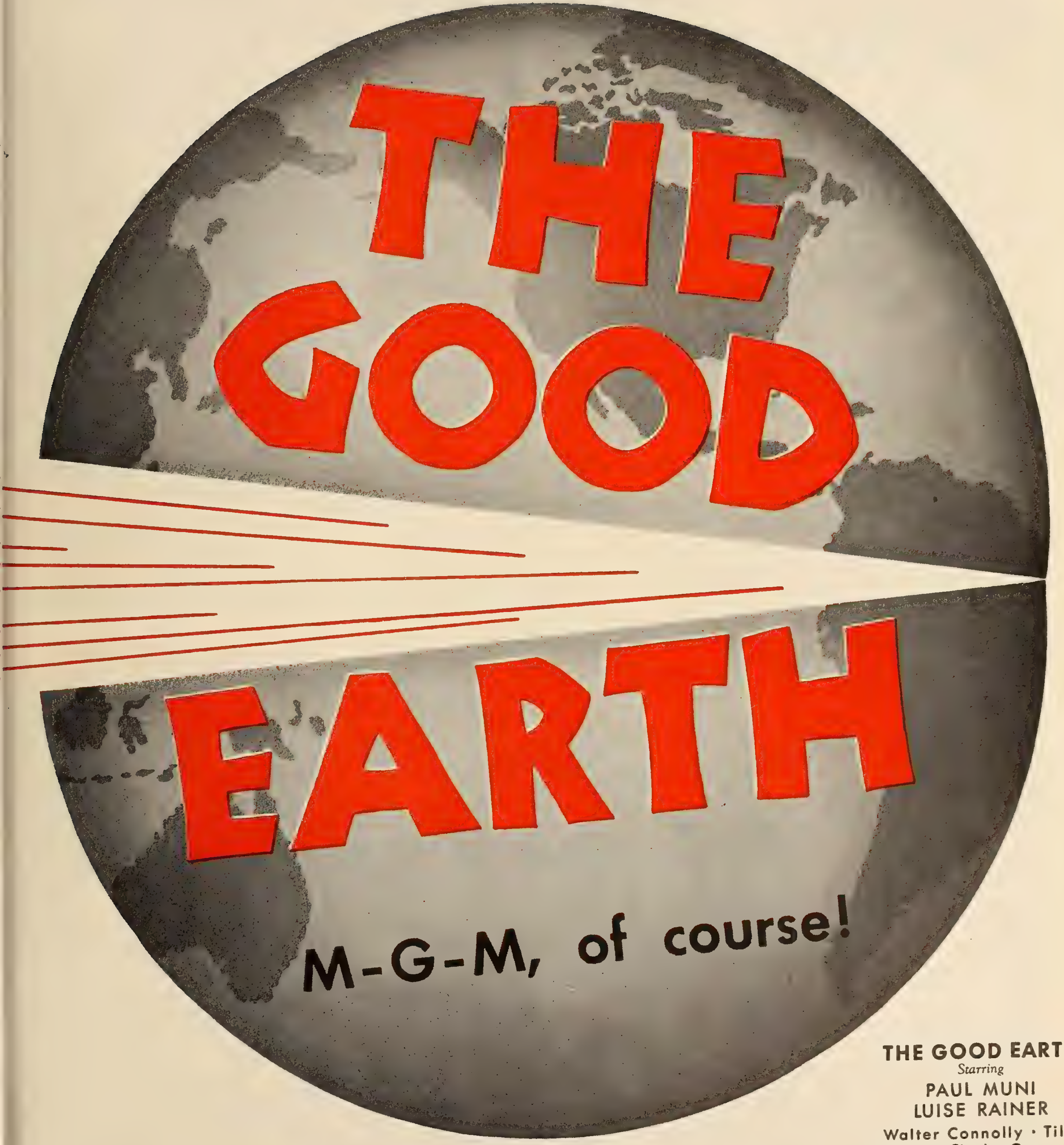
Hollywood, Feb. 2.—Charles Verhalen, for five years editor of *Cinematographer*, today resigned his post to devote his entire time to the publication of his *Home Movies* and *Photographic Dealer*.

Just Opened to a World of Praise!

Another towering M-G-M Roadshow starts on its history-making career. Again the famed name Metro-Goldwyn-Mayer resounds through the amusement world. Again your patrons realize that they are getting the best in films because you bring them M-G-M Stars and Attractions.

◆

"THE GOOD EARTH" *is now playing Twice Daily at $2 admission at the Astor Theatre, N. Y. and the Carthay Circle Theatre, Los Angeles. All Seats Reserved.*


THE
GOOD
EARTH
M-G-M, of course!

THE GOOD EARTH
Starring
PAUL MUNI
LUISE RAINER
Walter Connolly · Tilly Losch · Charley Grapewin Jessie Ralph · Based on the Novel by Pearl S. Buck. Adapted for the Stage by Owen Davis and Donald Davis · Directed by Sidney Franklin · An M-G-M Picture

Moyne Plans Sure to Fail, Declares KRS

(*Continued from page* 1)

cent and 15 per cent in favor of exhibitors, declaring that even the present obligation on foreign distributors is "so heavy as to be practically impossible of effective performance and has resulted in the present deplorable position of the obligation being met by poor pictures which antagonize the public against British films."

The statement suggests that foreign distributors should be allowed to produce five or six pictures annually instead of 15 to 18 with cost and other safeguards set to ensure creditable pictures. It was stressed that the quantity of quota pictures demanded makes quality impossible. The statement emphatically opposed the variable quota and the quality clause. The statement said, "They suggest a relationship between quality and quantity, but any responsible person in the British industry will acknowledge that that is impossible of attainment."

On Cancelling Licenses

On suggestions that films not passing for the distributor quota should be eligible for the exhibitor quota, the statement said, "It is illogical to recommend that exhibitors should be free to show a film so bad as not to pass for the distributor quota." The K. R. S. described as harsh in the extreme the proposal that distributor licenses shall be cancellable after one conviction for quota default. On proposals for statutory declarations for distributors that films have not been blind booked and suggested increase of penalties, it was said, "It might conceivably set one section of the industry against another, promoting friction, misunderstanding and ill will, and is not in keeping with the purpose for which the Moyne committee was constituted."

The organization opposed the cancellation of restrictions on advance booking. The proposal to make illegal block booking is "from a practical point of view unworkable and is regarded as a distinct violation of freedom of action between buyer and seller," the statement said.

Against a Film Commission

The K. R. S. emphatically opposed the formation of a film commission by the Government, saying the suggestion originated in the committee and did not come from any industry member. The idea that such a commission would establish industry harmony was called an illusion. "The creation of a committee composed of individuals without relation to the industry can only bring a grave risk to the millions of capital invested," the statement said. One effect of the powers suggested "can only lead to the drying up of resources necessary to the encouragement of the industry. No producers or financiers can plan in advance on expenditure if after spending the sums necessary to make worthwhile product, the same may be rejected by four or five men outside of the industry."

The statement declared that the task of viewing all films for the quality test is impossible to perform, and that no one is capable of assessing entertainment values. The statement concludes with the assertion that quality and not quantity should be the basis of any legislation.

"It would appear that insufficient regard was paid to the expert evidence given on behalf of the K. R. S. in framing the recommendations in the report," it was said.

KRS Hits CEA Statement

London, Feb. 2.—The K. R. S., in a letter from Frank Hill, secretary, to W. A. Fuller, secretary of the C. E. A., today accused the exhibitor body of a "breach of good faith in publishing the report as to the K. R. S. attitude which at that time had not been determined" on the Moyne report.

The letter expresses the K. R. S. council's "surprise and disapprobation of the C. E. A. committee making statements contrary to the facts and before the respective councils had their committees' reports of the discussion." The letter alleges that after the K. R. S.-C. E. A. joint meeting had disagreed on the Government control board issue, Fuller issued statements to the press on the K. R. S. attitude and the C. E. A. announced its own policy before the K. R. S. council had had its delegates' report.

Overseas Previews

"Avec le Sourire"
"Keep Smiling"

(*Films Marquis*)

Paris, Jan. 23.—This is the first picture Maurice Chevalier has made in France since the coming of the talking pictures.

The story was written by the well known French author, Louis Verneuil, especially for Chevalier, and the film was directed by Maurice Tourneur, known in Hollywood in the silent days.

It is a typical Chevalier film, telling of the adventures of a young Frenchman, Victor, arriving in Paris without a cent, and who becomes, through his unfailing good humor and ready smile, manager of the Paris Opera House, after having climbed all the steps of the social ladder.

The honest man who first helped Victor goes down the same steps which Victor ascends, apparently because the latter did not stop at a little dishonesty. The conclusion of the film would seem to indicate that unscrupulousness wins while perfect honesty leads to misery. Otherwise the film is charming, with amusing lines, excellent dialogue and fast action.

The part of Victor is one of the best that Chevalier has ever played, with several songs by the star.

Running time, 90 minutes. "A." AUTRE

Looking 'Em Over

"Sandflow"

(*Universal*)

Good, lively western material, cut more or less to pattern, but for once not specifically concerned with the inevitable cattle rustling, this should prove highly satisfactory material for the youngsters or the oldsters who still like their westerns, in the weekend or dual spot.

The ever-popular Buck Jones has the lead, with Leta Chevret of attractive, but incidental romantic interest. The romance, as a matter of fact, is rather more subordinated than in the usual run of westerns. In support are Robert Terry, Bob Kritman and other western standbys.

In this case, against a background of effectively rugged mountain scenery, Jones fights against odds to prove his brother, Terry, innocent of a murder of which he is suspected. At the same time, he has to avoid posses on his brother's trail, and Kritman, who, learning Terry's identity, seeks to take him in for the reward which is on his head. In expected fashion, the affair straightens itself, with Terry and Miss Chevret completing the romance and the film.

Production Code Seal No. 2,894. Running time, 59 minutes. "G."

British Considering Reciprocity Action

London, Feb. 2.—The British Government is "bearing in mind" the suggestion, which came first from Isidore Ostrer recently, that it take steps to enforce "a greater measure" of reciprocity on the part of American interests in view of the large revenues received by American companies from England, it was indicated in the House of Commons tonight.

The statement came in the course of replies by Dr. Edward Leslie Burgin, Parliamentary secretary of the Board of Trade, to a series of questions asked by Gordon Hall-Caine, M.P. The members urged that legislation be hastened along the lines of the Moyne report on the ground that the film industry is in a serious position and the Government may be too late.

F. P. Canada Adds House

Toronto, Feb. 2.—Famous Players Canadian Corp. has added another unit to its cross-Canada circuit, the Royal at Woodstock, Ont.

Educational Shift Delayed to Feb. 8

(*Continued from page* 1)

sought to provide additional time for the arrival of proxies from England.

The meeting will be held in the offices of Special Master Philip Cohen here, who was appointed by Chancellor J. O. Wolcott to conduct the meeting and report to the latter thereafter. E. W. Hammons, Educational president; Norman C. Nicholson, secretary, and Aaron Finger, Wilmington counsel for the company, were here today.

The proposed recapitalization plan asks authorization for Educational Pictures to issue 150,000 shares of new no par common stock and 150,000 shares of new $100 par, eight per cent preferred stock. Preferred stockholders are offered five shares of new common for each share of old preferred, consisting of 3 2/10 shares of common for a share of preferred and 1 8/10 shares of common for accrued dividends on each share of preferred. Common stockholders are offered for each share of old common, plus $10, a warrant to buy one share of new common.

Educational's plan of corporate simplification calls for the dissolution of six subsidiaries. There would then be remaining, in addition to the parent company, Educational Films Corp. of America, Educational Prod., Inc., and Educational Studios, Inc.

Hammons has denied reports that the recapitalization plan is being undertaken to finance the production of either 16 mm. subjects or to enter feature production.

Distributors Deny Philippine Charges

(*Continued from page* 1)

Rama, Inc., one of a group of other defendant corporations and individuals.

Although the alleged acts and restraints complained of antedated the transfer of the Phillippines from the United States Government to Insular administration, the legal and juridical procedure of the United States' courts continues to function.

The complaint charges in part "that the conspirators endeavored to intimidate, coerce and compel the plaintiff owner of said Cine Arco, in the Municipality of Bacolod, Occidental Negros, to close said theatre *** by threatening to spend, use and possibly lose, considerable sums of money, if necessary, to conduct said competing business (the Cine Iris) in a malicious and unfair manner."

RKO Dates "Great Guy"

RKO has dated "Great Guy" in its Brooklyn houses for the week of March 5. The New York date will be either Feb. 12 or Feb. 19, depending on whether the Fox or Paramount in Brooklyn holds it a second week. The picture is now finishing a fifth week at the Criterion on Broadway and is also at the Paramount, Newark.

Ad Reel Bookings Good

Detroit, Feb. 2.—Exchanges are getting from 200 to 300 bookings on each commercial subject released, it was indicated here. Most of them are one-reelers, for the most part produced for automobile companies.

"LLOYD'S" SMASHES ON!

"Lloyds of London" continues to win new fame as a sensational money attraction with every new opening. Look!

Held for 2nd week after topping every 20th hit, including "One in a Million," at the New, in BALTIMORE and the Lincoln, MIAMI!

Running ahead of "One in a Million," with 2nd day nearly doubling opening, at the Palace, DALLAS!

Equalled "One in a Million's" smash New Year's run at the Metropolitan, HOUSTON!

Building to record-crashing week, after one of the season's biggest openings, at the Wisconsin, MILWAUKEE!

Out-grossing "One in a Million" at the Fox, ST. LOUIS!

Getting the only business in town at the Buffalo, BUFFALO!

Despite flood menace, did the season's 2nd biggest week at the Saenger, NEW ORLEANS!

And topping or equalling 20th's greatest hits at the Capitol, SALT LAKE CITY . . . the Palace, ROCHESTER . . . Keith's, SYRACUSE!

20th makes them that way!

LLOYDS OF LONDON

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE

Gov't Reports Wired Houses Total 55,563

(Continued from page 1)

theatres in Europe having 27,956 theatres wired for sound as against 66,876 theatres having 29,207 wired on Jan. 1, 1937. The greater portion of this increase, as already mentioned, is credited to Russia, but it cannot be overlooked that of this 6,826 theatre increase in Europe, excluding Russia, that other countries in that region account for 2,527, either new or reopened theatres."

In Latin America during 1936 a total of 248 new or reopened theatres were accounted for, bringing the total number in that market to 5,292, of which 4,068 were wired for sound, an increase of 730 over Jan. 1, 1937. The Far East showed a slight increase of 59 theatres opened and a large increase of 675 wired during 1936. There are at present approximately 5,244 theatres of which 4,387 are wired for sound in operation. Markets comprising Africa and the Near East showed little increase in the number of new theatres opened, but did report an increase of 130 wired for sound during 1936. There are now 676 theatres in this region of which 610 are wired for sound film, according to Golden.

Theatre openings in Canada increased from 905 on Jan. 1, 1936, to 1,033 on Jan. 1, 1937, with an even larger increase in theatres wired during 1936. Every theatre in Canada was reported wired for sound, whereas a year ago only 833 were.

Widen Movie-Goer Field

With the current issue, *Loew's Movie-Goer* is now being distributed by Loew theatres in Greater New York, Baltimore, Washington, New Haven and Bridgeport. Next month copies will be circulated in the circuit's houses in Springfield, Hartford, Worcester and Waterbury.

FROM STUDIO TO SCREEN
THE VERY SAME DAY...
Easy—When you use THE ONLY
NATION-WIDE **AIR EXPRESS**

More producers and exhibitors than you think beat the town through super-speed Air Express. Hard not to, when

1. **Nation-wide Air Express makes *day and night* deliveries *direct* to 216 key cities in the United States, to Honolulu, Manila, and 32 Latin-American countries.**
2. **Connects at hundreds of junction points with fast Railway Express trains.**
3. **Picks up and delivers, door-to-door, promptly, without extra charge, in all cities and principal towns.**

***One* organization. *One* responsibility. *One* waybill.**

For service or information, phone any Railway Express office.

AIR EXPRESS
DIVISION
RAILWAY EXPRESS AGENCY

Theatres Throughout the World

Territory	Grand Total 1936	Grand Total 1935	Grand Total 1934	Grand Total 1933	Grand Total 1932
Europe	66,876	60,150	39,547	29,693	30,623
United States	16,258††	15,378†	10,143*	19,000	19,042
Latin-America	5,292	5,044	5,002	5,270	5,546
Far East	5,244	5,185	4,718	4,639	4,922
Canada	1,033	905	823	1,100	1,100
Africa, Near East	676	637	689	645	691
Totals	95,379	87,299	60,918	60,347	61,924

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*Based upon Bureau of Census survey, December, 1934.
†Based on trade estimates.
††Film Board of Trade estimates of theatres open.

Europe

Country	Theatres 1936	Theatres 1935	Theatres 1934	Theatres 1933	Theatres 1932
Russia	34,990†	29,691†	9,987*	2,000	3,200
Germany	5,273	4,782	5,100	5,100	5,071
England	4,950	5,070	4,897	4,672	4,950
Italy	4,800	4,221	3,794	2,500	2,500
France	4,100	4,000	4,000	3,900	3,300
Spain	3,500	3,450	3,252	2,600	2,600
Czechoslovakia	1,833	1,833	1,955	2,024	1,900
Sweden	1,641	1,581	843	1,100	1,100
Belgium	800	790	750	650	750
Austria	765	779	850	850	850
Poland	693	498	728	759	900
Hungary	410	400	380	633	505
Denmark	352	344	340	350	300
Rumania	350	301	380	350	400
Switzerland	334	340	320	310	325
Yugoslavia	318	336	319	338	300
Netherlands	305	305	308	255	253
Norway	240	225	241	220	235
Finland	220	242	232	220	220
Portugal	210	210	250	250	400
Irish Free State	190	181	...	...	...
Greece	153	142	122	100	100
Turkey	121	110	100	80	80
Latvia	98	86	107	107	80
Bulgaria	94	94	128	145	145
Lithuania	64	63	60	80	77
Esthonia	58	62	94	93	82
Albania	14	14	10	10	...
Totals	66,876	60,150	39,547	29,693	30,623

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*Includes all halls, converted churches and other local places of exhibition.
†This figure includes urban, rural theatres, both those equipped with stationary and portable projectors where motion pictures are shown.

Latin-America

Country	Theatres 1936	Theatres 1935	Theatres 1934	Theatres 1933	Theatres 1932
Argentina	1,425	1,493	1,604	1,634	1,608
Brazil	1,370	1,351	1,200	1,125	1,600
Mexico	835	701	701	701	701
Cuba	350	300	225	400	400
Colombia	210	200	170	385	220
Peru	200	141	110	100	100
Chile	180	171	243	215	212
Uruguay	128	137	137	127	125
Venezuela	111	88	134	134	125
Porto Rico	100	100	127	112	112
Panama	47	44	38	33	33
British West Indies	...	...	42	42	42
Costa Rica	37	35	29	27	21
Guatemala	31	32	28	28	28
Ecuador	34	31	29	22	23
Salvador	29	30	36	47	47
Honduras	29	29	14	18	26
Nicaragua	25	24	22	21	21
Bolivia	19	24	23	25	17
Dominican Republic	23	21	36	20	25
Trinidad	19	17	...	...	...
French West Indies	15	15	...	...	...
Jamaica	15	14	14	14	11
Paraguay	6	11	9	9	9
Bermudas	8	9	9	9	13
Haiti	8	7	7	7	9
British Guiana	23	5	5	5	5
Neth. West Indies	6	5	4	4	4
Bahamas	5	4	4	4	5
Barbadoes	3	3	...	...	...
British Honduras	1	2	2	2	2
Totals	5,292	5,044	5,002	5,270	5,546

The Far East

Country	Theatres 1936	Theatres 1935	Theatres 1934	Theatres 1933	Theatres 1932
Japan	1,616	1,634	1,600	1,699	1,485
Australia	1,420	1,334	1,050	1,050	1,500
India	670	675	675	685	685
New Zealand	410	435	366	335	397
China	300	300	276	238	200
Philippines	211	313	273	300	300
Neth. India	198	248	192	180	180
Siam	123	77	68	68	68
British Malaya	122	57	58	45	40
Straits Settlements	...	...	48	...	...
French Indo-Chino	100	40	40	40	40
Chosen	45	43	43	...	...
Ceylon	18	18	18	18	16
Fiji Islands Society Islands	11	11	11	11	11
Totals	5,244	5,185	4,718	4,639	4,922

(*Africa and Near East on next page*)

20th-Fox Executives Leave for K. C. Meet

More than 20 home office executives of 20th Century-Fox left yesterday for Kansas City to attend the two-day midwinter district managers meeting which will get under way at the Muelhbach Hotel tomorrow. John D. Clark, general sales manager, is due to arrive in Kansas City today from the coast where he has been conferring with Darryl Zanuck on the company's new production program.

J. P. O'Loughlin, Canadian district manager, will be introduced to the men. Clark will preside.

Among those leaving last night were William J. Kupper, William Sussman, William C. Gehring, Charles E. McCarthy, Felix Jenkins, Lee Balsly, Walter J. Hutchinson, Irving Maas, Leslie Whalen, William J. Clark, Martin Moskowitz, Harry H. Busbaum, Joseph J. Lee, Thomas J. Bailey, Clarence A. Hill, Edward C. Collins, Theodore Shaw, Nat B. Finkler, Jack Bloom, Harvey Day and Roger Ferri.

Theatre Bills Get Bay State Hearing

BOSTON, Feb. 2.—Seven bills affecting theatres were given hearings today before the legal department of the Committee on Hearings.

A bill to permit Sunday dancing in theatres was favored by Joseph Brennan, representing the M.P.T.O., and opposed by Frank Lydon, Joe Levinson, William McLaughlin and Arthur K. Howard. Jimmy O'Brien, head of the stagehands' union, and George Gibbs, head of the musicians' union, opposed a bill to prohibit Sunday vaudeville before 7 P. M.

A bill designed to stop prizes and giveaways was opposed by premium company attorney and George Ryan, Bank Night lawyer.

Other measures up were a Sunday measure, a bill to control admission of minors to theatres, another to prohibit obscene or sacrilegious language in theatres, and a bill to prohibit shows on Sundays, Memorial Day, Armistice Day and Christmas.

Wall Street

Eastman, Loew's Best on Board

	High	Low	Close	Net Change
Columbia	37	36½	36¾	.....
Consolidated	5¼	5⅛	5¼	.....
Consolidated, pfd.	17	17	17	.....
Eastman Kodak	174½	170	174½	+4½
Gen. T. Equip.	32¾	32¾	32¾	— ⅛
Loew's, Inc.	77	74⅜	76¾	+2⅜
Paramount	28⅜	28	28⅛	.....
Paramount 1 pfd.	199	196	197	—2¾
Paramount 2 pfd.	25⅝	25⅜	25½	+ ¼
Pathe Film	9½	9⅜	9⅜	— ¼
RKO	8¾	8⅝	8⅝	— ¼
20th Century-Fox.	37⅛	36¾	37	— ¼
Warner Bros.	15¾	15½	15⅝	.....

Slight Curb Movement

	High	Low	Close	Net Change
Grand National	3⅞	3¾	3¾	.....
Sonotone	2⅜	2⅛	2⅜	+ ⅛
Technicolor	21½	21⅛	21⅛	— ¼
Trans-Lux	4⅜	4⅜	4⅜	+ ⅛

Bonds Gain

	High	Low	Close	Net Change
Keith B. F. 6s '46	99	99	99	+1
Loew's 3½s '46	100½	100¼	100½	+ ½
Paramount Pict. 6s '55	100½	100⅜	100⅜	.....
RKO 6s '41 pp.	120½	119⅜	120½	— ⅜
Warner Bros. 6s '39 wd	100	99⅞	100	+ ½

(Quotations at close of Feb. 2)

Balto., Indianapolis Ad Rates Cause Row

Major and independent theatre operators in Baltimore and Indianapolis are protesting attempts by the Baltimore morning and evening *Sun* and the *Indianapolis Times* to increase film advertising rates.

As a result, all national advertising has been withdrawn from the two Baltimore papers with other advertising reduced to directory lineage. On two days' notice last week, the Baltimore mediums demanded an increase from $1 to $1.10 a line on the combined rate, which theatres resented by pulling all big copy. Combined circulation is 284,000 daily.

The *Indianapolis Times,* which heretofore has charged 17 cents a line, said to be the highest rate in the town, is now asking 18 cents. Theatremen, as a result, are paring advertising copy until the situation is straightened out.

Illinois Houses Closed

St. Louis, Feb. 2.—Several theatres in Illinois and Missouri, bordering towns inundated in the last few days, have been forced to close to prevent sickness from spreading among refugees. This includes three houses in Harrisburg and one at East Prairie, the former town in Illinois and the latter in Missouri.

Preliminary returns from St. Louis theatres for the Red Cross have exceeded $10,000, with indications that $50,000 will be taken in from this city alone before the drive is closed.

Donate Matinee Receipts

Federalsburg, Md., Feb. 2.—Receipts from one matinee performance at the Federal Theatre here were donated to the Maryland Chapter of the American Red Cross for flood relief work by Roger Christopher.

Gives Benefit Show

Montgomery, Ala., Feb. 2.—The Paramount presented a benefit show for the relief of sufferers in the flood areas, the entire proceeds being turned over to the Red Cross.

Saunders Quits Ross

Claude Saunders, vice-president and general manager of Ross Federal Service since the inception of the company about six years ago, has resigned. He intends to announce his future plans shortly.

Harry A. Ross, president, yesterday was discharged from Mt. Vernon Hospital after a serious illness. He plans to leave Friday for Miami.

"Phantom Ship" to RKO

"Phantom Ship," latest Guarantee Pictures release, has been taken by the RKO metropolitan circuit and will open Feb. 16 with 11 day and date showings.

Central Plot Twist Marks Mild Play Out for Films

(Continued from page 1)

does a bit of character planting and paltry little in progressing the action of the play. Actually, the vehicle begins to have its say in the second when Philip Merivale, as the pastor of Browdley, petitions Marguerite Churchill, the daughter of one of his parishioners, to return home. He finds the only suggestion of scandal is her love for the muse of music.

There is rekindled within him the suppressed and thwarted musical ambitions of his own youth and there follows in this union of thought a mutual attraction which ends in the usual manner. Determined to forget his trust, as also wife and family, Merivale decides on Vienna

In a train wreck the next morning, Miss Churchill is burned to death Merivale, frantic in his search to save her, rescues five lives and is hailed as a hero for his efforts. Back at Browdley, with only memories of the London night and its hereafters left, quite naturally, he falls into his old routine. Thus, the play ends.

The relationship between minister and woman, of course, rules this out for Hollywood. Presumably, the minister might become almost anything else, yet, if this were done, the slender plot ingredients in "And Now Goodbye" would and could offer nothing varying in a pattern pursued time in and time out on the coast for all these many years.

As a play, this is mild and placid. It falls into the vast in-between, which is to say, considerably removed from the hit parade and yet not quite bringing up the rear. Merivale gives a nicely restrained performance, but has nothing vital into which to sink his teeth, or his words. Miss Churchill is pleasant to see and hear.

Book Sonja Heine Again

Pittsburgh, Feb. 2.—An $8,000 gross on her recent personal appearance here and close to $20,000 for two weeks of "One In A Million" at the Alvin has led the Harris Amusement Co. to book Sonja Henie back into the Duquesne Garden for two nights next week. She will perform here Monday and Tuesday on her way to the coast to make "Thin Ice" for 20th Century-Fox.

McCarthy to Make Shorts

Harry Dube, manager of Clem McCarthy, radio and newsreel sports commentator, yesterday closed a contract with Sam Sax, production chief of Vitaphone, for a series of sports shorts featuring McCarthy. Production will start as soon as McCarthy returns from California.

Africa and Near East

Country	*Theatres 1936*	*Theatres 1935*	*Theatres 1934*	*Theatres 1933*	*Theatres 1932*
South Africa	300	300	350	291	350
Algeria	130	130	130	150	150
Egypt	102	90	89	89	87
Iran	30	30	30	30	33
Palestine	29	27	22	25	19
Tunisia	27	30	...	...	...
Syria	24	24	26	20	20
West Africa	12	12	12	12	12
East Africa	11	13	19	17	9
Iraq	7	4	4	4	4
Madagascar	4	4	4	4	4
Totals	676	637	689	645	691

"Dreaming Lips"

London, Feb. 2.—Max Schach's new version of this German film, produced for Trafalgar and to be released by United Artists, is practically a transcript of the original which made Elisabeth Bergner famous. The actress repeats almost every gesture of the memorable and moving first performance.

Romney Brent as the husband and Raymond Massey as the lover are good in support, but it is actually a one-role film. It should be good for class audiences, and has strong woman appeal. The film was previewed this morning and opened at the London Pavilion tonight, with Queen Mary in attendance.

Running time, 90 minutes.

ALLAN

Oates to Technicolor

London, Jan. 24.—Frank R. Oates is in technical charge of the plant of British Technicolor, Ltd., now in operation at the £250,000 laboratory at Harmondsworth, near Staines, in the Denham-Iver area. A capacity of 24,000,000 feet of color positive a year is claimed.

Klein, Solomon Set World Selling Plan

Edward L. Klein of London and Louis A. Solomon of New York have established a worldwide sales organization for the marketing of independent features and shorts.

From his office in London, Klein will manage sales in the United Kingdom and the empire and, in addition, will supervise operations of an office opened in Paris to serve the Continent. Solomon will handle sales for North, South and Central America and the Far East from New York and will also import for this market a number of foreign films. Klein is due in London tomorrow on the *Aquitania* with a number of pictures already acquired for the British and Continental markets.

Solomon, well known as an independent distributor, has opened new offices in the RKO Bldg.

Movietone Will Film Coronation in Color

London, Feb. 2.—Movietone News has secured exclusive Technicolor rights to the coronation procession and will shoot about 20,000 feet with this process and an equal amount with black and white.

Color experts and commentators for all countries will be imported.

The Technicolor deal has been hanging fire since last fall. It was discussed here by Truman Talley and S. R. Kent prior to their trip to London and the proposition was made to British authorities by them abroad at that time.

ANNOUNCING . . .

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PRECISION FILM LABORATORIES INC.

Television to Require Huge Sums--Gilman

San Francisco, Feb. 2.—"When it gets under way, television will require the largest investment any single industry has ever known," said Don Gilman, NBC vice-president in charge of west coast operations, addressing the Commonwealth Club here.

Gilman spoke extemporaneously in the absence of Major Lenox R. Lohr, NBC president, who was scheduled to attend the luncheon as guest of honor. The radio official was delayed by storms which held up the train on which he was traveling to this city from Denver.

One of the largest audiences the club has had gathered in the Palace Hotel in anticipation of Lohr's speech.

"Television is not just around the corner—it has rounded the corner," Gilman declared. "However, owing to the tremendous difficulties of offering it to the public in its present stage, NBC will not attempt to do so for some time."

Gilman vigorously denied that manufacturers of radio sets have opposed the introduction of commercial television. "I have yet to meet a manufacturer who would not gladly accept an opportunity to sell a brand new product at any time," he said.

Coordination the Problem

The lag between experimental and commercial operation of television Gilman ascribed to the fact that, unlike radio, in television both receiving and transmitting sets must be coordinated.

"Every single improvement in a television transmitter means rebuilding it, he said, adding: "Changes will follow one another rapidly during the next year or so, and every change means an entirely new receiving set if the image is to be picked up at all."

Excessive cost of television transmission was cited by the NBC vice-president as another major obstacle to be overcome before the new entertainment formula can be effectively worked out.

The coaxial cable, which he described as the only means by which television images can be carried by wires, costs some $15,000 per mile, Gilman said, adding that even in such short broadcasts as from New York to Philadelphia, construction of mid-way amplifiers was essential.

Gilman prophesied regular television broadcasts between New York and Washington "within a year or so," adding that later such broadcasts might be extended to Chicago, but would not operate at a greater range for some time to come."

Labor Leader Sues Seattle's Stations

Seattle, Feb. 2.—KOL (Columbia) and KOMO-KJR (NBC) are defendants in a suit by Dave Beck, northwest labor leader, asking $550,000 damages as a result of talks given over those stations some months ago during the *Post-Intelligencer* strike.

The Seattle Broadcasting Co., own-

(Continued on page 12)

More radio on page 12

Big Talent Lineup To Dedicate KFWB

Hollywood, Feb. 2.—With Dick Powell, Warren William and Al Jolson alternating as masters of ceremonies, Warners will present one of the greatest array of screen personalities to appear on a single radio program when KFWB Studios are dedicated here Feb. 15. The air dedication will last from 6 to 10 P.M. over the Southern California network and negotiations are now on for the entire coast, with the possibility of a national tieup.

Walter Winchell, George Jessel and Eddie Cantor in a skit with Ben Bernie will come in by remote control from the Ambassador Hotel, Los Angeles, to time with a playlet entitled "The Irish in the U. S." by Pat O'Brien, Alan Jenkins and Frank McHugh; a radio version of "Little Caesar" by Edward G. Robinson, a dramatic piece by Bette Davis with Leslie Howard or Warren William, and an air dramatization of "The Chain Gang" by Paul Muni. Other names appearing will be: Joan Blondell, Ruby Keeler, Eleanor Powell, Sid Silvers, Lila Lee, Jean Madden, Errol Flynn, Olivia De Haviland, Rosalind Marquis, Patricia Ellis, Sybil Jason and Eddie Peabody. Jack Warner will extend the dedication greeting, introducing Mayor Shaw.

A novel feature of the broadcast will be Harry Warner's greeting on film projected on screen in the new KFWB Studio Theatre simultaneously with his speech over the air.

The parade feature of KFWB talent will include Hall Wallis, Mervyn LeRoy, Sid Grauman, Harry Maislish, Connie Boswell, vocalist, and Leo Forbstein's Vitaphone Orchestra, James Melton and Beverly Roberts, with Leon Leonardi at the piano.

Colonels to Receive Flood Chain Letters

Chain letters will be sent out to all Kentucky colonels starting today by Louis K. Sidney for contributions for flood relief. The movement was started by WHN of which Sidney is in charge and Loew district managers throughout the country will cooperate. Each colonel receiving a letter will be asked to send it to another colonel. Sidney will act as treasurer.

Si Fabian has set aside Friday night for a huge benefit at the Fox, Brooklyn, under the sponsorship of Warners, Paramount and Fabian circuits, Michaels Bros. and WMCA also will take part in raising funds for the Red Cross.

Waring to Aid Boy Scouts

Fred Waring's band will be heard on the air Monday, Feb. 8, from 6 to 6:30 P. M., E.S.T., in a special program in behalf of the Boy Scouts of America. Waring is donating the services of his band without charge.

McLaglen to Enact "Sea Devils"

Victor McLaglen will offer re-enactments of scenes from his forthcoming picture "Sea Devils" on "Hollywood Hotel" Feb. 12.

Renews on Jack Benny

General Foods Corp., sponsors of the Jello program starring Jack Benny, renews the program for 44 weeks beginning Feb. 28. Young & Rubicam is the agency.

Music Ban May Aid Foreign Recordings

Chicago, Feb. 2.—The ban on music recordings by members put into effect this week by James C. Petrillo, head of the Chicago musicians' union, may boom European recording companies, it was indicated here. Radio stations which use recordings in early morning and late night musical programs will be faced with one of two alternatives by Petrillo's action.

They can hire more musicians and dramatic talent and replace their recorded shows with "live" talent, which is the union's hope, or they can use foreign recordings. The music czar grew irate when reports of the proposed importation of canned music reached his ears. Petrillo said: "If they dare to go that far, we'll take the matter to the President himself. Such talk is nonsense. The European bands cannot compete with American organizations in quality of music."

The World Broadcasting Co., Columbia-Brunswick Recording Co. and the RCA Victor Record Co., were major units hit by the ban. At WJJD and WIND it was pointed out that they were not hit directly by the ban.

WHK Silent on Union Charge of Censoring

The American Civil Liberties Union yesterday stated that no reply had been received from WHK, Cleveland, in response to a wire sent Monday charging the station with "repeated censorship" of broadcasts by officials of the Automobile Workers' Union, and the "unwarranted" termination of the broadcast contract with the union. The wire was addressed to H. K. Carpenter, director of WHK. The station is owned by the Radio Air Service Corp., in affiliation with the Cleveland *Plain-Dealer*, and is a member station of the CBS network.

The protest was prompted by letters received from listeners in the Cleveland area, according to the Civil Liberties Union, which charged specifically in its wire to the station that speeches prepared for broadcast by Steve Jenson, secretary of Local 45, United Automobile Workers, were repeatedly censored, and that Lewis Spisak, president of the local, was abruptly cut off the air while he was reading verbatim from a script that had already been censored and approved by the station.

The Civil Liberties Union has requested that the F. C. C. investigate the charges.

N. O. Judgment Voided

New Orleans, Feb. 2.—The judgment of $21,250 obtained by the Hello World Broadcasting Co., former operators of KWKH, against the present operators, International Broadcasting Co., was set aside here today by the state Supreme Court. In its dismissal the court declared the lower court jury obviously had erred in its application of both law and evidence. The suit involved an alleged violation of the contract of sale of the station.

H. V. McKee to Retain Post

H. V. McKee, radio director at Cecil, Warwick and Cecil, will remain with the agency for at least another four weeks, he stated yesterday. While he has received several attractive offers from other agencies, his plans are still indefinite, he said.

Radio Personals

BERNICE CLAIRE and Patti Pickens yesterday signed contracts with new managers. Rockwell-O'Keefe represent Miss Claire, while Harry Bestry will guide Miss Pickens . . . "My Maryland" will be offered by Jessica Dragonette on the "Beauty Box" program Feb. 10 . . . Charles LeMaire, featured on the fading "La Salle Fashion Show" program will remain on the air in an NBC sustaining show . . . Ronnie Ames, Fred Waring's press representative, flies to Miami tomorrow . . . Ruth Etting has been secured for "Showboat" Feb. 11.

◆

Bob Brenner, formerly of WHN, joins the announcing staff at WARD . . . Swor & Lubin, who received their air opportunity on the WPA "Professional Parade" program, will guest star on the RCA "Magic Key" program this Sunday. Others in the cast include Walter Damrosch, Fray & Braggiotti and Kirstin Thorborg . . . Al Donohue is now appearing in Boston, and is broadcasting over a Mutual wire . . . The Kirkman Soap program starring Jack and Loretta Clemens locally only over WABC, may go network shortly . . . Jack Landt, of the Landt Trio, will wed Ethel Foy in June . . . Jack Berch has recuperated from an attack of grip . . . Hal Kemp's band will play four college proms in the next month . . .

◆

CBS Artists Bureau has signed "The Debonaire," radio trio, and Hollace Shaw, to its management . . . Laurence Stallings will be the subject of Floyd Gibbon's interview on the Nash-Lafayette "Speedshow" Saturday . . . Bobby Dolan's band and Donald Dickson have been signed as permanent members of the Sealtest "Saturday Night Party" . . . Burgess Meredith will appear as the featured guest on Rudy Vallee's program Feb. 11 . . . Gina Cigna who makes her American debut with the Metropolitan Opera this Saturday, will appear as guest soloist with the General Motors Symphony Orchestra the following evening, Feb. 7 . . . Mutual is reviving one of radio's earliest successes, "Red Lacquer & Jade," this Sunday at 10:30 P. M., E.S.T. . . . Charles Dornberger's orchestra will furnish the music on Phil Baker's two broadcasts from Miami, Feb. 14 and 21 . . .

All Mutual Officers Reelected by Board

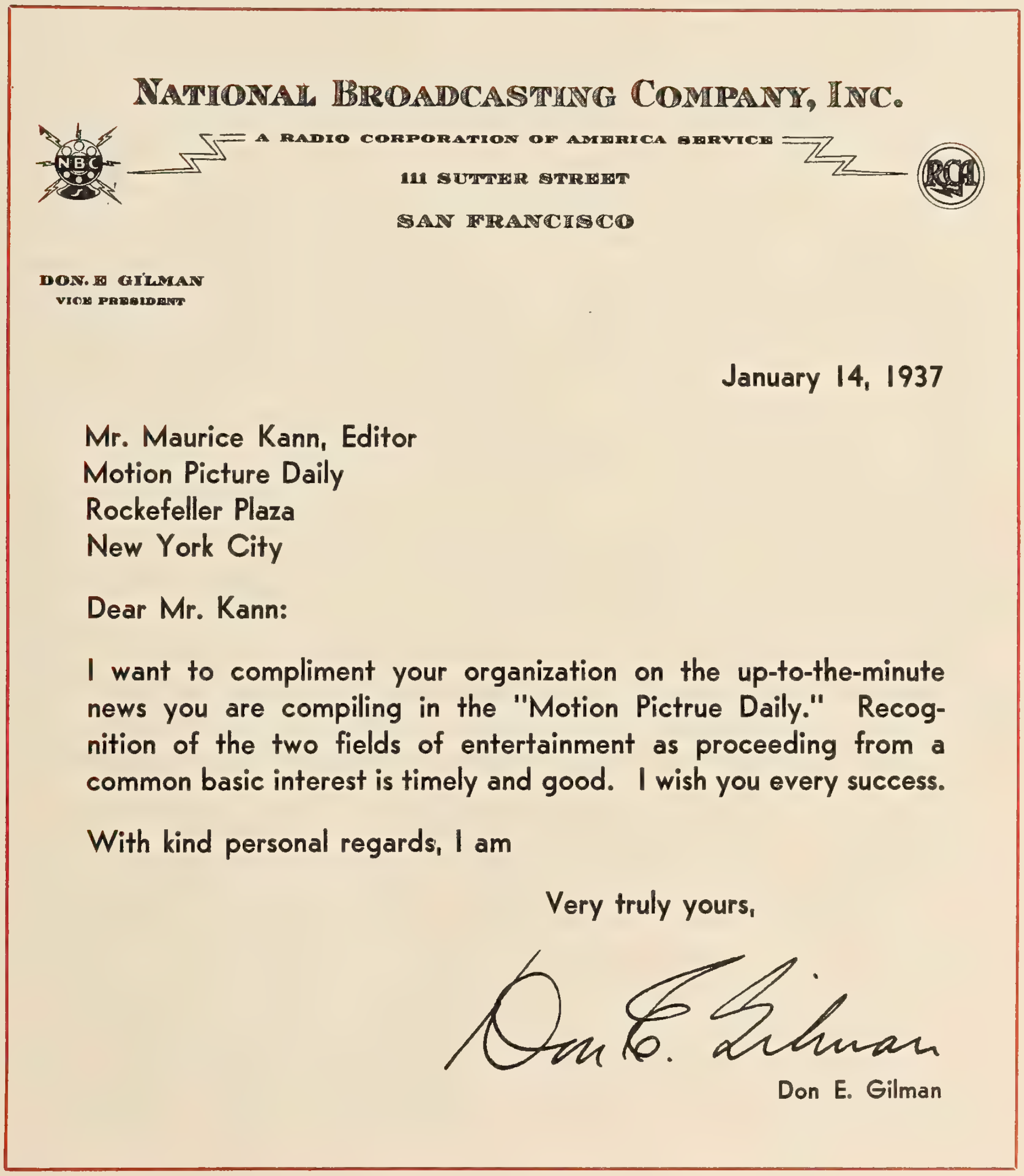
Chicago, Feb. 2.—All officers of the Mutual Broadcasting System were reelected at a meeting of the board at the Palmer House here today. Those re-elected are W. F. MacFarlane, president; Alfred J. McCosker, chairman of the board; B. M. Antrim, treasurer; Theodore Streibert, vice president, and Fred Weber, general manager.

Additionally, a general sales meeting of the Mutual staff is now in session here. Sales plans for the coming year will be announced after tomorrow's meeting.

Raymond, Sten in "Graustark"

Gene Raymond and Anna Sten will star in a radio version of "Graustark" in the Lux "Radio Theatre" offering next Monday.

Radio Acceptance



National Broadcasting Company, Inc.
A RADIO CORPORATION OF AMERICA SERVICE
111 SUTTER STREET
SAN FRANCISCO

DON. E GILMAN
VICE PRESIDENT

January 14, 1937

Mr. Maurice Kann, Editor
Motion Picture Daily
Rockefeller Plaza
New York City

Dear Mr. Kann:

I want to compliment your organization on the up-to-the-minute news you are compiling in the "Motion Pictrue Daily." Recognition of the two fields of entertainment as proceeding from a common basic interest is timely and good. I wish you every success.

With kind personal regards, I am

Very truly yours,

Don E. Gilman

Don E. Gilman

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

Radio

Labor Leader Sues Seattle's Stations

(*Continued from page* 10)

ers of KOL, together with Hearst Publications, Inc., are defendants in one complaint that asks $300,000, or $25,000 each for 12 talks broadcast under Hearst auspices over KOL between Aug. 19 and Sept. 4, 1936. The other complaint, against Hearst Publications and Fisher's Blend Station, Inc., owners of KOMO and KJR, asks $250,000 for 10 talks between Aug. 17 and 20, 1936.

The complaints state that the talks "held up to public scorn" Beck's reputation "for honesty and integrity" and thus jeopardized his position as an international official in the Teamsters' Union.

Fight Sale of KTHS

HOT SPRINGS, ARK., Feb. 2.—Chancellor Frank Dodge, sitting as a special judge, opened the hearing on an original suit filed by members of the Chamber of Commerce here to prevent the sale of KTHS to Col. T. H. Barton of El Dorado. The local station was sold several months ago. The Chamber of Commerce adopted resolution repudiating the contract and made their officers party plaintiffs.

Philadelphia Helps Louisville

PHILADELPHIA, Feb. 2.—In response to an urgent request from WHAS, Louisville, Donald Withycomb, WFIL general manager, dispatched a mobile unit carrying short wave transmitters to the stricken station. Carrying 300 pounds of radio equipment, Frank V. Becker and George Brazee comprised the unit who worked throughout the night with WHAS engineers setting up a short wave contact between the WHAS studios and transmitter to replace telephone lines which were in danger.

Celebrate Block Anniversary

WNEW's "Make Believe Ballroom's" 12 sponsors will stand by tomorrow for Martin Block's celebration of the second anniversary of the two and a half hour daily program. The anniversary will be celebrated by a party at the studio tendered to the press and leading bandleaders whose recordings are featured on the "Ballroom."

Sponsors of the "Make Believe Ballroom" include Kreuger Brewing Co., 20 Grand cigarettes, Roxy Clothes, Tappins Jewelry, Alkine Laboratories, Bond Street Tobacco, Kopper's Coke, Canadian Fur Trappers, Schottenfeld's Carpets, Journal of Living, and the Lander Co.

WCAU Broadens Out

PHILADELPHIA, Feb. 2.—In an effort to service rural listeners while the city sleeps, WCAU now opens its broadcasting day at an earlier hour. The new schedule has the station operation starting at 6:45 A.M. to 1 A.M. For the past two years, it started the day at 7:15 A.M. Programs providing farm news and rural-spun philosophy and songs are being aired for the new early morning listeners.

"Earth" Opening Is Heard in Shanghai

(*Continued from page* 1)

WHN to WXLB at Shanghai by short wave.

WHN handled the local proceedings with Henry E. Gellerman, American representative of the *China Press* which operates WXLB talking directly for transmission to Shanghai through the WHN "mikes" in the theatre lobby. Gellerman spoke both in Chinese and in English.

Jay C. Flippen, Louis K. Sidney and Radie Harris interviewed theatrical, social and film luminaries in the lobby of the theatre while the usual crowds eyed the proceedings with gusto. The entire facade of the theatre was illuminated by floodlights. The show started at 9 P. M., and ended at 11:25.

Among those present were: Barney Balaban, Stephen Pallos, Fanny Hurst, W. Ward Marsh, Robert Nathan, Marcia Davenport, Marc Connelly, Katharine Brush, Dr. Cyrus Peake, Christopher Morley, Joseph Calleia, Ernest Toller, Philip Jaffe, Saul Rogers, Leon Netter, Clifton Webb, Morris Gest, Harry Hirschfield, Dave Chatkin, Al Lichtman, William F. Rodgers, William Melniker and a host of other home office executives.

"Ma Perkins" Twice Daily

"Ma Perkins," broadcast Mondays through Fridays at 3:15 P. M., E.S.T. on the NBC-Blue, will be heard each morning over the Blue network at 10:15 A. M., E.S.T. in addition to the afternoon broadcast, effective Monday. It will be one of the few daytime programs to be broadcast twice a day.

Stations which will carry the serial in the morning are: WLS, Chicago; WJZ, New York; WBZ, Boston; WBZA, Springfield; WBAL, Baltimore; WSYR, Syracuse; WHAM, Rochester and KDKA, Pittsburgh.

The serial is sponsored by Procter and Gamble in the interest of Oxydol. Blackman & Co. is the agency.

Crosley Aids on Policies

CINCINNATI, Feb. 2.—Group insurance, including life, sickness and accident protection, by which practically all employes of the Crosley Radio Corp. are covered, will be maintained in force for 60 days at the company's expense for those employes who have been deprived of work by the flood, it was revealed by Powel Crosley, Jr., president.

Broadcasting Flood Bulletins

DES MOINES, Feb. 2.—Dale Morgan, announcer, and Marvin Myer, radio engineer for KSO and KRNT, are in Sikeston, Mo., where they are awaiting the crest of the flood, interviewing refugees and broadcasting the interviews by battery-operated remote amplifiers at frequent periods.

WHO Promotes Bondurant

DES MOINES, Feb. 2.—Hale Bondurant, assistant sales manager of WHO since 1932, has been promoted to sales manager. He will have supervision of national and local advertising.

Levine Quits Presidency of Republic Prod.

(*Continued from page* 1)

to have had some bearing on the friction which developed between the company's executives.

Levine will remain at Republic for the next two months in order to complete productions which have already been started, after which he will leave for a vacation of four months. "Hit Parade" is among the films scheduled for completion by the executive.

In a farewell statement today Levine expressed his appreciation of the opportunity afforded him to work with those who have been his associates at Republic.

Impending changes in the executive personnel of Republic were predicted exclusively by MOTION PICTURE DAILY several weeks ago.

Attorney Objects to Proposed Roxy Plan

(*Continued from page* 1)

of other companies might make more money. He also contends that holders of the new bonds should not be limited to fixed interest rates in view of the prospect for increased profits during the World Fair.

A hearing on the plan is to be held by the court March 5.

Arrested on Game Charge

WINDSOR LOCKS, CONN., Feb. 2.—After stopping Bank Night at the Rialto, state troopers were instrumental in having manager David Magliora and his assistant, Joseph Tria, summoned to Town Court for violation of the lottery law. The test case is scheduled for early hearing. The public has expressed indignation at the arrest, desiring the continuance of Bank Night.

B. N. to High Court in Louisiana

NEW ORLEANS, Feb. 2. — With Bank Night declared a lottery by two lower courts, the Supreme Court of the state now has the question under consideration, with a decision expected shortly.

Conn. Town Bans Bingo

WEST HARTFORD, CONN., Feb. 2.—Bingo is now banned here, as well as in Bridgeport. It continues in New Britain under sanction of the prosecutor.

Savannah Taxes $3,390

SAVANNAH Ga., Feb. 2.—Amusement taxes paid by film enterprises of this city for the month of January totaled $3,390. Of this sum, White Theatres paid $2,965.53.

For the first 11 days of the month a 10 per cent gross revenue tax was levied. For that period White Theatres paid $1,642.80. Effective Jan. 12 the tax was reduced to two per cent with a minimum charge of one cent on each ticket.

N. O. to Get Stage Show

NEW ORLEANS, Feb. 2.—Stage shows are to be tried by Miles Pratt at the St. Charles starting Friday.

Wanger Will Test 5 From Group Theatre

Five performer members of the New York Group Theatre left by train last night for the coast, where they will be given screen tests by Walter Wanger, with contracts to follow if they are acceptable, it was learned yesterday. The five are Morris Carnovsky, Luther Adler, Ruth Nelson, Phoebe Brand and Roman Bohnen.

The five, if acceptable, will work in Hollywood for only three months, it was indicated, returning here for the summer play season. It was said it is possible that Wanger may assist the Group Theatre in raising the $100,000 needed for the group to carry on. A definite tieup between the Group and Wanger was described as possible, as well. Cheryl Crawford, a director of the theatre unit, will return tomorrow from the coast, where she arranged the trip for the five players. The Group's managing director, Harold Clurman, now in Hollywood, is under a three-month contract as assistant to Wanger, with an additional three-month option. The players would fall under the three-way player arrangement existing among Wanger, David O. Selznick and Samuel Goldwyn.

Brandt Picks Aides For Dinner to Zukor

William Brandt, chairman of the committee, has invited 14 prominent local exhibitors to serve with him in handling details for the dinner to be tendered Adolph Zukor on March 27 at the Waldorf in celebration of Zukor's silver jubilee. Many national political and social figures in addition to an array of stars will be on the dais.

The theatre men who will lend their support will include W. G. Van Schmus, Howard S. Cullman, Charles C. Moskowitz, George P. Skouras, Nate J. Blumberg, A. H. Schwartz, Samuel Rinzler, Laurence Bolognino, Simon Fabian, Walter Reade, Leo Brecher, Harry Shiffman, Joseph Bernhard and Louis F. Blumenthal.

Skouras Will Visit Balsdon at Hospital

LOS ANGELES, Feb. 2.—Spyros Skouras plans to visit George Balsdon National Theatres booker, at St. Joseph's Hospital, Stockton, within the next day or so before leaving for New York.

Balsdon is in a serious condition as a result of an auto accident last week. His family is due from the east tomorrow.

William T. Powers, Edward Zabel, Milton Hossfeld and Irving Barry are expected to accompany Skouras to New York.

Hawkins to Columbia As Scenario Editor

William W. Hawkins, Jr., eastern scenario editor for Samuel Goldwyn, has resigned effective Feb. 13 to join Columbia in a similar post. He has been with Goldwyn for a year. Mrs. Beatrice Kaufman will assume the editorial title.

Hawkins succeeds William C. Lengel.

Joe Bigelow of *Variety* on Monday joins the editorial ranks of Goldwyn. He will head for Hollywood on Friday to confer with Goldwyn.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 29 NEW YORK, THURSDAY, FEBRUARY 4, 1937 TEN CENTS

Europe Leads World Gain in Sound Houses

Increase of 1,251 in '36 Makes Total 29,207

WASHINGTON, Feb. 3.—Europe again made the greatest gains in the number of sound theatres throughout the world in 1936, according to a further breakdown of world theatre figures compiled by Nathan D. Golden, chief of the M. P. Section of the Bureau of Foreign and Domestic Commerce. Sound houses in 28 European nations totaled 29,207, an increase of 1,251 over 1935, with its 27,956, this source reveals. Germany led with 5,271 sound spots in 1936, as compared with 4,780 in 1935, or an increase of 491.

A five-year comparison of sound theatres throughout the world appears on pages 3 and 10 today.

The United States was second in point of gain with an advance of 880, Golden's figures showing that the domestic market had 16,258 theatres wired at the beginning of 1937 as against 15,378 at the outset of 1936

(*Continued on page* 3)

Review Board Opens Meeting Here Today

The National Board of Review will open its 13th annual conference today at the Hotel Pennsylvania. Occupying three days, the meeting will conclude with the 22nd annual conference luncheon on Saturday. "Looking Backward and Forward at the Motion Picture" is the theme of the conference.

The session today will open with attendance at a showing of "The Eternal

(*Continued on page* 3)

Dembow to Detroit To Open New Branch

Sam Dembow, Jr., leaves for Detroit today to open another in the rapidly-growing link of National Screen and National Screen Accessories branches which ultimately will total 25. The Detroit office opens Friday after which Dembow will go to Minneapolis.

Dallas is operating, Kansas City opens the end of February while St. Louis and New Orleans are in line.

Yesterday's Radio—Pp. 8-9

Attacks Film, Air Measures In the House

Hits Cost of Creation of New Agencies

By BERTRAM F. LINZ

WASHINGTON, Feb. 3.—Warning that no reduction in Governmental expenditures can be attained unless the members of Congress cease to press for the creation of new agencies for special purposes, Representative Dirksen of Illinois today attacked film and radio legislation pending in the House.

Dirksen directed his remarks particularly to the Culkin bill to set up a film commission of five or seven members at $9,000 a year each, to supervise and censor pictures entering interstate commerce, and the Celler bill for a Government broadcasting station.

"I got quite a kick out of reading

(*Continued on page* 3)

Cincy Waters Fall; Theatres Still Dark

CINCINNATI, Feb. 3.—With the Ohio river registering 68 feet from its 80-foot crest, but still 13 feet above flood level, and receding rapidly, Cincinnati gradually is returning to a semblance of normalcy.

One of the city's partially rehabili-

(*Continued on page* 4)

Committees Named For Flood Benefit

Committees were appointed yesterday for the elaborate benefit show for flood relief funds to be held at the Music Hall Feb. 11. The show will run from midnight to 2 A. M., with a lengthy list of stage and screen stars already having volunteered their

(*Continued on page* 4)

Booked Solid

Indianapolis, Feb. 3.—Jack Finkelstein approached Jack Friedman, operator of the Avalon, asking:

"What are you going to do about Social Security?"

"Listen, I'm booked solid now with Bank Night, Dish Night and double features. No room for Social Security," was the reply.

ITOA Plans to Seek Injunction on Loew

The I.T.O.A. will seek an injunction against Loew's and all exchanges serving the Loew circuit houses in New York, in an effort to prevent the continuance of the new split week policy adopted recently by the circuit, Harry Brandt, president, told members at a meeting at the Astor yesterday.

The new Loew policy, the subject of strenuous objection by the I.T.O.A., calls for the playing of "A" product during a five-day weekend, as against the four-day weekend previously in effect.

No mention was made by Brandt of the pending union agreement among the Allied Union, the I.T.O.A. and Local 306, which is understood to be practically ready for signatures. It is expected the agreement will be signed in a day or two, and become effective next Monday. It was indicated in one source that the agreement might be signed today.

Expect $50,000 for "Three Smart Girls"

"Three Smart Girls" is expected to wind up a second week at the Roxy tonight with approximately $50,000. The first week's business was close to $60,000. The Paramount finished its third week of "The Plainsman" with $28,000. Ray Noble and his

(*Continued on page* 3)

Lesser Sets Maxwell Deal; Two Boats Bring Film Folk

Sol Lesser has a signed deal with John Maxwell whereby B.I.P. will release three Richard Arlen outdoor features in England this season, the producer stated yesterday on his arrival on the *Berengaria* after a month's trip to Vienna, Paris, London and St. Moritz.

While in Vienna he consummated negotiations with Oscar Straus, 60-year-old composer, to write music for two pictures, one of which will be Bobby Breen's next. Straus will arrive Feb. 17 on the *Champlain*. Lesser denied he will import Dr. Franz Hochstrater's peasant choir from Austria, stating that Ben Goetz recently signed the singers. Lesser plans to leave for Hollywood on Monday.

Returning on the same boat were Marlene Dietrich, who brought her

(*Continued on page* 10)

Expect Start Of New Boards In Two Weeks

Philadelphia May Have First Conciliators

The first of the local conciliation boards to be set up under the M.P.T.O.A. 10-point trade practice program with distributor cooperation may be organized within the next two weeks, with present indications pointing to Philadelphia as the first exchange territory to complete the establishment of a local board, it was learned here yesterday.

Exhibitors in Seattle, St. Louis and Charlotte, as well as in Philadelphia, are understood to be prepared to join with branch managers for their territories in setting up local boards in the near future. Exhibitors in each of the four cities already have expressed their willingness to cooperate in the formation of a board, and in all but St. Louis, exhibitors' grievance committees are in existence and are readily adaptable for conciliation board work. Philadelphia, however, is farthest along with its plans, according to report, and for this reason is expected to establish the first of the boards. Moreover, the Philadelphia territory is regarded as an ideal test situation in which to determine the usefulness

(*Continued on page* 10)

Chase Bank Sells More of 20th-Fox

WASHINGTON, Feb. 3.—Further sale under escrow agreements of 429 shares of 20th Century-Fox common and 858 shares of $1.50 cumulative preferred stock by the Chase National Bank in December was reported today by the Securities and Exchange Commission. At the close of the month, the bank still held 352,347 shares of common and 704,694 shares of preferred.

A November report filed by Sidney

(*Continued on page* 3)

Rock, Toeplitz to Produce for Dixey

LONDON, Jan. 26.—It was revealed at a private dinner of directors and supporters of the Dixey plan at the Mayfair Hotel that Ludovico Toeplitz will make films for distribution by the Independent Exhibitors' Distribution Co., Ltd., using British casts

(*Continued on page* 10)

Last Night's Play — P. 10

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Finish 111 Features During Three Months

HOLLYWOOD, Feb. 3.—A total of 111 productions were completed during the three-month period from Oct. 1 to Dec. 31, 1936, by 16 producers, according to the latest Academy Technical Credits Bulletin, just issued. The total represents the year's production peak, 109 having been finished in the third quarter, 81 in the second and 92 in the first.

Individual credits for 421 technicians are included in the bulletin. The production breakdown is as follows: Columbia, 12; Cosmopolitan, 1; Larry Darmour, 4; Douglas MacLean, 1; Major, 1; M-G-M, 8; Paramount, 9; Republic, 17; Radio, 13; Samuel Goldwyn, 2; B. P. Schulberg, 2; Selznick International, 1; 20th Century-Fox, 19; Universal, 7; Walter Wanger, 1; Warners, 13.

Warners Buy Buildings

Interstate Theatre Corp., a subsidiary of Warners, has purchased the two tenement buildings adjoining the home office on West 44th St.

No extension of the home office structure nor building of any kind is contemplated for the time being, according to Samuel Carlisle, comptroller and assistant treasurer of Warners.

Purely Personal

BARNEY BALABAN and HARRY EDDINGTON, GRETA GARBO's agent, pow-wowed together at the Tavern during lunch hour yesterday. GEORGE O'BRIEN was there with CHARLES CASANAVE and JOE MOSKOWITZ had BOB GOLDSTEIN for company. SAM COCALIS, BILL SCULLY, CHARLES MOSES, JOE HORNSTEIN, HENRY BROWN, NAT COHN and MITCHELL KLUPT occupied the Monday Knighters round table. JOHN MONK and FRED FINKELHOFE, authors, and GAR KANIN, producer of "Brother Rat," talked about plays. The Fox Movietone crowd included TRUMAN TALLEY, LEW LEHR, RUSSELL MUTH, ED THORGERSEN, LOWELL THOMAS and others. A. W. SMITH, JR., HARRY D. BUCKLEY and GEORGE W. TRENDLE celebrating the signing of United Detroit Theatres for U. A. product. DAN FRANKEL and A. P. WAXMAN chatted together, while SAM KRELLBERG and I. PERSE made another twosome. Spotted at other tables were HARRY THOMAS, BUDD ROGERS, AL FRIEDLANDER, J. K. CHAPMAN, HAL HODE, CHARLES CURRAN, RODNEY BUSH, STANLEY TRUE, BEN BLUMBERG, EMIL JENSEN, ARTHUR GOTTLIEB, ROBERT BENJAMIN and JACK HOFFBERG.

•

GEORGE HARVEY has joined United Artists to handle special advertising and publicity in connection with the GEORGE J. SCHAEFER sales drive.

•

ROBERT SCHLESS, general manager for Warners in Europe, will leave Saturday on the *Paris*. He has been in this country for a month.

•

STEPHEN PALLOS will return to Miami today to resume his vacation where he left off earlier in the week. He will be back next Tuesday.

•

MYKE LEWIS, western division sales head for Paramount, will leave by plane today for Hollywood.

•

WILLIAM SHAPIRO, who is associated with SOL LESSER, plans to return to the coast Feb. 15.

•

BEN KNOBLE will reopen the U. S. in the Bronx tomorrow under the name of Decatour.

•

MILT KUSELL is due back today from Buffalo.

BRUCE GALLUP, former director of publicity and advertising for United Artists and Columbia, has been signed by FENN KIMBALL, president of General Pictures, to handle the company's first effort, "Three Legionaires."

•

EDWARD PESKAY, general sales manager for Grand National, is in Hollywood conferring with EDWARD L. ALPERSON, president. JAMES WINN, western division manager, is now in Los Angeles.

•

DOUGLAS FAIRBANKS, JR., will arrive in New York Feb. 17 on the *Aquitania* en route to the coast to appear in "The Prisoner of Zenda" for DAVID O. SELZNICK.

•

DAN D. HALPIN, assistant chairman of the board of Dictograph Products Co., Inc., in charge of sales and advertising, has been elected a vice-president.

•

SAM J. SHUMER formerly with 20th Century-Fox, has been named eastern story editor, succeeding SIDNEY BIDDELL, who is now assistant to E. L. ALPERSON at the studios.

•

HOWARD A. ZEIMER, head of the theatre department of S. Appel & Co., theatrical costumers, has just returned from an inspection trip through the south.

•

GLEN MACWILLIAMS, G. B. cameraman, has hired a staff of local photographers to shoot background material for "Non Stop New York."

•

STEPIN FETCHIT, who recently finished work in "On the Avenue," is in town getting ready to start a four-week personal appearance tour.

•

BEULAH LIVINGSTONE of the Universal publicity department has returned from an exploitation trip that took her to Philadelphia, Washington and Baltimore.

•

GEORGE O'BRIEN, Radio player, left by plane for the coast yesterday on a call from the studio.

•

GEORGE W. WEEKS, G. B. general sales manager, is holding a series of conferences at Chicago, Milwaukee, Minneapolis, Kansas City and St. Louis.

•

HERMAN G. WEINBERG, director of publicity for the 55th St. Playhouse, has been named American editor of *Film Art*.

•

HELEN CLARKSON, tour director for the late Mme. Schumann-Heink, has joined the staff of Jam Handy in Detroit.

•

KATHERINE BROWN of the New York Selznick International office will leave for the coast today to confer with DAVID O. SELZNICK.

•

A. EDWARD SUTHERLAND, director of "Champagne Waltz," has left for Hollywood following a brief New York vacation.

•

MAX NOSSEK, European director, arrived yesterday on the *Berengaria*, en route to Hollywood.

•

W. WARD MARSH of the *Cleveland Plain Dealer* is planning to stay in town for another week.

•

HENRY WILCOXON, TULLIO CARMINATI and BRIAN AHERNE are aboard the eastbound *Bremen*.

•

FRITZ LANG plans to remain in town for another week or so before returning to Hollywood.

•

SAM SPRING returns today from a Washington business trip.

•

JOE GALLAGHER of Shlyen Publications is seriously ill at his home.

Pettijohn Lines 'em Up

An incident in connection with the visit of film personalities to Washington last weekend in connection with the President's birthday celebrations came to light here yesterday.

On Saturday, Mrs. Roosevelt entertained at luncheon in the White House for the group, which included Jean Harlow, Robert Taylor, Mitzie Green, Marsha Hunt, Maria Gambarelli and Frederick Jagel, the latter two of the Metropolitan Opera Co., and C. C. Pettijohn of the M.P.P.D.A. Following the luncheon, the visitors were escorted on a tour of the White House by Mrs. Roosevelt and, while making their way from the third to the second floor of the Executive Mansion, it was discovered that Taylor and Pettijohn were missing from the party.

Marvin McIntyre, the President's secretary, retraced his steps to search for them. He encountered the two surrounded by an admiring group of colored maids of the White House staff, all of whom apparently had been rounded up by Pettijohn who was busy introducing them individually to Taylor, who, in turn, was being kept busy supplying autographs.

"I think," Mrs. Roosevelt remarked when apprised of the situation later. "that it was a very thoughful thing for you two to do."

"Only the expected thing." McIntyre observed. "Pettijohn has never yet overlooked the colored vote."

George Balsdon Gains

LOS ANGELES, Feb. 3.—After being in a coma for five days, George Balsdon, booker for National Theatres, is responding to a few questions at St. Joseph's Hospital, Stockton. His condition as a result of injuries sustained in an auto crash last Thursday is still regarded as serious with signs of recovery reported to be good.

Sumner Gambee, vice-president of the circuit, also is in the same hospital with internal injuries. He is expected to be discharged in 10 days.

Spyros Skouras, William T. Powers, Edward Zabel, Milton Hossfeld and Irving Barry, who accompanied George Balsdon and Sumner Gambee to the coast, are scheduled to return Monday.

McCarthy Improves

HOLLYWOOD, Feb. 3. — Hospital bulletins report J. J. McCarthy as being slightly improved.

Miss Peterson at Ampa

Dorothy Peterson, who was the nurse in "The Country Doctor," will be one of the guests at the Ampa luncheon tomorrow at the Edison. Gordon White will be unable to attend as Mrs. White is recovering from a serious illness.

Cukor Honored in Rome

ROME, Feb. 3.—George Cukor was honored here yesterday at a reception. The American director was enthusiastically greeted by much of fashionable Rome and press critics.

Europe Leads World Gain in Sound Houses

(*Continued from page* 1)

and these are the Film Board of Trade figures, incidentally.

Third in the rating was Latin America, with 3,338 theatres sound equipped in 1935. The 1936 aggregate was 4,068, a gain of 730.

The Far East was fourth in gain, but third in total. There, Golden reported 3,712 sound houses in 1935 and 4,384 in 1937, the increase being 672.

Canada ran fifth with 833 for 1935 and 1,033 for 1936, a gain of exactly 200.

Africa and the Near East brought up the rear with an increase of 130. Those territories had 480 in 1935 and 610 in 1936.

Review Board Opens Meeting Here Today

(*Continued from page* 1)

Mask" at the Belmont this morning and an address by Dr. A. A. Brill. Pearl S. Buck, author of "The Good Earth," will speak at the afternoon session at the Pennsylvania on "What Censorship Meant and Means." Other afternoon speakers include Albert Howson of Warners, on "The Coming of Sound"; Truman Talley of Fox Movietone News, on "The Growth of the Newsreel," and others. Wilton A. Barrett, secretary of the National Board, will preside.

At this evening's session, which will be held in the auditorium of the School of Education of New York University, the subject will be "The Old and the New in Motion Pictures." Two films, "Queen Elizabeth," of 1912, and "Maid of Salem," produced this year, will be shown, and Terry Ramsaye, editor of *Motion Picture Herald,* will speak on "The Drama of Adolph Zukor." Another address will be made by Prof. Allardyce Nicoll of the Drama Dep't of Yale. Frederick M. Thrasher of N. Y. U. will preside.

Expect $50,000 for "Three Smart Girls"

(*Continued from page* 1)

orchestra comprised the stage attraction. "Champagne Waltz" is now current there with Fred Waring and his Pennsylvanians taking the stage spotlight.

"Criminal Lawyer" garnered about $6,800 at the Rialto. "Robber Symphony," now in its second week at the Venice, will move to the Belmont on Monday.

China Gets Reviews

Chinese newspapers have cabled the United States for a complete set of press reviews on "The Good Earth," following the opening at the Astor here, according to M-G-M. The reviews were sent yesterday.

Columbians Get Aaronson

Irving Aaronson and His Commanders will furnish music for the Columbian Club ball at the Waldorf Astoria Feb. 13. Screen and radio personalities will be included in the entertainment program.

Sound Theatres Throughout World

Territory	*Grand Total 1936*	*Grand Total 1935*	*Grand Total 1934*	*Grand Total 1933*	*Grand Total 1932*
Europe	29,207	27,956	23,460	20,934	17,822
United States	16,258	15,378*	10,143	15,000	14,000
Far East	4,384	3,712	3,362	2,539	2,147
Latin-America	4,068	3,338	2,783	2,208	1,830
Canada	1,033	833	710	710	777
Africa, Near East	610	480	411	432	379
Total	55,560	51,697	40,869	41,823	36,955

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*Based upon trade estimates.

Sound Theatres in Europe

Country	*1936*	*1935*	*1934*	*1933*	*1932*
Germany	5,271	4,780	4,489	4,000	3,700
England	4,950	4,712	4,608	4,414	4,228
France	3,900	3,300	2,900	2,550	1,450
Italy	2,800	2,724	2,095	1,079	1,000
Russia	2,285†	3,000†	1,800*	2,000	3,000
Sweden	1,641	1,581	843	750	750
Spain	1,600	1,550	1,333	1,500	500
Czechoslovakia	1,343	1,343	1,025	818	640
Belgium	740	725	650	400	250
Austria	692	706	650	570	435
Poland	657	467	428	353	110
Hungary	385	362	315	267	198
Denmark	352	312	325	303	200
Switzerland	328	330	310	302	200
Rumania	350	298	300	350	165
Netherlands	297	291	252	240	233
Yugoslavia	263	246	174	184	100
Norway	240	205	204	175	107
Finland	210	214	120	120	111
Irish Free State	190	160	...	...	...
Portugal	180	170	168	107	88
Greece	140	112	107	100	70
Latvia	98	86	107	87	56
Bulgaria	89	89	88	109	109
Turkey	93	85	60	52	37
Esthonia	55	54	58	44	39
Lithuania	44	43	44	53	46
Albania	14	11	7	7	...
Total	29,207	3,712	3,362	2,539	2,147

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*Includes all halls, converted churches and other local places of exhibition.

†Includes urban, rural theatres, both those equipped with stationary and portable projectors where motion pictures are shown.

Sound Theatres in Far East

Country	*1936*	*1935*	*1934*	*1933*	*1932*
Australia	1,420	1,334	999	999	1,050
Japan	1,237	827	877	450	216
New Zealand	610	435	366	324	306
India	600	500	506	340	220
China	183	178	157	120	90
Neth. India	172	192	172	131	104
Philippines	148	121	127	105	105
British Malaya	96	57	50	36	28
Straits Settlements	..	..	48	..	..
Fr. Indo-China	50	18	18	18	12
Chosen	29	24	24	..	..
Siam	22	10	12	12	6
Ceylon	14	10	9	7	6
Fiji Islands	3	3	3	3	2
Society Islands	3	3	3	3	2
Total					

Sound Theatres in Latin-America

Country	*1936*	*1935*	*1934*	*1933*	*1932*
Brazil	1,170	906	800	525	330
Argentina	1,000	1,000	600	542	580
Mexico	402	220	350	265	265
Cuba	300	225	150	131	123
Peru	180	122	85	77	40
Chile	159	150	148	160	85
Colombia	150	120	120	60	30
Uruguay	124	122	118	110	110
Venezuela	111	85	75	44	24
Porto Rico	100	100	93	87	87
Panama	47	44	36	25	25
Costa Rica	36	35	26	26	9
Ecuador	34	31	27	22	20
Honduras	29	29	14	18	10
Salvador	27	24	24	11	7
Guatemala	25	17	16	12	9
Nicaragua	25	23	15	14	12
Dominican Republic	23	21	13	14	15
Bolivia	19	19	20	19	8
Trinidad	19	17	...	...	...
British Guiana	23	2	2	2	1
French West Indies	15	...	...	...	...
Jamaica	15	14	14	8	3
Bermudas	8	9	9	9	13
Paraguay	6	5	5	6	4
Haiti	6	5	5	3	2
Neth. West Indies	6	5	2	2	1
Bahamas	5	4	4	4	5
Barbados	3	3	...	...	...
British Honduras	1	1	1	1	1
British West Indies	...	...	11	11	11
Total	4,068	3,338	2,783	2,208	1,830

(*Africa and Near East on page* 10)

Attacks Film, Air Measures In the House

(*Continued from page* 1)

that bill and as what would constitute an acceptable picture and what pictures would be banned," he said, referring to the Culkin measure. "One of the many restrictions cited in his bill was any picture in which there was a prolonged expression of passionate love. When you take the clerks, stenographers, censors and artists that would be necessary to administer it, the salary of the five members of the commission would be nothing, because later you would have a huge number to administer it and they would be asking for $1,000,000 or $2,000,000 to carry out this censorship."

Chase Bank Sells More of 20th-Fox

(*Continued from page* 1)

R. Kent showed acquisition by his Berkshire Finance Company of 6,355 shares of 20th Century-Fox common in exchange for 5,048 shares of the $1.50 preferred.

Reports on Warner Brothers stock showed the sale in December of 500 shares of common by Joseph Bernhard, New York, who at the end of the month held 500 shares of common and 8,000 six per cent optional convertible debentures; the disposition, by gift, of 700 shares of common by Samuel Carlisle, New York, who held 1,500 shares at the end of the month; disposition, by gift, of 32,500 debentures by H. M. Warner, who at the close of the month held 1,436,500 debentures, 62,860 shares of common and 10,618 shares of $3.85 cumulative preferred, with another 4,786 shares of the latter held by his holding company; and the disposition, by gift, of 65,000 debentures by Jack L. Warner, who at the end of the month held 1,652,000 debentures, 88,060 shares of common and 10,618 shares of preferred, with another 5,786 shares of the last in the hands of his holding company.

Disposition, by gift, of 100 shares of Loew's common was reported by David Bernstein, New York, whose holdings at the close of the year were 1,790 shares, and acquisition of 15,000 shares of Grand National common was reported by Edward L. Alperson, New York, bringing his holdings to 35,946 shares.

Back reports on Columbia Pictures filed by Harry Cohn showed the acquisition in August, 1936, of 37 shares of common; sales of 6,000 common voting trust certificates in April, 700 in June and 1,400 in July, and acquisition of 1,723 in August; and the sale in April of 6,000 purchase warrants and acquisition in August of 585 in an adjustment for dilution.

Trendle Takes U.A. List

George W. Trendle, head of United Detroit Theatres, yesterday signed for United Artists complete lineup. This is one of the important deals lined up in connection with the George J. Schaefer sales drive. Trendle plans to return to Detroit today.

Gov. Davey Studies Ohio Flood Taxation

COLUMBUS, Feb. 3.—Retracting his previous pronouncement of "No more taxes," Governor Davey is having his special flood taxation committee prepare a list of additional sources of revenue to provide for the estimated $20,000,000 required for flood emergency relief.

It is understood that an additional one-cent tax on liquid fuel, or the temporary broadening of the sales tax are being advocated to produce the necessary funds.

Although no information has been disclosed on how the additional sales tax would operate, it is estimated that $15,000,000 or upwards could be raised by including a tax on services, or otherwise changing the tax base of that law.

There is no likelihood of a state income tax, as this would not produce an appreciable yield until April, 1938, it is pointed out.

Reserve Thibault Ruling

Justice Joseph M. Callahan in N. Y. Supreme Court reserved decision yesterday on a motion of Conrad Thibault, singer, to dismiss an accounting suit brought against him by Harry Hollander, who charges Thibault with having failed to pay him in full for services rendered as the singer's business manager. Hollander charges that in Feb., 1932, he entered into a three-year contract with Thibault who agreed to pay him 20 per cent of his gross earnings from every source. He asserts he was not paid in full and that Thibault further violated the contract by accepting jobs from persons other than those signed by Hollander. In his answer to the suit Thibault said that the 1932 agreement was twice amended and that Hollander was paid in full for services rendered. The plaintiff seeks an accounting.

Dawson-Pathe Suit Up Today

A suit for damages brought by George C. Dawson against Pathe News, Inc., its president, Courtland Smith; M. H. Aylesworth and RCA is scheduled to come up today before Federal Judge John W. Clancy.

Dawson claims that on Jan. 11, 1934, he entered into a contract with Pathe to sell all their newsreel sound tracks for radio broadcasting and act as their agent in selling these to broadcasting stations for which he was to receive 33⅓ percent of the rentals. He also undertook to procure 26 programs a year. Pathe, he claims, was unable to make delivery and as a result his good will and reputation in the radio market was damaged. Dawson further claims that Smith and Aylesworth interfered with the performance of the contract by Pathe.

Seeks F. & M. Theatre

ST. LOUIS, Feb. 3.—Oscar Dane, local theatre man, is negotiating with Fanchon & Marco to sublet the closed Orpheum. The present F. & M. lease has three years to run. Dane plans an all-Negro show.

Flash Preview

"Les Mysteres de Paris"—A shocker type of melodrama adapted from the novel of Eugene Sue, this tells an early 19th Century story of Paris.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Committees Named For Flood Benefit

(*Continued from page 1*)

services. Seats will be priced from $1 to $10, and the show time will be divided into four half-hour periods, each to be sponsored in a radio broadcast of the show at $10,000 for each half-hour. The program will go out over the networks of Mutual, NBC, both Blue and Red, and CBS. W. G. Van Schmus, managing director of the Music Hall, yesterday subscribed for $1,000 in tickets; George Lotito, $500; Leonard Sillman, $200; Richard Rodgers, $100; Eli Sugarman, $25.

Honorary chairmen are Van Schmus and Schubert; Chairman is Sillman; advisory chairmen are Gus Eysell, Alan Corelli and Sugarman; treasurer is Arthur Clary; business manager is Ben Boyer. The committees follow: *Production*—Leon Leonidoff, Sillman, Marc Connolly, Billy Rose, Howard Dietz, George Kaufman. *Legitimate* — Schubert, Arthur Schwartz, Marcus Heiman, Eddie Dowling, Sam Scribner. *Unions*—James Bannon, stagehands; Jack Rosenberg, musicians; Ralph Whitehead, A.F.A.; Paul Dulzell, Equity. *Radio*—Philips Carlin, William Paley, John Royal, Fred A. Willis, Richard Fishell, Donald Flamm. *Music*—Rodgers, Erno Rappe. *Screen*—Ralph Lund, RKO; Charles Moskowitz, Loew's; Barney Balaban, Paramount; Harry Warner, Warners. *Publicity* — Nat Dorfman, Mollie Steinberg, Lou Straus, Hazel Flynn.

Players who have offered their services include: Beatrice Lillie, Noel Coward, Katharine Cornell, Sir Cedric Hardwicke, Tamara, Helen Chandler, Blanche Yurka, Helen Hayes, George O'Brien, Fred Waring, Bob Hope, John Halliday, Bert Lahr, Reginald Gardner, Mitzie Mayfair, Borrah Minevitch and many others.

A total of $4,000 was turned over to the Red Cross yesterday by Louis K. Sidney, head of the drive to collect flood relief funds from Kentucky colonels. Sidney is sending a letter to all Loew employes in all parts of the country, today, asking them to contribute to the Red Cross.

Film Flood Drive Passes $30,000

HOLLYWOOD, Feb. 3.—Collections within the industry for flood relief have passed the $30,000 mark, it was revealed today by Fred W. Beetson, chairman of the drive. Beetson stated that indications point to the collection of more than $50,000.

The previous high mark for a similar drive was established in 1927 when $35,000 was raised by the industry for the relief of the Mississippi flood sufferers.

St. Louis Making Quota

ST. LOUIS, Feb. 3.—Initial returns in the drive for flood relief funds being conducted by approximately 400 theatres in this territory indicate that the original goal of more than $50,000 will be reached. The campaign will end Feb. 7, and is under the sponsorship of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois.

Theatres in a number of towns in Illinois and Missouri are receiving film shipments subject to the delays occasioned by the necessity of transporting them by boat to the nearest dry point from which trucks can carry them to their destinations.

Danish "Legion"

Copenhagen, Denmark, Feb. 3.—Plans to establish a counterpart of the American Legion of Decency in Denmark are being set with a view to restricting the importation of allegedly indecent pictures. An examining board has been named by the Dept. of Justice and methods of Government control are being discussed.

At the same time, steps will be taken to increase the popularity of domestic product, at the moment at a low ebb.

Cincy Waters Fall; Theatres Still Dark

(*Continued from page 1*)

tated power plants is being cut in. Homes, however, still are limited to one light and operation of the radio.

Business houses remain closed, except for essentials. Street car service, although curtailed, is being restored on some lines, and elevators are beginning to operate in a few office buildings. Present indications are that it will be a few days before the normal electric and water supply are restored.

Nearly 2,000 WPA and city workers are clearing debris from streets in the flooded areas. Traffic and parking in the downtown sectors are restricted.

Many of the hundreds of citizens who made an exodus to upstate communities to enjoy meals, light, ablutions and other privileges, gradually are returning. Although theatres may open later in the week, this depends on the rapidity with which light, power and water are fully restored.

Houses in nearby unaffected situations have in some instances been compelled to switch bookings due to inability to secure prints of pictures.

Louisville Houses Closed

LOUISVILLE, Feb. 3.—Louisville has been without picture shows for a week or more as a result of the flood. Downtown virtually all theatres are flooded. Where the river didn't get over the curbings, it leaked in through basements.

Damage to rugs, seating, etc., is heavy. Loew's had several feet of water and much damage to a large organ, seats, floor coverings, etc. The Mary Anderson, Rialto, Kentucky, Ohio and others suffered heavily. Some houses for a time were used for refugees, but when basements were flooded and heating plants put out they were abandoned. Virtually every suburban other than in the Highlands and Crescent Hill has been under water, from Fourth St. west to river in an area about 40 blocks.

Only in higher sections of the city to the east and south, in the foothills, is there light, power, heat or transportation. The flood area has been totally evacuated. It will be weeks before it can be cleaned up, inspected and residents permitted to return. Only limited power is available, coming in from Central Kentucky over emergency lines. Transportation is at a standstill, with no street cars, buses, and only one railroad and two highways open into the higher section. The only way into lower Louisville or the business district is over a foot pontoon bridge.

Minneapolis Paper Conducts Film Poll

MINNEAPOLIS, Feb. 3.—Merle Potter, screen editor of the *Minneapolis Journal*, is conducting a poll among 2,000 American newspaper film editors and critics to determine the best picture, best actor and best actress of 1936. Opportunity is offered for a first, second and third choice vote in each division. A point system will be used in determining results.

The advisory committee, assisting Potter, is headed by Mrs. Thomas G. Winter of the community service of the M. P. P. D. A., and includes: Ray Lyman Wilbur, chairman of the M. P. Research Council; Martin Quigley, editor-in-chief and publisher of MOTION PICTURE DAILY; Terry Ramsaye, editor of *Motion Picture Herald*; Mildred Lewis Russel, preview chairman of the D. A. R.; Mrs. David A. Burk, chairman of the west coast committee of the General Federation of Women's Clubs; Mrs. Leo B. Hedges, chairman of the California Congress of Parents and Teachers; Mrs. Florine Wolfstein, chairman of the Los Angeles section of the National Council of Jewish Women; Mrs. Palmer Cook, co-chairman of the Women's University Club of Los Angeles; Mrs. M. F. Thompson, chairman of the Southern California Council of Federated Church Women; Mrs. Odessa Davis, general film chairman of the California Federation of Business and Professional Women's Clubs, and Mrs. Mildred Amundsen, report chairman of the American Legion Auxiliary.

Missouri Censor Bill

KANSAS CITY, Feb. 3.—A bill providing for a three-member censor board has been placed before the Missouri legislature. The board personnel, under the bill, will receive a salary of $4,000 a year and review all pictures at five dollars a reel. David A. Hess, St. Louis representative, sponsored the measure.

Wall Street

Loew's Hits New Board High

	High	Low	Close	Net Change
Columbia	37	37	37	+ ¼
Columbia, pfd.	45	45	45	+1 3/16
Consolidated	5¼	5⅛	5⅛	— ⅛
Consolidated, pfd.	17½	17	17	.....
Eastman Kodak	175¼	174¼	174¼	— ¼
Eastman, pfd.	160¾	160¾	160¾	—2¼
Gen. T. Equip.	33¼	32⅝	32⅝	— ⅛
Loew's, Inc.	78¼	77⅛	78⅛	+1⅜
Paramount	28	27½	27½	— ⅝
Paramount 1 pfd.	195⅛	194	194	—3
Paramount 2 pfd.	25⅜	25	25	— ½
Pathe Film	9½	9¼	9⅜	.....
RKO	8¾	8½	8½	+ ⅛
20th Century-Fox.	37	36¾	37	.....
20th Century, pfd.	46	45¾	45¾	— ¾
Warner Bros.	15¾	15½	15½	— ⅛

Curb Declines Slightly

	High	Low	Close	Net Change
Grand National	3¾	3⅝	3⅝	— ⅛
Sentry Safety	1	1	1	— ⅛
Sonotone	2⅜	2⅛	2¼	— ⅛
Technicolor	21⅝	21	21	— ⅛
Trans-Lux	4⅜	4¼	4⅜	.....

Bonds Off Fractionally

	High	Low	Close	Net Change
Keith B. F. 6s '46	99	99	99	.....
Loew's 3½s '46	100¾	100	100	— ½
Paramount B'way 3s '55	74¾	74¾	74¾	— ¼
Paramount Pict. 6s '55	100½	100⅜	100⅜	.....
Warner Bros. 6s '39 wd	99⅞	99⅞	99⅞	— ⅛

(Quotations at close of Feb. 3)

. . . Plus AN EXCEPTIONALLY BRILLIANT SUPPORTING CAST!

FIRST OF THE 4 BIG FEBRUARY
FILMS FROM WARNER BROS.

Kay's Greatest Romance—Kay's Most Lavish Production

KAY FRANCIS in 'STOLEN HOLIDAY'

CLAUDE RAINS • IAN HUNTER • ALISON SKIPWORTH
and ALEXANDER D'ARCY • Directed by MICHAEL CURTIZ

A First National Picture

Feb. 6th —KAY FRANCIS in 'STOLEN HOLIDAY' with IAN HUNTER

Feb. 13th —'The GREAT O'MALLEY' with PAT O'BRIEN, HUMPHREY BOGART

Feb. 20th —ERROL FLYNN and ANITA LOUISE in 'GREEN LIGHT'

Feb. 27th —'PENROD and SAM' with BILLY MAUCH (Little 'Anthony Adverse')

Twin Cities' High "Romeo" And "Diggers"

MINNEAPOLIS, Feb. 3.—"Romeo and Juliet" playing a two-day roadshow at the St. Paul Orpheum was the big draw of the week. This film and "The Gold Diggers of 1937" which held forth the first five days, grossed $7,000, over par by $3,000.

No other house managed to beat the usual gross in a week marked by very low temperatures, snow and competition from the St. Paul Winter Sports Carnival.

Total first run business in Minneapolis was $20,500. Average is $29,500. Total first run business in St. Paul was $17,100. Average is $14,500.

Estimated takings:

Minneapolis:

Week Ending Jan. 28:

"BELOVED ENEMY" (U. A.)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $8,000. (Average, $10,000)

"CHARGE OF THE LIGHT BRIGADE" (W. B.)
ORPHEUM—(2,900), 25c-40c, 7 days. **Gross:** $5,500. (Average, $6,000)

"CAMILLE" (M-G-M)
CENTURY—(1,600), 25c-40c, 7 days, 2nd week. **Gross:** $3,000. (Average, $5,000)

"THREE SMART GIRLS" (Univ.)
WORLD—(400), 25c-40c, 7 days, 4th week. **Gross:** $1,500. (Average, $2,000)

Week Ending Jan. 27:

"KING OF HOCKEY" (W. B.)
"CAREER WOMAN" (20th-Fox)
STATE—(2,400), 25c-40c, 7 days. **Gross:** $2,500. (Average, $5,000)

St. Paul:

Week Ending Jan. 28:

"THREE SMART GIRLS" (Univ.)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $5,500. (Average, $5,500).

"GOLD DIGGERS OF 1937" (F. N.)
"ROMEO AND JULIET" (M-G-M)
(Two Days)
ORPHEUM—(2,000), 25c-40c, (55c-$1.10 for Romeo"). **Gross:** $7,000. (Average, $4,000)

"AFTER THE THIN MAN" (M-G-M)
RIVIERA—(1,000), 25c-40c, 7 days, 2nd week. **Gross:** $3,200. (Average, $3,500)

Week Ending Jan. 30:

"DANIEL BOONE" (Radio)
"THE CASE OF THE BLACK CAT" (F. N.)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,400. (Average, $1,500)

To Press Tax Collection

NEW ORLEANS, Feb. 3.—The Commission Council intends to watch more closely the collection of the city amusement tax, it was indicated by action taken at a special meeting. A motion introduced by Finance Commissioner Cave directed the city attorney to file suit "to collect any and all amusement taxes that may be due the city now or which in the future may become due to the city of New Orleans."

Plan Hartford House

HARTFORD, Feb. 3.—This city will have its first new theatre since the advent of talking films when the 800-seat Webster Cinema is erected in Barry Square by Maurice Shulman and associates, who operate the Rivoli here. Construction will start shortly.

Refuse Richmond Appeal

RICHMOND, Feb. 3.—The Board of Zoning Appeals has refused to grant an appeal filed by the Rappahannock Theatre Co. for permission to build a new theatre on the west side of Rappahannock St., between Bellevue and Nottoway.

"Camille" on Dual Heaviest Coast Grosser

LOS ANGELES, Feb. 3.—"Camille," with "Off to the Races," was the big grosser of the week. It topped normal at Loew's State by $4,566 on a gross of $18,566 and was over the line by $1,775 on a gross of $14,275 at the Chinese.

"The Good Earth" took $21,500 in its first six days at the Carthay at $1.50 top. This was $4,500 above par. Business was dull elsewhere.

Total first run business was $84,941. Average is $89,950.

Estimated takings for the week ending Feb. 3:

"THE GOOD EARTH" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 6 days. **Gross:** $21,500. (Average, $17,000)

"CAMILLE" (M-G-M)
"OFF TO THE RACES" (20th-Fox)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $14,275. (Average, $12,500)

"MAN OF AFFAIRS" (G. B.)
4 STAR—(900), 30c-55c, 7 days. **Gross:** $3,100. (Average, $3,250)

"AMPHYTRYON" (Globe Films)
GRAND INTERNAT'L—(750), 35c-40c, 7 days. **Gross:** $2,500. (Average, $1,200)

"CONDEMNED ROW" (Radio)
"THEY WANTED TO MARRY" (Radio)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $6,500. (Average, $8,000)

"CAMILLE" (M-G-M)
"OFF TO THE RACES" (20th-Fox)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $18,566. (Average, $14,000)

"CONDEMNED ROW" (Radio)
"THEY WANTED TO MARRY" (Radio)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $6,900. (Average, $8,000)

"BELOVED ENEMY" (U. A.)
"WOMAN IN DISTRESS" (Col.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $11,700. (Average, $14,000)

"BELOVED ENEMY" (U. A.)
"WOMAN IN DISTRESS" (Col.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days. **Gross:** $9,900. (Average, $12,000)

Union Profit £437,225

LONDON, Jan. 24.—An auditor's report issued to shareholders by Union Cinemas, Ltd., estimates the profits of the company in the current year at £437,225. This is £30,000 more than the figure given at the annual meeting, at which the amalgamation plan with National Provincial Cinemas and Oxford and Berkshire Cinemas was approved.

Hagen Takes Studio

LONDON, Feb. 2.—Julius Hagen revealed today the formation of a private company which is taking over the freehold on the Twickenham Studio, enabling him to begin production again with his former personnel.

Emil Jannings in Rome

ROME, Feb. 3.—Emil Jannings has arrived here to produce "Before Sunset," a German film for Tobis. The screenplay has been adapted from Gerhart Hauptmann's play. Jannings was received by Mussolini.

Heads Westland Circuit

DENVER, Feb. 3.—Howard Federer has been named general manager of Westland Theatres, following the resignation of T. B. Noble, who will operate a house in Oklahoma City.

No Interviews

Omaha, Feb. 3.—The Union Pacific has ruled that traveling celebrities are not to be disturbed for newsmen when traveling through Omaha if they have retired for the night. First application of the rule came when reporters met a train at 2 A.M. and found that a "Do Not Disturb" sign on Sylvia Sidney's drawing room door meant just that.

"Great Guy" Boston's Win With $20,000

BOSTON, Feb. 3. — "Great Guy" drew $20,000, $8,000 over average, at the RKO Memorial. The weather continued fair with spring temperatures helping grosses.

"Pennies from Heaven," with "More Than a Secretary," in its second week, continued to score with a take at Loew's Orpheum of $17,000. This was above the line by $5,000. The same program, also in its second week, drew $15,000 at Loew's State, over par by $4,800.

"Maid of Salem" with Fred Waring and orchestra on the stage drew $23,000 at the Metropolitan. Average is $22,000.

Total first run business was $111,600. Average is $88,500.

Estimated takings for the week ending Jan. 28:

"GOD'S COUNTRY AND THE WOMAN" (W. B.)
"MIND YOUR OWN BUSINESS" (Para.)
FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $5,800. (Average, $4,500)

"GREAT GUY" G. N.
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $20,000. (Average, $12,000)

"PENNIES FROM HEAVEN" (Col.)
"MORE THAN A SECRETARY" (Col.)
LOEW'S ORPHEUM—(2,970), 25c-45c-65c, 7 days, 2nd week. **Gross:** $17,000. (Average, $12,000)

"PENNIES FROM HEAVEN" (Col.)
"MORE THAN A SECRETARY" (Col.)
LOEW'S STATE—(3,537), 35c-45c-65c, 7 days, 2nd week. **Gross:** $15,800. (Average, $11,000)

"MAID OF SALEM" (Para.)
METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Fred Waring and orchestra. **Gross:** $23,000. (Average, $22,000)

"GOD'S COUNTRY AND THE WOMAN" (W. B.)
"MIND YOUR OWN BUSINESS" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)

"THE PLOT THICKENS" (Radio)
RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: "Folies de Moulin Rouge" with Al Trahan. **Gross:** $22,000. (Average, $20,000)

Lubell to Cincinnati

PITTSBURGH, Feb. 3.—Sam Lubell, Main Line salesman for the Columbia exchange here, has been promoted to city salesman in the Cincinnati office. He's being replaced by George Tice, who moves up from the office managership, while Harry Roney, assistant booker, becomes office manager.

Bob Kimmelman, for the last five years with the booking department of the Harris Amusement Co., has resigned to take Roney's vacated post with Columbia.

"Stowaway" Is Washington's Top in Slump

WASHINGTON, Feb. 3.—"Stowaway" on the screen and Harry Blackstone, magician, on the stage at Loew's Capitol, furnished the one bright spot of the week. The take was $21,500, above average by $600.

A return engagement of "College Holiday" at Loew's Columbia, slipped $200 over the first run average for a take of $3,800.

"Man of Affairs" at the Earle was good for only $17,000, dropping $800 under par. At RKO-Keith's, "Three Smart Girls" took $10,000, or $600 under the average.

"Champagne Waltz," premiere 'n' everything, could attract only $15,000 to Loew's Palace.

Shifting its policy of revivals, the Rialto presented another first run, "As You Like It," for a take of $2,700. No average is available.

Total first run business, exclusive of the Rialto, was $72,100. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending Jan. 28:

"MAN OF AFFAIRS" (G.B.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Ken Murray & Oswald, Dixieland Jazz Band, Marilyn Stuart, Dick & Edith Barstow, DeLong Sisters. **Gross:** $17,600. (Average, $18,400)

"STOWAWAY" (20th-Fox)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Harry Blackstone & Co. **Gross:** $21,500. (Average, $20,900)

"COLLEGE HOLIDAY" (Para.)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $3,800. (Average, first run, $3,600)

"MIND YOUR OWN BUSINESS" (Para.)
METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $4,200. (Average, $4,300)

"THREE SMART GIRLS" (Univ.)
RKO-KEITH'S—(1,838), 25c-55c, 7 days. **Gross:** $10,000. (Average, $10,600)

Week Ending Jan. 29:

"CHAMPAGNE WALTZ" (Para.)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $15,000. (Average, $15,900)

Week Ending Jan. 29:

"AS YOU LIKE IT" (20th-Fox)
RIALTO—(1,100), 25c-55c, 7 days. **Gross:** $2,700.

Want Exits on Screens

HARRISBURG, Feb. 3.—A new measure prepared for introduction in the Legislature makes it mandatory for film theatres to show on the screen at frequent intervals a diagram of the theatre with the exits plainly marked. The bill is sponsored jointly by Representatives Ralph C. Donohoe and Joseph M. O'Brien.

Another measure prepared by Representative John L. Powers requires that firemen take motion pictures of all second and third fire alarm blazes to be used in instruction of new firemen.

Close Monogram Deal

LOS ANGELES, Feb. 3.—Olmstead Stubbins, Inc., have acquired a franchise for distribution of Monogram pictures in this territory. The deal, made by W. Ray Johnston, includes all of California, Arizona, Nevada and Hawaii, and parts of New Mexico and Oregon. Howard Stubbins was formerly manager of the old Monogram office.

Mutual's Net Two Millions In First Year

CHICAGO, Feb. 3.—In its first year of operation the Mutual Broadcasting System had a gross billing slightly under $2,000,000, asserted President W. E. MacFarlane in his opening address at the convention of members and affiliated stations which opened today at the Palmer House.

The gathering was declared to be the first of its kind for a general discussion of policies by member units of a broadcasting chain.

In discussing the aims of the organization MacFarlane said: "Mutual was organized with the purpose of presenting better programs and allowing stations to maintain their independence and of creating a network of stations which would serve the country's listening audience and still allow stations to fulfill their obligations to their local communities."

He described the first year's net as "quite a record."

"With our expansion to a coast-to-coast network by the addition of western stations and the Don Lee Broadcasting System in California, MBS is now operating on an equal basis with the other two major broadcasting systems," he said.

"Evolution, Not Promotion"

T. C. Streibert declared that MBS was "built out of a process of evolution and not promotion."

"The cooperative effort of all is needed to build further and to complete the service rendered by our chain of stations," he continued.

There was a general sales discussion in which all station representatives attending participated.

Willett Brown of Los Angeles presented a package of checks and money orders totaling $12,000 which had been collected during the past week on the coast as a result of air appeals over the Don Lee stations for flood relief. These were forwarded to WLW, Cincinnati, in the name of Don Lee and Mutual for the Red Cross.

Among those present were: MacFarlane; first vice-president, T. C. Streibert; treasurer and executive secretary E. M. Antrim; general manager Fred Weber, Dave Chrisman, Jack Overall, A. N. Hult and George Harvey of the Mutual sales staff, Ed Wood, Jr., of WGN, John Shepard, Colonial Network and WAAB, Boston; Don Withycomb, WFIL, Philadelphia; Don Davis and John Schilling, WHB, Kansas City; Luther Hill and Craig Lawrence, Iowa Network and KSO, Des Moines; Gene O'Fallon and Frank Bishop, KFEL, Denver; Brown of the Don Lee System; Eugene Carr, WGAR, Cleveland; Frank Ryan and E. S. Rogers, CKLW, Windsor, Ont.; John M. Henry, Buryl Lottridge and Joe Seacrest, KFAB, Lincoln, Neb., and KOIL, Omaha; Clarence Cosby, KWK, St. Louis, and Robert Schmid, MBS, New York.

Schallert Option Taken Up

HOLLYWOOD, Feb. 3.—NBC today exercised the option on the contract of Elsa Schallert for an additional year.

Radio's Censorship Relaxed To Aid Social Disease Curb

Radio's rigid standards of censorship have been let down to aid in the campaign now being waged against the spread of social diseases. The air campaign was begun last night over WCAU, Philadelphia, when Dr. Sigmund M. Greenbaum, chairman of the Committee on Social Diseases of the Philadelphia Medical Society, spoke. Nine other broadcasts are scheduled over this station.

The local campaign started last Monday when Dr. William Snow made an address over WOR. Recorded speeches on the subject have been prepared by the Regional Conference on Social Hygiene and WOV has signified its intention of using the transcriptions. The networks and the other local stations are considering the advisibility of permitting the talks to be broadcast. Small hope is entertained for the network social hygiene addresses, however.

NBC Makes New Deals

One renewal and two new programs were effected at NBC yesterday.

"The Adventures of Dari Dan," heard over all basic Red network stations except KSTP, St. Paul, were renewed for 52 weeks, beginning March 8. The series is sponsored by Bowey's, Inc., and placed through the Russell C. Comer agency, of Chicago.

C. F. Mueller & Co., beginning Feb. 22, will sponsor a script dramatic series Mondays through Fridays, from 10:45 to 11 P. M., E.S.T. over a split Blue network comprising WJZ, New York; WBZ, Boston; WBZA, Springfield; WFIL, Philadelphia; WSYR, Syracuse; WHAM; Rochester, and KDKA, Pittsburgh. The contract is for 13 weeks, and was placed through Kenyon & Eckhardt, New York.

Beginning March 7, Wright & Co. will sponsor a series in behalf of a soil conditioner and plant aid over WJZ. John Zollinger in garden talks, and the Alexander Brothers, piano duo, will be featured. The program, 10:05 to 11:15 A. M., E.S.T., was placed through H. B. Le Quatte, Inc., New York. The contract is for 13 weeks.

A Wrinkle

Philadelphia, Feb. 3.—A radio advertisement plugging a newspaper advertisement is the latest wrinkle in merchandising at WIP. At odds in handling the account accepted from the Philip Klein Agency for The Gay Products Corp., spot announcements on the station advise listeners to turn to such-and-such page in the *Philadelphia Bulletin* for the sales message. The sponsor's product deals with feminine hygiene.

WBNS Has Portable Unit

COLUMBUS, Feb. 3.—WBNS has installed portable broadcasting equipment in a trailer to tour the flood areas between Portsmouth and Pomeroy, to air relief and rehabilitation activities. The station, known as WAIA, is operating on a frequency of 2,830 kilocycles, with a 200-watt transmitter. A short wave and a regular receiving set are carried. A gasoline-driven engine supplies the power. The short wave broadcasts are picked up and rebroadcast by WBNS here.

James Blower and Harold Nafzger, engineer, are in charge of the unit.

England Wants Benny

Apparently news of the popularity of Jack Benny has reached English ears, for at the specific request of the British Broadcasting Co. Benny's troupe will offer a slightly cock-eyed version of the "Barretts of Wimpole St." next Monday, Feb. 8, from 4:45 to 5 P. M., E.S.T. The program will be shortwaved to England and re-broadcast by the BBC. It will be heard in America on the NBC Blue network.

Radio Personal

TAMARA, now appearing on Broadway in "Tide Rising," will guest on the WOR program conducted by A. M. Sullivan this Sunday at noon . . . Olson and Johnson have been added to this Saturday's "Speedshow" program . . . The Shell Show's guest roster for Saturday night's broadcast includes Mitzi Green, Ezio Pinza, Hildegarde Halliday and the Cavaliers Quartet . . . A new piano team, Clifford Herzer and Jascha Aayde, will be heard weekly on WQXR beginning tomorrow . . .

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WMCA to Air Benefit

WMCA and the associated Inter-City stations will broadcast tomorrow night's Red Cross benefit show at the Fox, Brooklyn. The program begins at midnight and performers will include Jimmy Durante, Bob Hope, Pat Rooney and others. The management of the theatre is contributing the house and its facilities . . . Lorenz Hart of the songwriting team of Rogers and Hart will guest on Bide Dudley's "Theatre of the Air" tomorrow . . . To date, WMCA has raised more than $46,000 for the Red Cross . . . The Canovas, heard on the "Rippling Rhythm" sessions, begin a week's engagement at the Cleveland Food Show tomorrow . . .

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Sir Cedric Hardwicke will be the guest of Radie Harris on the WHN "Radio-Movie Club" tomorrow night . . . Emily Post will guest on the "Magazine of the Air" Friday, Feb. 12 . . . Margaret Wilson, WINS soprano, has returned to New York from Alexandria, La., where she visited her mother . . . Consolidated Radio Artists state they've booked more than a million dollars' worth of band business since the company was organized less than a year ago . . .

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As a result of his heroic efforts during the Pittsburgh flood when managing a theatre there last year, Ed Siegal was interviewed over WMCA yesterday on the flood highlights.

Radio Revue Opens In Phila. Tomorrow

A radio revue booked by the NBC Artists Bureau begins an engagement at the Earle, Philadelphia, Feb. 12. The unit consists of Niela Goodelle, the Three X Sisters, Honeyboy and Sassafras, Alene Harris, and an NBC announcer as "em cee." Opening Feb. 12, the unit will play the Earle on Friday and Saturday, then journey to Warners' Stanley, Camden, for the Sunday appearance, then back to the Earle to complete the week's run.

KRSC Goes on Full Time

SEATTLE, Feb. 3.—KRSC, "record" station located in the Washington Athletic Club Bldg., this week celebrates its 10th anniversary in Seattle by going on a full-time schedule, with new antenna and new transmitter located on the shores of Lake Union. Daily programs will be broadcast from 6 A.M. until midnight, on a power of 250 watts.

Robert Priebe is station manager, Ted Bell studio program director and Romig C. Fuller commercial manager. Special dedicatory programs were furnished to KRSC on its opening day by KOL, Columbia station; KIRO, Seattle; KVI, Columbia station in Tacoma; KPQ, Wenatchee, and KMO, Tacoma.

WCKY Nearly Normal

CINCINNATI, Feb. 3.—After working day and night for a full week, without ordinary heating, lighting and power facilities, WCKY is back to a nearly normal basis.

The station continues to operate on its full power, supplied by Diesel engine equipment. Electric service and steam heat have been restored in the studio building. The staff is still on rations as regards water, but looking back on last week's privations the members consider they are now "living in luxury."

Flood news now occupies only a small portion of the WCKY program schedule and does not interfere with any regularly scheduled commercials.

Theatre Broadcasts Singing

SEATTLE, Feb. 3.—The Paramount has just made a tieup with KIRO on a weekly "community sing" broadcast.

Every Sunday afternoon at 3:15, Manager Bill Hamrick's audience becomes vocally-inclined for a 15-minute period. Gene Baker of the radio station staff leads the singing.

"Tubby" Quillian, station manager, provides several spot announcements daily for the theatre in exchange for the broadcast, and the theatre advertises the KIRO "remote" on its screen and in the newspapers.

Mari Brattain Resigns

SEATTLE, Feb. 3.—Mari Brattain, for the last five years head of the continuity department of KOL, has resigned, effective on Feb. 10. Her successor has not yet been named by Archie Taft, station manager.

Miss Brattain will join Beaumont & Hohman, advertising agency.

On a Program Hunt

John Loveta, of Benton & Bowles radio department, leaves the home office this week for a survey tour of programs apearing on local stations throughout the country.

Radio

Celler Offers Bill for Gov't Radio Station

By CLARENCE LINZ

WASHINGTON, Feb. 3.—Legislation appropriating $750,000 for the construction of a Government broadcasting station by the Navy Dep't and $100,000 a year for operating and maintenance today was introduced in Congress by Representative Celler of New York.

The station would be of such power as to enable it to transmit programs to all parts of the world. Programs would be provided by the U. S. Department of Education and the privilege of using the station could be extended to privately owned radio companies without charge provided that the privilege be exercised without profit to the company and includes no advertising.

Declaring that the station will not "in the slightest militate against private initiative" and will not lead to Government monopoly, Celler stated that persons and organizations which have sought to fight the establishment of the station must cease their opposition "else they will get their fingers burned."

The proposed station would be known as the Pan-American Radio Station. It would operate on short wave and its programs would be clearly aimed for rebroadcasting in Latin America.

NBC-Soubier Suit May Kill "Nighter"

HOLLYWOOD, Feb. 3 .— Campana Corp., sponsoring "First Nighter" over NBC, may cancel its $9,000 a week program as a result of a suit filed in Superior Court by NBC today against Clifford Soubier, featured actor. In the suit, NBC asks judicial determination of contract with Soubier, executed Dec. 12, 1934, and providing for payment of 10 per cent of Soubier's $200 weekly salary which is claimed for acting as Soubier's agent. The actor advised NBC several weeks ago that he was terminating his contract.

Sponsors are now withholding $8,912 due NBC each week for "First Nighter" and threaten to cancel the series which has until August to run, it is alleged. NBC stands to lose $115,856 if the sponsor carries out the cancellation threat, Attorney Frederick Leuschner alleged.

WBOW-NBC Now Tied

TERRE HAUTE, Feb. 3.—WBOW joined NBC Monday, it is announced by William W. Behrman, manager. WBOW was formerly affiliated with the ABC network.

Advertisers to Hear Weiss

HOLLYWOOD, Feb. 3.—Lewis Allen Weiss, general manager of the Don Lee system, will be chief speaker at the Feb. 18 meeting of the San Francisco Advertising Club.

WLW Raises $80,000 For Flood Sufferers

CINCINNATI, Feb. 3.—WLW, local NBC-Mutual outlet, has raised approximately $80,000 to date for the Red Cross through broadcasting appeals for aid, contributions coming from as far as Walla Walla, Wash., according to William S. Hedges, general manager. All-night flood relief programs are being broadcast and daytime programs have been eliminated where important flood news is to be broadcast. The station's goal is $100,000.

WSAI, sister station of the Crosley setup, also is broadcasting flood bulletins, and will continue until the crisis is past.

Farrier Joins NBC

Clarence W. Farrier arrived in New York yesterday and officially joined NBC where he has been assigned to non-technical research in television.

Farrier is now attached to the office of O. B. Hanson, NBC chief engineer, where he is prefacing his work in television with several months of study of the mechanics of sound broadcasting. Later, he will assemble and summarize the results of television experiments as they pertain to programs, engineering, and sales.

Farrier comes to NBC from the Tennessee Valley Authority. Prior to this he was identified with the Century of Progress Exposition, where he was assistant to Lenox R. Lohr, then president of the exposition.

Another Talent Swingover

PHILADELPHIA, Feb. 3.—The low Soap Co., sponsoring an hour period each morning at KYW for Magic Washing Powder, has added live talent. The set-up remains with Leroy Miller handling the talks and electrical transcriptions for the first three quarters of an hour and the "Meistersinger" concluding with violin and vocal interludes. Briggs and Varley are handling the account and recommended the additional talent after John A. Curtis, account executive, had auditioned several prospects.

Fidler to P. and G.

HOLLYWOOD, Feb. 3.—By mutual consent, Jimmy Fidler terminates his contract with Luden's, Inc., March 2 and begins a new series for Procter & Gamble March 9, over the same network and time as at present, NBC-Red, 10:30 to 10:45 P. M., E.S.T. H. W. Kastor of Chicago, is the agency. The William Morris office represented Fidler.

Amateur Broadcasters Aid

NEW ORLEANS, Feb. 3.—The F. C. C. has asked all amateur radio stations to stay off all frequencies over 400 kilocycles except when engaged in flood relief work, C. Alfred Thomas, operator of W5PFO, says.

Buys Kosciusko Station

NEW ORLEANS, Feb. 3. — P. K. Ewing, executive of WDSU, has purchased the station at Kosciusko, Miss. His son, P. K. Jr., will have charge.

Drop FTC Complaint Against Coast Firms

WASHINGTON, Feb. 3.—The Federal Trade Commission today revealed the cancellation of the complaint issued last week against L. H. and W. C. Hyde, trading as Royal Film Studios, Royal Revues, Inc., and West Coast Discount Trading Corp., Ltd. The commission explained that the complaint, issued Jan. 26, was voided when the respondents signed a stipulation agreeing to discontinue unfair methods of competition in connection with the renting and leasing of films for advertising purposes.

The companies, located in Hollywood, produce advertising films for theatrical exhibition, advertising merchants who sign contracts. Among the representations to be discontinued are: that the films will be equal in quality to and the same length as samples shown, unless such are the facts; that the contract can be cancelled after two months, unless the privilege is granted as represented; that no other merchant in the same business will be on the film with a customer, unless this restriction is observed; that the price paid for the film is the entire service cost, unless the customer is told additional sums must be paid the exhibitor, and that West Coast Discount is an innocent purchaser for the value of the promissory notes and securities given by subscribers to Royal Film or Royal Revues.

Canada Rejects Music Fee Bill

OTTAWA, Feb. 3.—The Canadian House of Commons today rejected by a vote of 91 to 58 a bill presented by W. K. Esling of Kootenay to require Canadian Performing Rights Society to furnish license applicants a full list of musical compositions over which the society claims control for use in concert, community or fraternal halls.

The measure was defeated largely at the recommendation of Hon. Fernand Rinfret, secretary of state, to postpone the move for a year in order to test a new law providing establishment of a Copyright Fee Appeal Board and an enabling agreement on revised tariff of society fees for the current calendar year. Prior to vote, which cut across party lines, it was brought out in the discussion that the C.P.R.S. collects $60,000 a year from theatres while radio stations pay blanket fees of $70,000.

Proposes Sales Levy

ST. LOUIS, Feb. 3.—Joseph B. Schweppe chairman of the committee on public relief of the Board of Aldermen, plans to propose an ordinance imposing a one-cent city sales tax to obtain funds for the relief of the poor and unemployed. Local theatres would be affected by such a tax, which would be in addition to the state sales levy.

See Booth Bill Signed

ST. LOUIS, Feb. 3.—Mayor Dickman is expected to sign the ordinance requiring a projectionist for every machine in local theatres. The Board of Aldermen has passed the measure. It was sponsored by the local union.

Oregon Seeks Admission Tax

PORTLAND, Feb. 3.—Provision for a tax of one cent for every twenty cents of admission, or fraction thereof, was introduced today in the Oregon Legislature. The same bill calls for the elimination of gambling on dog and horse racing in the state.

Pre-Trial Testimony Ordered in Lab Suit

Stephen H. Eller, president of H.E.R. Laboratories, Inc., and of Aladdin Pictures Corp., and Tom Brandon, treasurer of Garrison Film Distributors, Inc., must submit to an examination before trial in a $62,000 suit brought by Lina Pictures Corp. The examination was ordered yesterday by Justice John E. McGeehan in N. Y. Supreme Court.

The suit grows out of agreements involving the rights to pictures made and distributed by Talking Picture Epics, Inc., which was adjudged bankrupt in the Federal Court. Epics had turned over 32 negatives to H.E.R. Laboratories for printing and subsequently through assignments Lina allegedly gained the rights to the pictures in question. The plaintiff, unable to acquire the return of the pictures, is suing for $50,000 damages plus $12,000 for use of said pictures for a year.

In answering the suit, the defendants explained that H.E.R. Laboratories gained these pictures from Epics because of liens against that company for work done. Laboratories in turn sold the rights to Aladdin which later sold the exhibition rights to Garrison.

Music Suit on Today

Trial of a $50,000 suit brought by the composers and publisher of the song, "Hands Across the Table," against Paramount Prod., Inc., Paramount Pictures Distributing Corp. and Samuel Coslow, a composer, is to begin today before Justice Samuel Hofstadter in N. Y. Supreme Court.

The plaintiffs are Jean Delettre, composer; Mitchell Parish, lyric writer, and Mills Music, Inc. Delettre and Parish state that they sold their composition to Mills for royalties and that on March 25, 1935, Mills granted Paramount the right to use the title of their song for the name of a picture and also the right to use the song in the picture. The picture was made and it is alleged that neither Delettre nor Parish was given credit for the authorship, but that Coslow was credited as the author of all the music in the picture. The plaintiffs seek to enjoin the defendant from further distribution of the picture until credits are properly made and also ask for damages.

In answer to the suit the defendants state they paid Mills $500 for the absolute rights to "Hands Across the Table" for use in any manner.

Skouras Wins Ruling

Justice Lloyd Church in N. Y. Supreme Court yesterday granted the Skouras Theatre Corp. right to examine before trial various individuals involved in a $100,000 suit brought by Skouras against the City Theatre Co. and others, including City Utilities Power & Light Securities Corp., Walter Reade, Harley L. Clarke and Joseph T. Sullivan. Those to be examined under Justice Church's order are Clarke, Sullivan, Reade, Donald B. Riker and Clara D. Harmffon. The Cities Theatre Corp. must also submit books and records pertinent to the suit. In its complaint Skouras Theatres Corp. states that in 1931 it obtained 75 percent of the Cities Theatre stock and that improper acts on the part of the defendants caused the stock to depreciate in value, damaging them to the sum of $100,000.

Expect Start Of New Boards In Two Weeks

(Continued from page 1)

and practicability of the boards, and for that reason probably stands the best chance of obtaining prompt action from distribution there.

Conciliation boards will be established only in territories where a mapority of the representative exhibitors petition them. Representatives of such exhibitors then will agree with branch managers on the number and identity of conciliators desired, and with the designation of these the local board will be ready to receive and attempt to conciliate exhibitor-distributor complaints of virtually any character. The costs of maintaining the boards will be borne entirely by the distributors, six of whom already have formally approved their establishment.

Plans Practically Completed

At present, indications are that no further conferences between M.P. T.O.A. officials and distribution executives here, preliminary to the establishment of the boards locally, will be required. Authorizations to branch managers from the home offices to participate in the setting up of the boards are seen as the only further step required.

The most common complaints which it is expected will be handled by the boards will include those relating to overbuying, cut-throat and non-theatrical competition, designated playdates, exercise of the cancellation right, clearance and zoning.

Rock, Toeplitz to Produce for Dixey

(Continued from page 1)

and stories in an Italian studio. Joseph Rock's "Edge of the World" is also on offer to the company, it was said by the producer who outlined further plans and stated that he intended to cut salary overhead by paying players partly by a share of receipts.

Present were J. H. Iles, backer of the Rock enterprises, and Richard Dooner, Victor Sheridan, T. Graham Salmon, Randolph Richards, Major Milner, M. P., F. B. B. Blake and J. L. Prendergast were among exhibitor speakers. Independent exhibitors are to be given an opportunity of sub-underwriting the capital issue of the company, which is imminent.

Play of Soil Is Barren and Lacking in What It Takes

By PLAYBOY

That playwright is brave indeed who essays one of his own leads. At any rate, Raymond Bond—from repertory, vaudeville and Hollywood scenarios—did it last night in a piece called "Thirsty Soil" at the Forty-Eighth Street Theatre. He did it with variable results, mostly tiresome and unhappy

Nebraska, where twisters twist, where the wind never stops whistling and where trees simply do not grow, is the locale and the year is 1895 G.M., meaning the year the G. and M. railroad wanted to push its tracks across Bond's farm.

You have Maude Allen, playing wife and mother and playing it quite believably. You have Matt, the younger son who is about to become a schoolteacher. There is Milly, played by Ann Meril. She's merely an adopted child who has reached the age of consent without unearthing anybody in that barren farm country willing to listen. But along comes Luke, the other son, slickened now by city ways and medicine shows. He is back for a visit and it is not long before Milly returns from a moonlight walk, her consent behind her and motherhood soon ahead.

Marriage By Compulsion

In the meantime, Bond, a religious man and a hard man, is worrying about his Bible, concerning himself with an early morning rising to see "Quigley about the threshing" and finally losing his mind, then his life in a Nebraska-type cyclone. Don't ask us why, he just does.

Eventually and in the third act, Luke does return and is forced into wedlock with Milly. As a budding side romance, Matt has been finding the blonde daughter of the railroad gang boss pretty and interesting. Even the road, however, gives up the ghost in that inhospitable country which takes Primrose back to Ohio awaiting Matt and the day.

As the curtain falls, Matt is asking his mother, "How long does it take for the trees to grow?"

"A long time, son," answers ma which was what we were thinking about the play and its ending.

"Thirsty Soil" won't do. The author obviously was trying for an O'Neill stark-and-bitter. But Raymond Bond is not Eugene O'Neill, and the uncompromising truth is his play is aimless and without accomplishment.

Sound Theatres—Africa and Near East

Country	*1936*	*1935*	*1934*	*1933*	*1932*
South Africa	250	200	200	195	180
Algeria	130	60	60	95	...*
Egypt	102	90	72	72	70
Palestine	29	27	22	16	16
Tunisia	24	27	...	...	...*
Iran	25	25	...	...	...
Syria	24	24	23	20	7
East Africa	11	12	13	13	4
West Africa	7	7	7	7	5
Iraq	6	6	6	6	4
Madagascar	2	2	2	2	2
Persia	...	...	6	6	6
Total	610	480	411	432	379

*Motion Picture Section's figures for 1932 listed North Africa with 85 installations. This is assumed to have embraced Algeria and Tunisia, listed separately in the survey for 1935.

(*Tabulation for other sections of the world on page 3*)

The London Wire

Cable flashes from Bruce Allan on new product previewed in London:

"Head Over Heels in Love"

LONDON, Feb. 3.—The new Jessie Matthews musical for G. B., trade shown at the Phoenix tonight, should please her fans on this and the other side.

"Head Over Heels in Love" is set in Paris with backgrounds in Bohemian studios, cabarets and broadcasting stations. It has four good musical numbers, but unlike previous Matthews vehicles, has the star indulging in very little dancing.

This one is less spectacular than "It's Love Again" and it lacks the swing of the former vehicle. Yet, with its very good comedy finale, it should please.

"Great Barrier"

LONDON, Feb. 3.—This Gaumont British film which will open tomorrow at the new Gaumont, the rebuilt Capitol, is a drama, crowded with action, telling the story of the difficulties encountered in the construction of the Canadian Pacific Railway. Queen Mary will attend the opening.

Beautiful backgrounds of the Rockies, large scale construction camp scenes and the historical atmosphere in the struggle with J. J. Hill for control of the line, add much to the film. Richard Arlen is good in the lead of the film, which is England's best attempt on the reconstruction of recent historical events. The picture should appeal to American audiences.

Running time, 90 minutes.

Seattle's Censors Move Into Balcony

SEATTLE, Feb. 3.—A city ordinance sets forth that members of the theatre censor board, in the course of their work, must be given "a proper seat." Mrs. Cecilia Schultz, theatre operator, has relegated them to the last row in the balcony, up among the dyed-in-the-wool drama lovers, music devotees and balletomaniacs.

Mrs. Schultz became quite indignant over admitting censors to the best seats in the house and threw panic their way when she reserved the opera-glass section for them. They had been in the habit of sauntering past the doorman with the admonition to put the front row seats on the cuff.

Corporation Counsel A. C. Van Soelen stated Mrs. Schultz was quite within her rights and doubted her stand would result in arrest. Said Mrs. Schultz: "They (the censors) don't come to my theatre because they think the symphony orchestra is going to play in its underwear, or because they think one of my fine artists will put on a strip-tease act; they come to see the show." Mrs. Schultz made it clear she was not discriminating against the censors, adding that they can have the best seats in the house—if they pay regular prices, plus the usual tax.

The censor board is discussing the matter.

Maxwell Deal With Lesser Set in Europe

(Continued from page 1)

daughter back from school in Switzerland. While in England, the star appeared with Robert Donat in "Knight Without Armor" for London Films. She will depart for the coast tomorrow, according to present plans.

Michael Bartlett was another homecomer. He has just completed "The Lilac Domino" with June Knight for Max Schach. He said he had another offer from Schach, but hasn't made up his mind.

Business at his Tennis Club at Palm Springs brought Charles Farrell back after making two pictures in England, one entitled "Moonlight Sonata," for a company releasing through U. A., and "Midnight Menace" for British National. He will leave for California today.

Holtz In, Without Plans

After having been away eight months appearing in vaudeville in England, Lou Holtz said he has no future plans whatsoever.

Don Lahos, French producer, also was a passenger on this boat.

The *Paris* arrived earlier in the day with a flock of film folk. Albert Lewin, new Paramount producer, headed the list. He had been away several months visiting Vienna, Athens, Cairo, Luxor, London and Paris. Although he is due at the Paramount studios March 1, Lewin asserted his first picture will not be decided until he confers with Adolph Zukor. He will spend the next few weeks looking over plays on Broadway.

Henry Henigson, at one time head of Universal studios, returned from a four-month vacation touring Europe. He said the best product on the Continent comes from France. He will remain in town a week.

Writers Disembark

Two writers were among the list. They were E. E. Paramore, who has been spending the past three months taking in the sports on the Continent and also writing the screen adaptation of "Glamorous Night" for British National. He will be here for 10 days, then leave for Palm Beach. The second scrivener was James A. Creelman, who worked on "Interval for Romance" for British National.

Swana Beaucaire, who recently completed "It's in the Bag" for Warners in England and previous to that played the leading role in "L' Aimable Lingere," by Tristan Bernard, for Paramount in France, arrived on her first visit to this country and was immeasurably impressed with the skyline. She will confer with Jake Wilk of Warners in the next few days and depart for Hollywood in about a month.

Another skater to follow in the footsteps of Sonja Henie is Melitta Brunner, who comes from Vienna to make her American skating debut at the North American Winter Sports Carnival Feb. 12-14 at Saranac Lake. She will remain in the east for two weeks and then go to Hollywood, where the William Morris office is working on three film deals.

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Union Deals Here Will Be Signed Today

Agreement Will Become Effective Monday

Signatures will be affixed this afternoon to the correlative agreements which are designed to bring to an end the long and troublesome multiple union situation in New York theatres, it was learned on reliable authority yesterday. The agreements, one providing for the absorption by Local 306 of the membership of the Allied Union, and the other between the I.T.O.A. and Local 306, will become effective on Monday.

The deals, which have been the subject of protracted negotiations, are the result of demands made several months ago by Mayor LaGuardia that a satisfactory settlement be reached among the unions and independent theatre operators in the city, following a series of bombings in which a number of people were injured.

The 306 agreement with the I.T.O.A., which will have the effect of nullifying the existing agreement between the I.T.O.A. and the Allied Union, whose members are employed in practically all of the more than 200 I.T.O.A. houses, is understood to be for a period of 10 years. The chief features of it are provisions for an increase in wages to operators of 25

(*Continued on page* 10)

Masses A Censor, Review Board Told

The most serious censorship faced by the screen as an art as well as any other art is the ignorance and stupidity of the mass audience, Pearl Buck, noted author told members of the National Board of Review yesterday at the opening discussion session of the three-day 13th annual conference, which will conclude with the annual luncheon on Saturday at the Hotel Pennsylvania.

The mass censorship is a more serious problem than that of official or

(*Continued on page* 10)

Kalmus Contradicts Tricolor's Letters

HOLLYWOOD, Feb. 4.—Dr. Herbert T. Kalmus today issued a statement aimed to counteract letters sent to exhibitors throughout the country by Tricolor which reportedly infer that exhibitors will be liable to suits if they show films in Technicolor.

The present dispute is an outgrowth

(*Continued on page* 10)

Sending of Power by Radio To Be Demonstrated Mar. 1

NEW CASTLE, Del., Feb. 4.—The National Wireless Power & Light Corp. of Greenwich, Conn., will give a demonstration on the feasibility of the use of transmission of electric power and light by radio or wireless at its experimental station near here on March 1. Electrical transmission experts from all parts of the United States have been invited.

Using equipment installed in the research laboratories here during the past three months at a cost of more than $100,000, John C. Roberts, formerly of Brentwood, Cal., inventor of the "Roberts method of transmission through the use of the Roberts tube," said efforts will be made to transmit power by wireless to a ship en route from New York to Bermuda.

Roberts declared the attempt will be made to transmit power through a channel created by an electro-magnetic beam to be picked up and utilized by a specially designed receiver.

Tests have been made in laboratories set up near here and at Dover, Del., about 40 miles distant, of high

(*Continued on page* 8)

More Radio—Page 8

Alien Actor Bill Facing Opposition

By CLARENCE LINZ

WASHINGTON, Feb. 4.—Active opposition to the Dickstein bill restricting the entry of alien actors and artists will be expressed by representatives of producers on Feb. 17 when the House Immigration Committee will hold its hearing on the measure.

In order to give producers an opportunity to express their views, Representative Kramer of California last month refused to permit immediate reporting of the bill and demanded that hearings be held.

The opposition of the industry is

(*Continued on page* 10)

Cincy Houses Open

Cincinnati, Feb. 4.—Utilities here are approaching normal and as a result theatres are allowed to open from 10 o'clock to 3 o'clock daily. Theatres are required to be dark after 5 o'clock.

If the power stands the test, they will be allowed to resume normal schedules tomorrow.

Cheap Films Not Planned, States Korda

By BRUCE ALLAN

LONDON, Jan. 27.—Commenting on the salary cuts of from five per cent to fifteen per cent, applying to all employes of London Film Prod., Alexander Korda denied in press statements that any fundamental change in production policy is implied.

Denham, he said, was exercising strict economy to meet the difficult times ahead for British production but talk about making cheap pictures for the British market only he described as "rubbish."

A picture costing £20,000 to £40,000, without a chance for a world release, is more expensive than a £200,000 picture with world release, he declared. London Films gets more than 50 per cent of its revenue from abroad, 28 per cent from America, 24 per cent from the rest of the world, and 48 per cent from England.

Quoting instances, Korda said "Sanders of the River" cost £100,000

(*Continued on page* 10)

A Wire to the Shuberts

By PLAYBOY

Stuck roughly midships in the program of the Imperial where "Frederika" sang its way in last night was a "Tourate Telegram"—35 cents for 15 words.

Western Union thereon suggested a wire to the folks back home about your visit to New York. All necessary was to fill in the name of the sender and check any one of nine suggested telegrams conveniently listed.

Very simple and very thoughtful on the part of Western Union. You either arrived safely. Or had a fine trip. Or sent warm greetings from Broadway. In all nine, however, you had seen "Frederika" and thought it "swell, charming, delightful."

It gave us an idea—a telegram of

(*Continued on page* 11)

Erpi License Pacts to Be Retroactive

Cuts in New Deals Will Run Back to June 1

Erpi's new recording license agreements now being negotiated with major companies and embodying appreciable rate reductions will be retroactive to June 1, 1936, it was learned yesterday.

Completion of the negotiations, which have been under way for some time, is probable within the next month or two. Because of the retroactive feature of the agreements, the Erpi licensees do not regard closing of the negotiations as urgent. The first agreement likely to be closed is one with Loew's. When completed, it will contain the basic provisions to be incorporated in all Erpi recording agreements and, as a result, the making of new agreements with all other Erpi licensees is expected to be concluded in short order thereafter. The new license agreements will remain in effect until 1944.

The new Erpi recording charges will be the same as those now offered by RCA. A charge of $54 per reel has been established for features in the higher budget brackets and $27 per reel for those in the lower brackets. Foreign recordings and dubbing charges are eliminated in the new pacts. Erpi's $100,000 minimum royalty requirement will be continued in the new agreements.

Paramount Theatre Partners Plan Meet

A three-day meeting of Paramount theatre operators and partners from all over the country will be held at the Roney-Plaza Hotel, Miami, March 18, 19 and 20, immediately following the M.P.T.O.A. convention, which will be attended by Adolph Zukor and most of the Paramount theatre operators.

Among the Paramount men who are expected to be on hand for both the M.P.T.O.A. convention and the

(*Continued on page* 10)

U. S. Firms May Quit Over Austrian Quota

Unless the Austrian Government withdraws plans to increase present Kontingent regulations by 25 per cent, all major companies doing business in that country will close their offices, it was stated yesterday by a foreign

(*Continued on page* 10)

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Warner Branch Men To Hold 2 Meetings

Warner branch managers in the midwest and south will hold two-day meetings in Chicago and Dallas, starting tomorrow, in connection with the Sears sales drive which terminates April 4.

Leo Blank, district manager, will be in charge of the midwest sessions, which will be held at the Blackstone Hotel. Managers who will attend include: Tom R. Gillham, Chicago; A. W. Anderson, Des Moines; Fred Greenberg, Indianapolis; Bob Smith, Milwaukee; C. K. Olson, Omaha; Hall Walsh, St. Louis; Rud Lohrenz, Minneapolis.

Carl Leserman and Robert Mochrie, assistants to Gradwell L. Sears, general sales manager, will leave today for the Chicago conclaves.

The Dallas meetings will be conducted by Fred Jack, district manager, at the company's exchange in that city. Sears will address the men by long distance telephone tomorrow morning.

Among those who will attend the southern meet are Doak Roberts, Dallas; Joe Vergesslich, Atlanta; R. L. McCoy, Charlotte; William Warner, Kansas City; Byron Adams, Memphis; Luke Connor, New Orleans; J. L. Rhode, Oklahoma City.

Insiders' Outlook

By RED KANN

WHEN the theatre goes fitful, stops and then starts up again, the intervening lapses between the new plays leave your drama critics with columns to fill and often little to fill them with. This may or may not explain some of the mediocrity which finds its way to the linotypes, but it fails to relieve us of the impression that piffle is having a mighty day of it. Piffle is what it is. We insist we know, for, you see, we read our own stuff whenever it appears and that makes us an expert of sorts. Anyhow, to the point. . . .

▼

There, for instance, was Douglas Gilbert, minus a play and facing white space in his spot on the *World-Telegram,* comparing the play gauge of 1927 with 1937. Sixty-three plays adorned Broadway a decade ago. As of the day, not so far back, that he wrote, Gilbert traced twenty-four this year. "Hollywood, of course, has been the chief derogatory influence, but everyone knows that," ups Gilbert. Why derogatory? Because the salaries are fatter and the playwrights, as well as the actors, naturally susceptible? Suppose they are, and they are, why not? Here we are asking questions instead of following our intention of answering them, even if it be that they answer themselves. . . .

▼

Then the mouse-like Brooks Atkinson, filling two columns, more or less, in his Sunday corner of the *Times'* dramatic page. He is discussing the characteristics of first night audiences:

> ". . . many of the theatregoers in a typical first night audience are disinterested observers of the night's performance, but quite as many of them actively hope that the play succeeds. . . . It is commonly objected that first night audiences go to the theatre, not to see, but to be seen. This is patently true of a few stuffed shirts and snobs, who cannot be kept out of public places, and of some people who are ambitious, although the social significance of the average premiere is only a cut or two above Madison Square Garden. But the visibility of the first nighter between acts is very largely confined to a natural eagerness to see his friends. There is nothing invidious about that. As for the rudeness, the chronic late-coming, the surly indifference to the comfort and rights of other people, those lapses in good manners are characteristic of a callous minority. . . . Not that the spirit of a first night audience is docile or benevolent. To a certain extent it is influenced by Broadway, where gossip is virulent, incessant and bitter. . . . But it [the audience] is trained and electric; it dotes on good theatre, and the roar of 'bravos' that salutes either a triumph or a sincere attempt to do something exalted is about the most tingling sound the night affords."

▼

In Atkinsonian words, the *Times* critic is scholarly, as usual. He is also largely indulging in the well known business of gilding the lily. This job of spending night after night in the theatre in search of a good play is a fresh experience with us. But already we have learned to grow weary and vexed over the behavior of what are all dressed up like gentlemen in white tie and tails stepping on our toes, then strolling on with an El Morocco look. We are tired of the shoving, the pushing, the cigarette ashes that fill our vest pockets and the general disregard of the rights of the other individual which characterize practically all openings along the Main Stem. The first night audiences along Broadway are not polite. They are damned impolite and inconsiderate, to boot, and to explain away the practice by characterizing it as a phenomena belonging to the few is simply not the case. At least, not our case. . . .

▼

Atkinson believes, or so he said, most of the first nighters are "disinterested observers." If this is so, they are disinterested in what ought to be their better opinions and so their better judgments. It seems to be part of the premiere ritual to applaud and to bravo on the slightest of provocations when merit has little or nothing at all to do with the circumstance. Here is fact, not even an astute observation and this, alone, can explain the huzzahs let loose for indifferent performance, poor playwriting and general theatrical senility. This department recently let itself go about the iniquities of the Hollywood preview. It now begs leave, not to apologize for the earlier bombardment, but to enlarge the horizon and throw in the first night along Broadway as well. They are both as phony as phony and, if you ask what of it, we reply nothing of it except that it makes us feel better to unload a burning chest. . . .

▼

Between the woman with the screwy headdress who parades the aisles and hopes she will be seen; the ex-actress who arrives in an ermine wrap and appears after the second act smothered in sables; the "my dears" and the darlings" that rend the lobby, the show in front of the proscenium is usually better than the proceedings on the other side. If ever we want to forget the film business, our choice—entirely commercial, you understand—will be a monopoly on cough medicine on an opening night franchise only. The grunts and the coughs, that indicate the audience's impatience or its restlessness open up a field for another major American industry. . . .

Sales Beating Last Season, Says Clark

KANSAS CITY, Feb. 4.—In 27 weeks of this season, the domestic sales organization of 20th Century-Fox sold more contracts than during all of last season, when a record of sales was established, John D. Clark, sales head, told 32 distribution executives here today as the company's two-day meeting got under way at the Hotel Muehlebach.

This season's pictures already have established a new record for the number of extended runs. "In breaking last season's record we inherit added responsibilities," said Clark, in expressing appreciation to his men for the job they have done. Clark, who has just ended 10 days of conferences with Darryl F. Zanuck on the coast, said the studio practically has completed its schedule of pictures for this season.

Among those attending the annual meeting are Clark, general sales manager; W. J. Kupper, William Sussman and W. C. Gehring, division managers; Clarence A. Hill, Edwin H. Hill and Theodore Shaw, assistant division managers; William J. Clark, Movietone News and short subject sales manager; Martin Moskowitz, Clark's assistant; Nat B. Finkler, contract manager, and Jack Bloom, his assistant; Charles E. McCarthy, director of advertising and publicity; Walter J. Hutchinson, foreign sales manager; Felix Jenkins, secretary and general counsel; Lee Balsly, ad sales director; Roger Ferri, editor of the *Dynamo;* Leslie Whelen and Harvey Day of Terrytoons; Joseph J. Lee, New York sales manager; M. A. Levy, Ward Scott, George A. Roberts, Edgar Moss, H. J. Ballance, J. P. O'Loghlin, Tom Bailey and Herman Wobber, district managers, and Clyde W. Eckhardt, J. H. Lorentz, Lester Sturm, George T. Landis, George W. Fuller and Harry Buxbaum, branch managers.

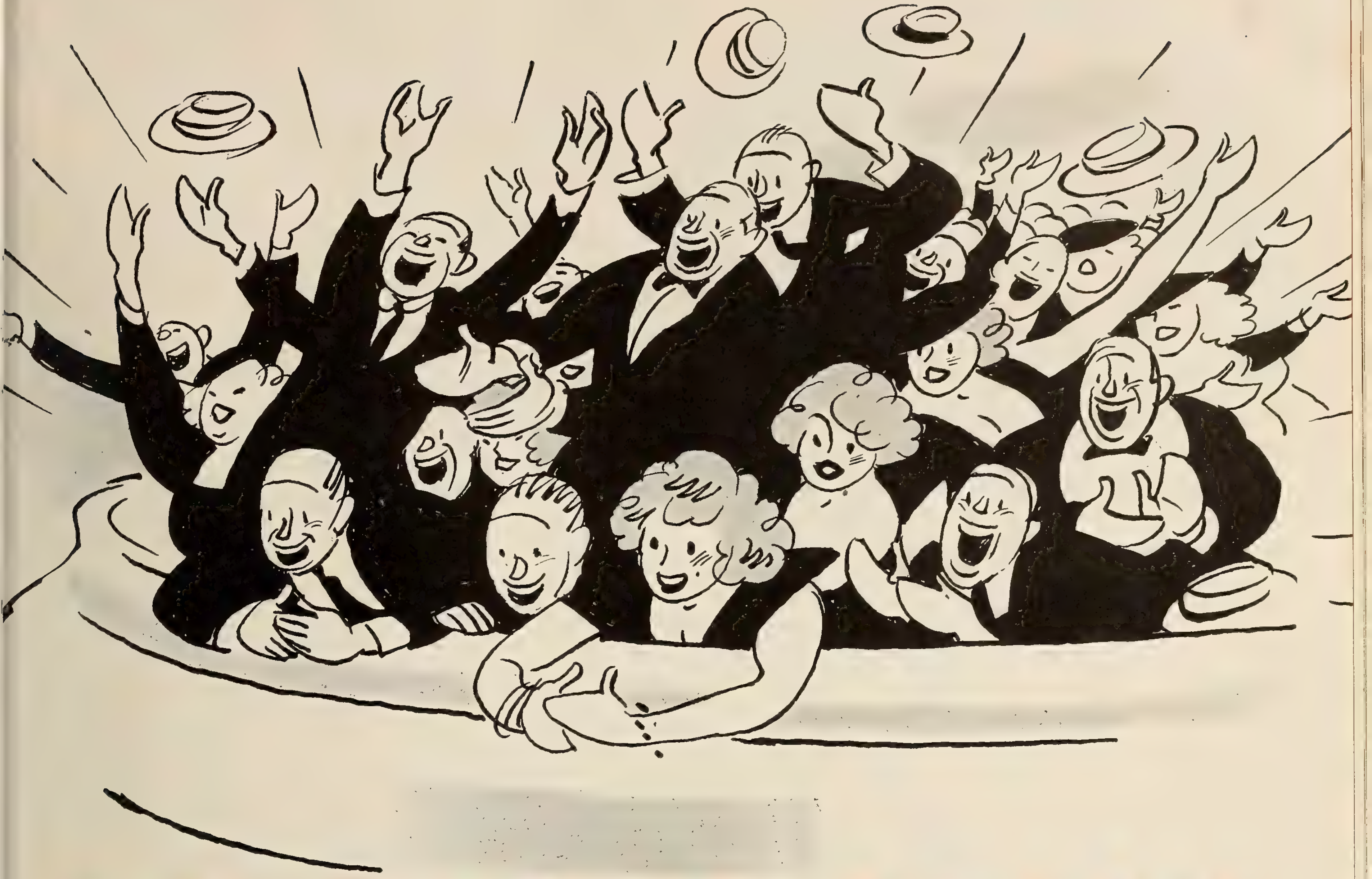
"Plough" at $73,500 In Music Hall Week

"Plough and the Stars" garnered approximately $73,500 at the Music Hall. It was replaced yesterday by "On the Avenue."

Harry Charnas yesterday decided to hold "Great Guy" a sixth week at the Criterion, thereby setting back the opening of "Man of Affairs," G. B. picture, for the second time.

Chase to Columbia

HOLLYWOOD, Feb. 4.—Charley Chase today was signed by Columbia for two shorts with options for more. Chase recently secured a release from his contract with Hal Roach.



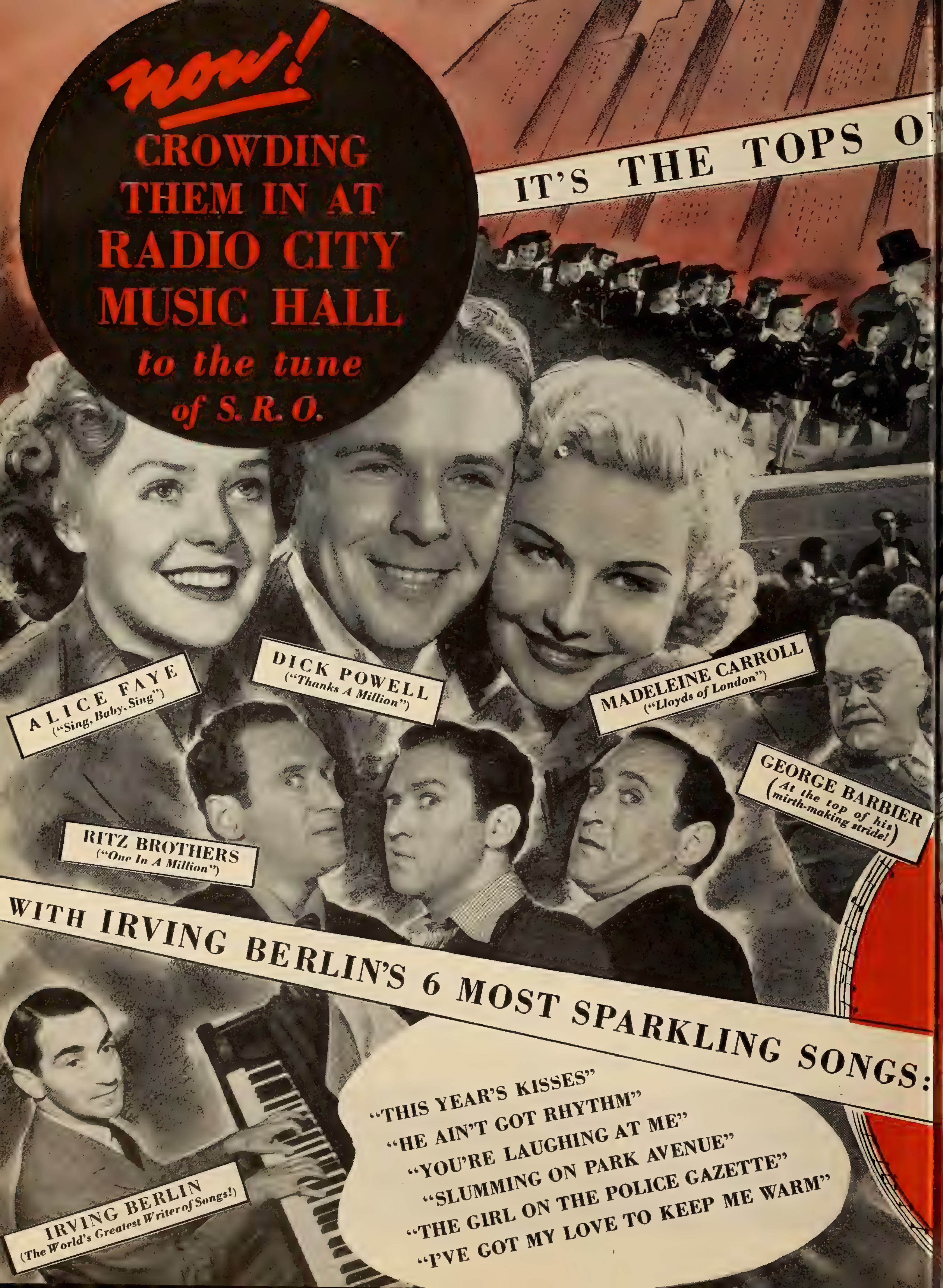
BALCONY SCENE FROM "ROMEO AND JULIET"

Have you heard the wonderful news! Hundreds of "Romeo and Juliet" Road-shows now playing from Coast to Coast! Results are so sensational that M-G-M has set 500 Advanced-price, Twice Daily dates already!

And listen to this:

OUT OF THE FIRST 200 COMPLETED ENGAGEMENTS 80 PER CENT TOP "GREAT ZIEGFELD" RECORDS!

(*Next from The Road-show Company:* "THE GOOD EARTH")



now!

CROWDING THEM IN AT RADIO CITY MUSIC HALL

to the tune of S. R. O.

IT'S THE TOPS O

ALICE FAYE
("Sing, Baby, Sing")

DICK POWELL
("Thanks A Million")

MADELEINE CARROLL
("Lloyds of London")

GEORGE BARBIER
(At the top of his mirth-making stride!)

RITZ BROTHERS
("One In A Million")

WITH IRVING BERLIN'S 6 MOST SPARKLING SONGS:

"THIS YEAR'S KISSES"
"HE AIN'T GOT RHYTHM"
"YOU'RE LAUGHING AT ME"
"SLUMMING ON PARK AVENUE"
"THE GIRL ON THE POLICE GAZETTE"
"I'VE GOT MY LOVE TO KEEP ME WARM"

IRVING BERLIN
(The World's Greatest Writer of Songs!)

LL 20TH'S MUSICALS!

Dick
POWELL · Madeleine
CARROLL

in

Irving Berlin's
'ON THE AVENUE'

with

ALICE FAYE · RITZ BROTHERS

and **GEORGE BARBIER**

ALAN MOWBRAY · CORA WITHERSPOON
STEPIN FETCHIT · SIG RUMANN

Directed by Roy Del Ruth

Associate Producer Gene Markey · Screen play by Gene Markey and William Conselman · Music and Lyrics by Irving Berlin · Dances staged by Seymour Felix

DARRYL F. ZANUCK
Charge of Production

20th CENTURY FOX

THE KEYSTONE
YOUR FUTURE

Trade Board Led Activity In Australia

By CLIFF HOLT

Melbourne, Jan. 11. *(Air Mail Via London)*.—Among the most important developments in Australia during 1936 were the creation of the N.S.W. Quota Act and the Film Board of Trade. It is too early yet to feel the consequences of the quota legislation, but it is clear that it has not given rise to the growth of "mushroom" production companies as was freely anticipated by opponents of the measure when it was before Parliament.

The absence of new companies has been a disappointing result of the quota, since there will not be nearly enough local films available to fulfill requirements during the first year. Only the established companies, Cinesound, National Prod., and Expeditionary Films, have been consistently producing, and their combined output will be inadequate. Some color was lent local production by the visits to the Commonwealth of the Hollywood players Helen Twelvetrees, Charles Farrell and Victor Jory, each of whom made a feature here. Zane Grey, was another personality to visit Australia, and his Barrier Reef feature, "White Death," is now being released.

Trade Board a Conciliation Unit

The Film Board of Trade includes representatives of distributors and exhibitors, and its purpose is to settle trade disputes which hitherto have remained unsettled or have been taken to the Government or to court. The board's machinery has not yet had sufficient time to function properly, but it has come into existence at a most opportune time and the industry is confident that a year from now the board will have been responsible for the correction of many disputes which in the absence of an intermediary might have been taken further.

The past year has not made a great deal of difference to the position of American films on the Australian market. The censor's report for 1936 shows that of the total number of features released during the year, 353 out of 481 were American, comparing with 345 out of a total of 476 for the preceding term.

The trade in general considers that the standard of quality has shown a definite improvement. It is true that many of these more artistic and intellectual productions have not all been box-office successes, but the impression they have left behind has been beneficial to the industry.

Shirley the Best Draw

The star ranking remains much the same. Shirley Temple has unquestionably more commercial value than any other name. Fred Astaire and Ginger Rogers (as a team only), Norma Shearer, Clark Gable, Robert Taylor, Charles Laughton and Robert Donat are the best bets.

Among the year's biggest hits on this market were "Top Hat," "Show Boat," "The Great Ziegfeld," "Mutiny on the Bounty," "Magnificent Obsession," and the Shirley Temple films.

The list of successes suggests that no particular formula can be applied to what constitutes the greatest potential hit on this market, although musicals which combine dramatic and comedy values seem to represent the type of film to which the exhibitor looks for biggest grosses.

The distribution situation here remains unaltered except for developments of an unimportant character. General Theatres Corp. is still the biggest buyer, and holds franchises with every company except M-G-M and Paramount. This also applies to the Hoyts suburban circuits of Sydney and Melbourne in which approximately 60 theatres are involved. There has been considerable conjecture as to whether at the expiration of the five-year working agreement between Hoyts and Union Theatres in 1937, the two circuits will again flare into open competition; but at this time the prospects of a further renewal seem most likely.

From the economic point of view, the Commonwealth found itself in a much more favorable position at the end of 1936 than at the beginning. Tax reductions are forecast in the Federal and state budgets and altogether the outlook for 1937 is decidedly promising. There is a healthy spirit of optimism in financial circles, and while one would not predict that Australia is on the brink of a renewed era of prosperity, at least signs are not lacking that the profits of 1936 will be eclipsed by those of 1937.

"Lloyds" Houston's Best Draw, $9,000

Houston, Feb. 4.—"Lloyds of London" finished first in a week of average takes and wet weather, getting $9,000 at the Metropolitan. Average is $7,000.

"Stowaway" at the Majestic hit par with $7,000, as did "Beloved Enemy" at Loew's State with a take of $7,000.

Bank Night and an "appreciation gift" building to $1,900 brought Kirby grosses up $200 to a total of $5,200 for the week. The pictures were "The Jungle Princess," "Along Came Love" and "The Girl on the Front Page."

The General Motors "Parade of Progress" gave some competition, but the chief opposition was rain all week and freezing temperatures.

Total first run business was $28,250. Average is $26,000.

Estimated takings for the week ending Jan. 28:

"THE JUNGLE PRINCESS" (Para.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

"ALONG CAME LOVE" (Para.)
KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,200. (Average, 7 days, $5,000)

"GIRL ON THE FRONT PAGE" (Univ.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

"BELOVED ENEMY" (U.A.)
LOEW'S STATE—(2,750), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"STOWAWAY" (20th-Fox)
MAJESTIC—(2,250), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"LLOYDS OF LONDON" (20th-Fox)
METROPOLITAN—(2,600), 25c-50c, 7 days. **Gross:** $9,000. (Average, $7,000)

Rogers Gets State Post

Tallahassee, Fla., Feb. 4.—Frank J. Rogers, vice-president of Sparks Theatres, has been appointed a member of the state racing commission, by Gov. Fred P. Cone. Fred Kent of Jacksonville, a nephew of Cone and attorney for Sparks, is slated to be attorney for the state highway commission.

Would Finance Bands

Albany, Feb. 4. — Under the provisions of a bill introduced in the Senate by George F. Rogers, newly elected Democrat from Rochester, by occupation a grocer, the General Municipal Law is amended by providing for submission to voters of a question whether a tax not exceeding one mill per year be levied on each $1 of taxable property for the purpose of providing a fund for local bands.

Such a tax levied on all of the municipalities of the State would produce a fund of about $26,000,000.

"Smart Girls" And Show Set Detroit Pace

Detroit, Feb. 4.—"Three Smart Girls" and a vaudeville bill sent the Fox out into the lead by a big margin at $25,500. This was above normal by $5,500.

"Rainbow on the River," also with a stage show, put the Michigan up to $23,600, which was $3,600 to the good. "Pennies from Heaven," in its third week, and "Man Who Lived Twice," in its second week, at the Adams put the take $1,500 over par for a total of $6,500, and "After the Thin Man" was strong at $12,600 in its second week at the United Artists.

Total first run business was $78,100. Average is $70,000.

Estimated takings for the week ending Jan. 28:

"PENNIES FROM HEAVEN" (Col.)
(Third week)
•"MAN WHO LIVED TWICE" (Col.)
(Second week)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $6,500. (Average, $5,000)

"THREE SMART GIRLS" (Univ.)
FOX—(5,100), 15c-75c, 7 days. Stage: "King's Varieties," Gil Lamb, Nina Olivette, The Manginis, Alexander & Santos, Klee-Ko, Royal Bagoteers, Barry Murkin, 3 Dancing Musketeers, 6 Queens of Harmony. **Gross:** $25,500. (Average, $20,000)

"RAINBOW ON THE RIVER" (Radio)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Don Redman orchestra, Buck & Bubbles, Ada Brown, 4 Stepp Bros., Edna Mae Waters, Louise McCarroll. **Gross:** $23,600. (Average, $20,000)

"BULLDOG DRUMMOND ESCAPES" (Para.)
"THE PLOT THICKENS" (Radio)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $3,400. (Average, $5,000)

"AFTER THE THIN MAN" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days, 2nd week. **Gross:** $12,600. (Average, $10,000)

"PLOUGH AND THE STARS" (Radio)
MADISON—(2,000), 15c-65c, 7 days. **Gross:** $6,500. (Average, $10,000)

Shift Zoning for House

Akron, O., Feb. 4.—City Council has approved legislation revising zoning restrictions in W. Market St., where a $150,000 de luxe film house is planned by Cleveland interests. The house will seat 1,500, and is expected to be ready next summer.

Pattinson Promoted

London, Feb. 4.—J. Pattinson, Birmingham branch manager has been promoted to branch supervisor for 20th Century-Fox.

"Business," Waring Lead Philadelphia

Philadelphia, Feb. 4. — With "Mind Your Own Business" and Fred Waring and his band as the attraction, the Earle led the way with a $19,500 gross.

"Three Smart Girls" also caught on at the Stanley and will stay for a second week after grossing $17,000 on its first. "Men Are Not Gods" got a neat $11,000 for its first week at the Aldine, and "Camille" took $19,000 for its last eight days at the Boyd. Also slightly topping the average was "God's Country and the Woman" and the stage show at the Fox, which drew $15,000.

On the whole, the week maintained the profitable pace of the last few months. Business has been consistently on the upgrade.

Total first run business was $95,200. Average is $83,560.

Estimated takings for the week ending Jan. 28:

"MEN ARE NOT GODS" (U. A.)
ALDINE—(1,300), 40c-55c-65c, 7 days. **Gross:** $11,000. (Average. $8,160)

"GO WEST, YOUNG MAN" (Para.)
ARCADIA—(600), 25c-40c-50c, 7 days, 2nd run. **Gross:** $1,800. (Average, $2,400)

"CAMILLE" (M-G-M)
BOYD—(2,400), 40c-55c, 8 days, 2nd week. **Gross:** $19,000. (Average, 7 days, $14,000)

"MIND YOUR OWN BUSINESS" (Para.)
EARLE—(2,000), 25c-40c-55c, 7 days. Stage: Waring's Pennsylvanians, band and revue. **Gross:** $19,500. (Average, $14,000)

"GOD'S COUNTRY AND THE WOMAN" (W.B.)
FOX—(3,000), 40c-55c-65c, 7 days. Stage: Salici Puppets, Steve Evans, Dick, Don and Dinah. **Gross:** $15,000. (Average, $14,000)

"THAT GIRL FROM PARIS" (Radio)
KARLTON—(1,000), 25c-35c-40c, 7 days, 2nd run. **Gross:** $2,700. (Average, $4,000)

"THE PLAINSMAN" (Para.)
KEITH'S—(2,000), 30c-40c-50c, 7 days. 2nd run. **Gross:** $2,900. (Average, $4,000)

"THREE SMART GIRLS" (Univ.)
STANLEY—(3,700), 40c-55c, 7 days. **Gross:** $17,000. (Average, $14,000)

"CHARLIE CHAN AT THE OPERA" (20th-Fox)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $6,300. (Average, $7,000)

Ohio Censors Make 28 Cuts in January

Columbus, Feb. 4.—Ohio censors reviewed a total of 502 reels in January, and ordered 28 eliminations. Five reels were rejected during the week ending Jan. 8.

This compares with 756 reels reviewed in December, and 42 eliminations ordered, and 611 reels reviewed, with 16 eliminations in Jan., 1936.

Snow Hits Seattle Takes

Seattle, Feb. 4.—The third heaviest snowfall in the city's history, topping the coldest and snowiest January in 21 years, hit theatre grosses last week.

Seattle schools were dismissed for the first time in more than 15 years because of snow, and automobile and street car traffic was disrupted.

Retitle Fairbanks Film

London, Jan. 24.—Criterion has changed the title of the latest Douglas Fairbanks, Jr., film from "Thief in the Night" to "When Thief Meets Thief."

D. C. Theatres Under Fire Again in House

WASHINGTON, Feb. 4.—Local theatres today were under fire from two sources, with a bill in Congress restricting ticket "scalpers" to a five per cent service charge sponsored by Representative Coffee of Washington, while Congressman Schulte of Indiana planned to seek a house investigation to determine whether fire rules were being observed.

Schulte, a member of the District of Columbia committee, announced he would bring up the matter at the committee meeting tomorrow.

Overcrowding in local theatres, at one time a pet subject of former Representative Blanton of Texas, comes up from time to time in Congress.

The Coffee bill would cover all amusements, including boxing and wrestling. It would prohibit the sale of tickets by brokers and others at more than five per cent over the box-office price under penalty of a fine of from $100 to $500 for each offense or imprisonment for 10 to 30 days, or both.

Bissell, Columbia, Quits at Cleveland

CLEVELAND, Feb. 4.—Holbrook Bissell, Columbia branch manager for the past six years, has resigned. Carl Shalit, district manager with headquarters in Detroit, is temporarily in charge of the local office.

A successor to Holbrook Bissell will be appointed next week, it was stated at Columbia's home office yesterday. Nate Spingold, who flew to the coast last week with Abe Montague, returned yesterday by plane. Montague is due Monday or Tuesday.

Marion Avery to Columbia

Marion Avery, who has been with Paramount for the past six years, will join Columbia on Feb. 15 as head of the play department.

Will Replace Hawkins

Mrs. Beatrice Kaufman, eastern story editor for Samuel Goldwyn, will fill in the spot which becomes vacant today with resignation of William W. Hawkins, Jr., her assistant. Hawkins, after a week's vacation, becomes eastern story editor for Columbia, succeeding William C. Lengel, recently resigned.

Refinance Bronx Theatre

The first mortgage on a theatre and property at 204th St. and Perry Ave., Bronx, held by the Bankers Trust Co., has been refinanced by Roeser-Feltner, Inc. The property consists of eight stores and a 1,000-seat theatre and rents for $35,000.

Balsdon "Unchanged"

LOS ANGELES, Feb. 4.—The condition of George Balsdon, injured last week in an auto crash, is "unchanged" according to a bulletin issued by St. Joseph's Hospital, Stockton, where the National Theatres booker is confined.

FWC Meet Ends Today

LOS ANGELES, Feb. 4.—Executive meetings of Fox West Coast are scheduled to close tomorrow. General operations in all circuits and branches are being discussed.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Borderland"

(Sherman-Paramount)

HOLLYWOOD, Feb. 4.—This latest Hopalong Cassidy film has concentrated drama and is worthy action entertainment. Although romance is ignored, the film has stirring heart interest. It should appeal to general audiences as well as Cassidy fans.

To trap a Mexican bandit, Stephen Morris, who is ravaging the border country, William Boyd, Texas Ranger, consents to his superior's plan to be dismissed from the force in disgrace. The reason for the action is kept secret from Boyd's mates, Jimmy Ellison and George Hayes, who refuse to accept his disgrace. Their efforts to help him result only in interference as he tries to work his way into the confidence of Morris, posing as a village half-wit.

Ellison is shot as a result of his efforts to keep Boyd from going renegade. He is nursed back to health by Nora Lane as Boyd is half accepted by the suspicious Morris.

As a ruthless member of the plundering gang, Boyd becomes convinced Morris is the mysterious bandit and leads him into a trap which brings about an alliance between the Rangers and the Mexican secret service. The capture of the bandit and the revelation that Boyd is a hero furnish plenty of exciting action.

Boyd's part calls for more expressive dramatic acting than his previous Hopalong roles. He makes the part convincingly real. Ellison does not have as much to do as usual, but handles his part creditably as the hero-worshipping boy torn between doubt and trust. Hayes accounts for a natural comedy role and Morris satisfies as the menace.

Nate Watt's direction is high class. His intelligent handling of his players and story material and his spotting of action sequences keeps the show moving at a lively pace. Archie Stout's photography adds much to the picture. It is based on Clarence Mulford's story and an excellent screenplay by Harrison Jacobs.

Producetion Code Seal No. 2,970. Running time, 75 minutes. "G."

Looking 'Em Over

"Head Over Heels in Love"

(G. B.)

A lightly entertaining and engaging comedy romance with accent on music and especially Jessie Matthews, this film should be genuinely enjoyable to almost any type of audience. Lacking the elaborate spectacles which have featured previous Matthews films which have come to this county, this nevertheless, has marked comedy emphasis, and the star once again demonstrates her proficiency as a dancer, popular singer and actress.

Of the four songs which feature the film, especially the title song, "Head Over Heels in Love," at least two of them appear to be headed for the audience humming division. They were done by Gordon Revel.

Adapted from a play by Francois de Croisset by Fred Thompson and Dwight Taylor, the story finds Miss Matthews, a Paris cabaret entertainer, meeting Louis Borell and Robert Flemyng. Flemyng, shy radio engineer, falls in love with her, but is beaten out by his fast-talking roommate, an actor in his own opinion. But when he meets an American film star, he walks out on the girl who, through Flemyng, is successful as a radio star. The two are engaged, Borell returns and is about to take her away from him, when Flemyng, a radio invention accepted, takes her out of his rival's arms.

Situations in the cabaret, broadcasting studio and the like afford Miss Matthews ample opportunity to display her unquestioned talents. It is her picture all the way and she makes the most of it to provide a lively, tuneful piece of entertainment. Sonnie Hale directed.

Reviewed without production code seal. Running time, 87 minutes. "G."

Sets London 5-Day Week

LONDON, Jan. 27.—Radio will institute the five-day week as soon as practicable, according to Ralph Hanbury, managing director. Columbia, Warners and First National already have placed the plan in effect.

M-G-M to Pinewood?

LONDON, Feb. 4.—Pinewood is understood waging a keen tussle to house M-G-M's British production activities, although the general impression has been Amalgamated has held the inside track.

Central States Net $56,343,000 in '35

WASHINGTON, Feb. 4—Receipts of 5,064 amusement places in the seven West North Central States in 1935 totaled $56,343,000, U. S. Census Bureau preliminary figures indicate.

Missouri's 1,212 theatres had receipts of $19,217,000; Minnesota's 871 had $11,881,000; Iowa's 1,016 had $8,502,000; Kansas' 774 had $7,740,000; Nebraska's 618, $4,789,000; South Dakota's 306, $2,267,000, and North Dakota's 217, $1,947,000. No separate figures were issued for film theatres.

Over the area named average employment for the year was 15,276 persons, with a total payroll of $11,715,000, of which $1,356,000 was for part-time labor. Four thousand seven hundred fifty-eight proprietors and firm members were active in the conduct of their business.

Damage in Evansville

EVANSVILLE, Ind., Feb. 4.—The new Washington here, recently opened by Oscar Fine, was completely submerged by the Ohio River flood. Fine also operates the American, which was almost touched by the water.

The Premier management removed the seats in that house and placed them on scaffolds, but the water covered them. Some seats in the Majestic and Victory were also removed. The Ohio, taking its name from the river, got plenty from the stream. The Grand as well as other houses here fared well by having only a little water in their basements.

Terre Haute Benefits Draw

TERRE HAUTE, Ind., Feb. 4.—Relief shows staged by several houses here were better attended than were anticipated. All houses passed the mark reported by the managements. The money was turned over to the Red Cross for flood sufferers.

Fuesslein Services Today

Funeral services for Ernest A. Fuesslein, U. A. accountant, who died of a heart ailment Wednesday, will be held today at Roemell's Funeral Church in Brooklyn. Burial will be Saturday at 2 P. M. Fuesslein had been with U. A. for the past 10 years. He was 61. Surviving are Mrs. Fuesslein and two children.

J. R. Sanderson Dead

KANSAS CITY, Feb. 4.—J. R. Sanderson, 50 years old, for the past 15 years president of the stagehands Local No. 31, is dead of heart trouble. He had been an electrician for Loew's Midland, first run house, since the theatre was opened.

"Stage" Editor Dies

LONDON, Jan. 27.—Lionel Carson, veteran editor of *The Stage* and a figure in the theatrical world of London for more than 20 years, is dead.

Swindell Merritt Passes

HIGH POINT, N. C., Feb. 4.—Swindell Merritt, 32, local theatre manager, died suddenly of a heart attack.

Mrs. Johnson Gets Estate

Mrs. Osa Johnson, widow of Martin Johnson, who was killed in an airplane crash last month, is the principal legatee of the explorer and lecturer.

Seek to Send Power by Air To Steamship

(*Continued from page* 1)

frequency tubes to be utilized in the demonstrations, Roberts said. The tests made between the two laboratories have been successful, he said, due to favorable climatic conditions.

"The current is sent out as A. C. current and is received as direct current," Roberts states.

Eight electrical engineers, including Roberts and Marion Gregory of Brentwood, are working in the laboratory here. G. P. Brailo of the Amtorg Trading Corp and a commission of Japanese railroad experts were recent visitors at the plant.

Hampered, But Operating

CINCINNATI, Jan. 31.—Two floors of the building housing the main studios of WLW and WSAI, both Crosley stations, were burned, but the studios themselves were not destroyed and both stations are continuing to broadcast, although under reduced wattage.

There have been no commercial or sustaining programs over WHAS, Louisville, or WSM, Nashville, for several days. These stations are part of the volunteer intercity network, including nearly 100 others, formed for the flood emergency, to broadcast flood and relief bulletins on a 24-hour basis. Members of the WHAS staff are virtually marooned in the studio.

Bank Show Goes State-Wide

SAN FRANCISCO, Feb. 2.—"House of Melody," Bank of America's weekly music half-hour originating here, has been shifted from a two-city NBC Red hook-up to a split Blue which gives it statewide coverage.

Previously heard at 9.30 p.m. P.S.T. Fridays over KPO, San Francisco, and KFI, Los Angeles, the new alignment puts "House of Melody" on at 9.30 P.M. P.S.T. over KGO, San Francisco, KECA, Los Angeles, KFSD, San Diego, KFBK, Sacramento, KWG, Stockton, KMJ, Fresno, and KERN, Bakersfield. The four are McClatchy stations.

Meredith Wilson and his orchestra are heard on the program, with John Nesbitt commentator.

Theatreman on Air

KANSAS CITY, Feb. 3.—John McManus, manager of Loew's Midland, has returned to the air over KXBY, with his weekly 15-minute broadcasts of film chatter. The Friday night programs (8:45) deal largely with M-G-M, United Artists and Columbia screen personalities, the material for which McManus garners from the studios and trade papers. The program opens with a musical number, "I'd Like to Be in Pictures," a theme song, and has a melody interlude of a popular song. The current Midland offering is plugged.

McManus conducted a similar broadcast over the same station during the past two seasons.

WHIO Raises $16,000 Fund

DAYTON, Feb. 4.—WHIO to date has raised $16,003 for the flood relief fund of the American Red Cross.

Radio Personals

DAVE GREGORY, ex of the newspapers, is now a member of the Taplinger publicity staff . . . Ruth Taylor of the same office now back at her desk after a siege in the hospital . . . Chick Webb's orchestra will broadcast a half-hour program to England today at 4 P. M., E.S.T. via short wave relay to BBC from the studios of CBS. Ella Fitzgerald will sing with the orchestra . . . Dave Rubinoff will receive the Pilot "Award of Merit" on his CBS Chevrolet program this Sunday . . . Ahlie Roed will be Louis Katzman's guest on WINS tonight . . . Also on WINS tonight, King Features will present Murray Goodman in a sports talk.

✚

Abe Schecter's special events staff at NBC will be augmented by three new members . . . Dick Hyman, Kings Features promotion ace and author of "It's the Law," will discuss useless laws which exist on the statute books of the country on Phil Lord's "We, the People" program this Sunday. Hyman, incidentally, is a dead ringer for George Raft . . . Speaking of Phil Lord, a large percentage of his mail is still addressed to "Seth Parker," proving the listeners don't forget as easily as some agencies maintain . . .

✚

Norris West, announcer on the Philadelphia Orchestra program, is down with grippe . . . Horace Feyhl, previously heard on the network, "Pageant of Youth" program begins a new series on WCAU, Philadelphia, shortly . . . Harry Hirshfield returns to WMCA in another series of midnight broadcasts beginning Feb. 8 . . . The Maple City Four, now in Hollywood working on "Get Along Little Dogie," will be piped in on the Alka-Seltzer "Barn Dance" tomorrow night . . . George Jessel has been added as guest on next week's "Showboat" program (Feb. 11) . . . Josephine Antoine has been set as Ed Wynn's guest Feb. 13 . . . Harry Richman will be Phil Baker's guest Feb. 14 . . . "Modern Masters," CBS musical program, fades after the tomorrow night's broadcast . . . Mathew Crowley has been added to the cast of "Myrt and Marge" . . .

✚

Bob Pastor has been added to the Shell Show's guest artist list for tomorrow night's broadcast . . . Announcer William Herlihy of WNAC, Boston, in town visiting his brother, Announcer Ed Herlihy of NBC . . . Ralph Kirberry's plane is on display at the Aviation Show . . . "My Maryland" will not be Jessica Dragonette's vehicle Wednesday, Feb. 10. Instead, Miss Dragonette will offer "Countess Maritza." . . .

✚

HOLLYWOOD, Feb. 4.—Lenox R. Lohr, president of NBC, will arrive in Hollywood Friday from San Francisco and is scheduled to leave for New York about Sunday. . . . Clarence Muse, NBC artist, showed he was as honest as they make them when he returned a $500 check which he found and which was signed by Charlie Morrison, mythical mayor of Palm Springs. . . . Ed Cohan, chief engineer for CBS, is in San Francisco. He is due at the Hollywood studios for business conferences before returning to New York. . . . Arthur Church of KMBC and Moe Meyers of KOIN are here for confabs with Donald W. Thornburgh at CBS. . . .

Glick in James Post Job

James Post, radio director of Consolidated Radio Corp., has been replaced by Clifford Glick, formerly of the NBC sales department, it became known yesterday. Post is now en route to Florida where he will vacation.

Glick joined Consolidated some six months ago. He will be assisted in his new post by Margaret Flynn, who was also his assistant at NBC.

Iodent to 8 More

The Iodent Co., sponsors of "Dress Rehearsal," Sunday 11:30 A. M. to noon program on the NBC-Blue, adds eight stations beginning this Sunday. They are KVOD, Denver; KLO, Ogden; KGO; San Francisco; KFSD, San Diego; KECA, Los Angeles; KEG, Portland; KJR, Seattle; KGA, Spokane. Maxon, Inc., is the agency.

Hawkins to Leave NBC

Stewart Hawkins, assistant to Bertha Brainard, head of NBC commercial programs department, leaves the organization next week. Hawkins is a radio veteran and was one of the first radio editors on the New York *Herald-Tribune*.

More Colonels Contribute

Yesterday's Kentucky colonel contributions for WHN's flood relief funds came from Colonels George R. Fitts, Sam Pinanski, M. J. Mullins, Max A. Cohn, N. L. Manheim, M. A. Schlesinger, and Len Cohen.

To Dramatize Cohan-Harris

A dramatization of the famous theatrical partnership of George M. Cohan and Sam Harris, now reunited after a separation of more than 16 years, will be broadcast over WJZ and the available stations of the NBC-Blue network Sunday from 8 to 8:30 P. M., E.S.T. Cohan and Harris will participate in the broadcast. John B. Kennedy will be the narrator.

Cohan and Harris broke their partnership during the Equity strike of 1916. They remained bitter enemies until a few months ago when they patched their feud to co-produce "Fulton of Oak Falls," which opens at the Morosco Feb. 10.

Sue on Radio Patents

Suit was filed yesterday in U. S. District Court for $10,000 by the Hazeltine Corp. and the Latour Corp. against the Halson Radio Mfg. Co. The plaintiffs claim ownership of certain patents used in radio receivers and say that on Sept. 30, 1933, they granted a license to the defendant corporation for the use of those patents until Dec., 1937, for which they were to receive three per cent of the net sales price or a minimum of $10,000. They allege that the defendants failed to pay anything in 1936 or to render statements showing their sales.

Gordon Mills in New Job

Gordon Mills, guest tours manager at NBC, transfers to the sales department, effective immediately, and will be replaced by his assistant, Charles Thurman.

Mutual Broadcasts Flint Strike Riot

The first on-the-scene broadcast from the automobile strike area was carried over the Mutual network yesterday afternoon from Flint, Mich., through the facilities of CKLW, Mutual station in Detroit-Windsor. A mobile unit stationed near the Fisher Body Plant No. 2 and commanded by Announcer Frank Gentile, fed the tense scene of the milling strikers, strike sympathizers, and the opposing National Guardsmen to the listeners.

The broadcast came as a surprise. The Mutual stations were not notified of the plan until almost 4 P. M., E.S.T. yesterday, one half hour before the program went on the air. It is not known at the moment whether Mutual or the other national webs, NBC and CBS, will offer further strike-area broadcasts.

"Pick and Pat" to Rest

"Pick and Pat" leave their CBS "Pipe Smoking Time" program for a two-week vacation following Monday's broadcast. They will be replaced by Tito Guizar.

Huston Series Impends

CBS has admitted that Walter Huston had auditioned for a client who has booked time on the CBS network.

All-Negro Show for NBC

HOLLYWOOD, Feb. 4.—NBC will broadcast a flood relief program consisting of all-negro artists over the Blue network Saturday night, 9:30 to 10 P. M., P.S.T. Clarence Muse, originator of the idea will be m. c. Others scheduled to appear include Bill Robinson, Ethel Waters, Hall Johnson Choir and Louise Beavers.

Hadek, Baker to "Barretts" Show

HOLLYWOOD, Feb. 4.—Frank Hadek's orchestra and Kenny Baker, vocalist, will participate in Jack Benny's humorous version of "Barretts of Wimpole St." which will be shortwaved to England next Monday.

Wall Street

Losses Spot Board; Para. Off 3⅜

	High	Low	Close	Net Change
Columbia	37	36¼	36¼	— ¾
Columbia, pfd. ...	45½	45¼	45¼	+ ¼
Consolidated	5⅛	5	5	— ⅛
Consolidated, pfd..	17	17	17	.....
Eastman Kodak ..	174½	173½	174½	+ ¼
Eastman, pfd......	160¾	160¾	160¾	.....
Gen. T. Equip. ...	33	32⅝	32⅝	.....
Loew's, Inc.	78	75¾	76¾	—1⅜
Paramount	27¾	27	27½	.....
Paramount 1 pfd..	191	190⅝	190⅝	—3⅜
Paramount 2 pfd..	24⅞	24⅝	24¾	— ¼
Pathe Film	9⅜	9¼	9¼	— ⅛
RKO	8⅝	8⅜	8½	.....
20th Century-Fox.	36⅞	36⅝	36⅝	— ⅜
20th Century, pfd.	45⅝	45⅜	45⅜	— ⅜
Warner Bros.	15⅜	15¼	15¼	— ¼

Small Curb Gains

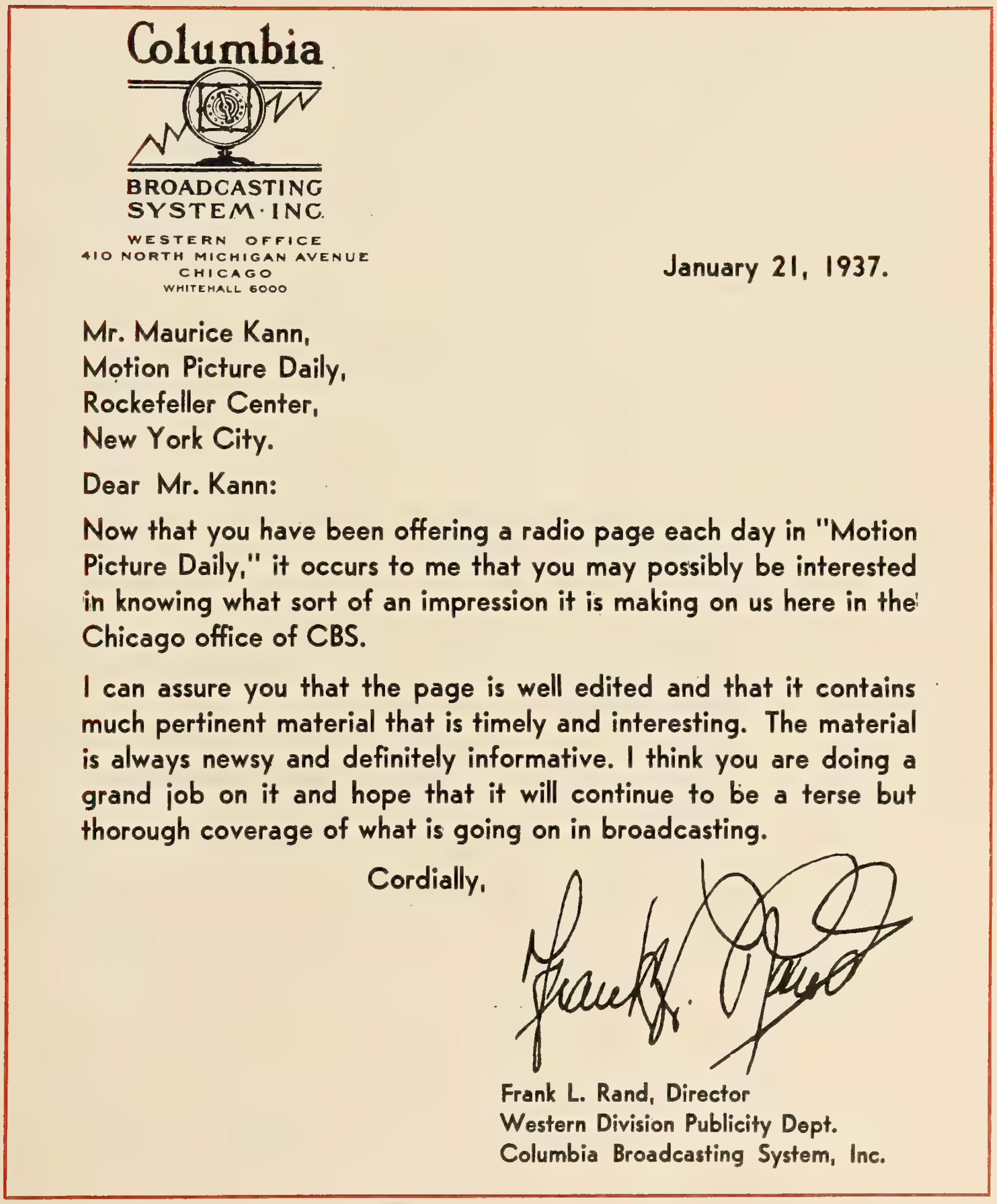
	High	Low	Close	Net Change
Grand National ..	3⅞	3⅝	3¾	+ ⅛
Sentry Safety	1	1	1	.....
Sonotone	2¼	2¼	2¼	.....
Technicolor	21¼	21⅛	21⅛	+ ⅛
Trans-Lux	4½	4⅜	4⅜	.....

Fractional Bond Changes

	High	Low	Close	Net Change
Loew's 3½s '46....	100½	100¼	100⅜	+ ⅜
Paramount B'way 3s '55	74½	74½	74½	— ¼
Paramount Pict. 6s '55	100½	100⅜	100⅜	.....
RKO 6s '41 pp....	120	120	120	— ½
Warner Bros. 6s '39 wd	99¾	99⅝	99⅝	— ¼

(Quotations at close of Feb. 4)

Radio Acceptance



Columbia
BROADCASTING
SYSTEM · INC.
WESTERN OFFICE
410 NORTH MICHIGAN AVENUE
CHICAGO
WHITEHALL 6000

January 21, 1937.

Mr. Maurice Kann,
Motion Picture Daily,
Rockefeller Center,
New York City.

Dear Mr. Kann:

Now that you have been offering a radio page each day in "Motion Picture Daily," it occurs to me that you may possibly be interested in knowing what sort of an impression it is making on us here in the Chicago office of CBS.

I can assure you that the page is well edited and that it contains much pertinent material that is timely and interesting. The material is always newsy and definitely informative. I think you are doing a grand job on it and hope that it will continue to be a terse but thorough coverage of what is going on in broadcasting.

Cordially,

Frank L. Rand, Director
Western Division Publicity Dept.
Columbia Broadcasting System, Inc.

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

Union Deals Here Will Be Signed Today

(*Continued from page* 1)

per cent and a reduction of working hours from 84 to 70 per week. Harry Brandt, president of the I.T.O.A., said recently that the change will cost the organization's members an aggregate of $400,000 additionally annually in the cost of operation.

Although the basic agreement between 306 and the I.T.O.A. had been in readiness for signing for several weeks, the delay was occasioned by the inability of 306 and Allied to agree on terms of their agreement. The chief difficulty arose over the status of unemployed members of Allied. Local 306, it was understood, was unwilling to take the unemployed Allied men into the organization as members, but was willing to place them on a preferred list. Final conclusion of the entire agreement was dependent upon a settlement of that situation, since the I.T.O.A. refused to sign one agreement without the other having been concluded. Both are being signed at the same time.

I.A.T.S.E. Approves

The negotiations have been carried out under the sponsorship of a survey board appointed some months ago by Mayor LaGuardia, of which Samuel Lewisohn is chairman, and Ben Golden chief intermediary between the board and the parties involved. The I.A.T.S.E., parent organization of 306 and an A.F.L. affiliate, has approved the agreement.

Another element of the union situation in New York, that involving the Empire Union, which is confined almost exclusively to Brooklyn, has not been considered up to this time, but it is anticipated that it will be taken up following the institution of the present agreement.

An attempt on the part of the Harris circuit last week to prevent the conclusion of the agreement by injunction, is still pending. A temporary injunction was vacated early this week in the N. Y. Supreme Court, and a hearing has been set for Feb. 10.

Pick Chicago Union Slate

Chicago, Feb. 4.—All the present officers of the operators' union were renominated today and will be reelected March 4. They were: Peter Shayne, president; Glen Sweeney, vice-president; Frank Clifford, business manager; J. P. Smith, assistant business manager; Neil Bishop, secretary-treasurer.

Portland Confers on Wages

Portland, Feb. 4.—J. J. Parker is holding conferences with operators and other theatre unions on a demand for restoration of the 10 per cent pay cuts which went into effect a year ago. If raises are granted it is expected an effort will be made to lift admission scales to the 35c-40c-55c level.

Retitle Molnar Story

Hollywood, Feb. 4.—"Once There Was a Lady" is the final title of M-G-M's "The Girl from Trieste," Ferenc Molnar's play.

Cheap Films Not Planned, States Korda

(*Continued from page* 1)

and brought in £180,000 and the first six pictures made by London Films grossed over £1,000,000 and were still earning money.

While 3,000 were employed at Denham last summer, the present total of 1,400, in the absence of so many visiting units, was adequate for requirements; the cuts affected 400, including all the foreign experts, whose engagement he defended because they were needed to train the British personnel.

Korda gave the figure of £1,200,000 ($6,000,000) as the investment in the six London films just completed: "Fire Over England," "Knight Without Armour," "Elephant Boy," "Troopship," "Dark Journey," and "Storm in a Teacup."

His backers, he declared, are confident, in spite of losses inevitable in building up a new industry.

Korda will make 12 pictures for world distribution by United Artists this year, the second of his 10-year U.A. contract. The total is double the first year's output. Sixty per cent of the United Artists' product during the last 12 months was composed of British films.

Paramount Theatre Partners Plan Meet

(*Continued from page* 1)

company meetings in addition to Zukor, are E. J. Sparks, S. A. Lynch, Karl Hoblitzelle, E. V. Richards, Frank G. Walker, Hunter Perry, John Balaban, Vincent McFaul, Joseph Clemmons, Saul Gordon, R. J. O'Donnell, Jules Rubin, Tracy Barham, George Trendle, Sam Pinansky, John Friedl, Harry Nace, Harry David, Joseph Cooper, Pat McGee, John Ford, M. A. Lightman, E. C. Beatty, Robert Wilby, Ed Kincey, Martin Mullin, A. H. Blank, Arthur Lucas, William Jenkins and Y. Frank Freeman, Paramount vice-president in charge of theatres. Additional home office executives probably will attend.

Loew's Set Dividends

Loew's directors have declared a quarterly dividend of 50 cents on the common in addition to an extra of 50 cents, payable March 31 to stockholders of record as of March 12.

David Bernstein, vice-president and treasurer, is en route to Miami and will make a number of stopovers en route, visiting Loew theatres. He will be gone over a month. Harry Bernstein of the real estate department left yesterday for Miami and is due back March 1.

Bader Turns Author

London, Jan. 30.—David A. Bader is author of "Three Bad Men" in collaboration with David Evans. E. Howard Alexander, managing director of Alexander Film Prod., is expected to make it for National Provincial release. Ralph Spence will do the script and Mel Brown will direct.

$497,257,013

Amusement securities listed in the N. Y. Stock Exchange had a paper value of $497,257,013 on Feb. 1.

Average market value per share was $31.31.

Masses A Censor, Review Board Told

(*Continued from page* 1)

self-appointed bodies, Miss Buck declared.

During the session in the evening at New York University, in connection with the showing of the 1912 release, "Queen Elizabeth," and the 1937 picture, "The Maid of Salem," Terry Ramsaye, editor of *Motion Picture Herald,* stressed that faith in the industry expressed by Adolph Zukor throughout his 25 years of activity in it. Speaking of the high opinion Zukor always has maintained of the industry, Ramsaye said, "He has always believed that its tomorrow would be bigger and better, and he has always meanwhile been busy doing something to make that belief into a fact. . . . He has always been demanding for the screen the best in talent and all else the world afforded, and always has been ready to pay for it, convinced that the consumer would justify the lavishness.

"He has stayed by his company, his job, his work—and there has never been enough alarum to make him sell the motion picture short."

Other speakers yesterday included J. Searle Dawley, first director of the old Edison Co., Harry Evans, eastern talent scout for Universal, Lowell Thomas, of Fox Movietone News, and Albert S. Howson of Warners.

Further discussions of various phases of screen activity will occupy the conference today.

U.S. Firms May Quit Over Austrian Quota

(*Continued from page* 1)

executive. Columbia has no branch in that country.

A decision by Austria is expected later in the month. Distributors contend that under existing regulations offices cannot operate profitably and if the new 25 per cent Kontingent increase goes through there is no other alternative but to withdraw.

Increase Effective Feb. 7

Vienna, Feb. 4.—The Ministry of Commerce today set Feb. 7 as the date when a 25 per cent increase in Kontingents will go into effect. The ruling affects American pictures only, it was said. German films are imported tax free, according to a law passed some time ago, while the French Government has a private agreement with the Austrian Government banning Kontingents.

O'Connor Is Promoted

Jerry O'Connor has been promoted from the non-theatrical department of G. B. to a sales post in the Cleveland branch by George W. Weeks, G. B. sales manager.

The non-theatrical department will continue under the supervision of William Berry, who has just received 17 new subjects from abroad. These are designed for visual education use.

Alien Actor Bill Facing Opposition

(*Continued from page* 1)

based upon the fear that despite a provision that as many admissions may be granted artists from any country as are granted to Americans who are permitted to take professional engagements therein, the bill will act to bar entirely the admission of foreign performers, even in the face of further provisions that temporary or permanent admission may be granted to artists upon findings by the Secretary of Labor that persons of equal talent cannot be secured from among unemployed citizens or lawful permanent resident aliens.

The joker in the bill, as seen by the producers, lies in a provision that the question of availability here of performers is to be determined by the Secretary of Labor with "the cooperation and counsel of American organizations and associations of actors, vocal musicians, operatic singers, solo dancers, solo instrumentalists, or orchestra conductors."

Experience in the past, it is said, has shown that unions and similar organizations seldom are willing to admit that they cannot provide from their own ranks persons of necessary ability to fill any position.

Kalmus Contradicts Tricolor's Letters

(*Continued from page* 1)

of a suit filed against Technicolor some time ago and which will be given a hearing next month. Infringement on a duplex camera patent is alleged. Kalmus states that Lyon and Lyon of Los Angeles, and Roberts, Cushman and Woodberry of Boston, attorneys for Technicolor, have advised Tricolor that the patent under consideration contains no valid claim which is infringed by any camera ever made or used by Technicolor.

"In my opinion," says Kalmus, "neither producers, distributors, exhibitors, Technicolor nor anyone else has anything to fear and Technicolor's attorneys advise me that in their opinion notification of exhibitors by Tricolor appears to amount to unwarranted intimidation."

Kalmus further asserts that the claims of the patent in the suit cover only the construction of a camera; therefore, even assuming that the claims are valid and infringed, exhibitors of films in Technicolor are not liable for infringement directly or indirectly.

Air Shipments Gaining

Film shipments by air in 1936 increased 130 per cent over 1935, according to the current issue of *Express Messenger,* official publication of the Railway Express Agency. With 216 cities available by airlines, film shipments from exchanges to theatres and return account for much of the increase noted. Newsreel use of the airlines, as well as shipments of negatives from Hollywood to New York, also increased during the year.

Cinema Club to Dance

Boston, Feb. 4.—Wednesday evening, March 16, will see the initial gathering of the newly incorporated Cinema Club of Boston, in the form of a dinner-dance at the Hotel Statler.

◂ Purely Personal ▸

ARTHUR J. KELLY, accompanied by Mrs. Kelly, leaves Johannesburg today for New York, with his only stop London, where he will confer with Maurice Silverstone, chairman of United Artists, Ltd., and Alexander Korda. The Kellys left this city last September and reached South Africa via South America.

•

David J. Brown, former counsel for the N. Y. State Mortgage Commission, yesterday became a member of the firm of Hirsh, Newman, Reass & Becker, familiar to the industry as attorneys for William Fox.

•

Nate J. Blumberg and Max Fellerman are due from Kansas City tomorrow, but they may make stopovers en route which will delay their arrival until Monday.

•

Dorothy Peterson, who recently completed a role in "Two Shall Meet" for Grand National, was guest of honor at the Ampa luncheon yesterday.

•

Charles Farrell departed for Palm Springs yesterday and will return to England in a month to appear in a number of British films.

•

Paul Lazarus of United Artists today sails on the *Statendam* for a West Indies cruise. A. H. Schwartz will be on the same boat.

•

Marvin Gosch, handling radio publicity for Warners, will arrive from Hollywood today for talks with Herman Starr.

•

Harry A. Ross, head of Ross Federal Checking Service, will leave this morning for a Miami vacation.

•

George Jessel is on his way east for rehearsals of a stage show scheduled to open March 8.

•

Robert Andrews' original story, "Flight from Glory," has been purchased by Radio.

•

Rudolph Friml's and Otto Harbach's "Katinka" has been acquired by M-G-M.

•

Gene Towne, co-author of "You Only Live Once," left for Hollywood yesterday.

•

Ned E. Depinet and Jules Levy do not plan to leave the coast for several days.

•

Richard Wormser's novel, "Love in the Mud," has been acquired by Universal.

•

Fredric March has leased a nine-room duplex apartment at 129 East 69th St.

•

Marion Davies is slated to depart for Hollywood within the next few days.

•

Joseph M. Schenck is due the end of the month from California.

•

Luise Rainer is stopping at the Waldorf.

A Wire to the Shuberts

(*Continued from page 1*)

our own to the Shuberts, not via Western Union which anybody can do but via Motion Picture Daily which anybody can't do. Here it is:

Messrs. Shubert,
New York City.

Trip from Rockefeller Building to Imperial safe although taxicab hazard considerable. Almost fell asleep during first act Frederika woke up during second after much effort and stuck it out during third. Don't take it to heart however. It's just because we think operettas should have gone out with the depression or even earlier. Your show O.K. as routine affair with its boy named Goethe losing girl named Frederika for three whole stanzas. Music by Lehar pleasant but not distinguished. Dennis King cut fine and dashing figure and voice was pleasing yet not what it used to be. Helen Gleason as Frederika perfunctorily pleasant. Ernest Truex good as Ernest Truex but singularly unfunny as Lenz. Costuming gorgeous and settings filled optics. Advising Hollywood Friday morning your musical would make good film if anybody wants operettas. We don't but it's one man opinion after all. Incidentally tell Greneker he could have put us somewhere besides last row although it did help dodge crowd as final curtain dropped.

Bill Would Change Kansas Censor Law

Kansas City, Feb. 4.—Senate Bill 175 in Kansas, introduced Feb. 2, provides for a state manager ($10,000 a year) and assistants (maximum $2,400 a year) to replace the present state board of review, state oil inspector, hotel commissioner, etc.

Senator Joseph S. McDonald of Kansas City, has introduced a bill to regulate and license pari-mutuel horse racing in the state. A state racing commission of three to be appointed by the Governor would regulate and control racing and betting. The bill is not expected to get far.

Move to End Theatre Giveaways in Kansas

Kansas City, Feb. 4.—"This is to advise you that the operation of Bank Night, Screeno, or any other similar scheme or device is illegal and will not be permitted in this county," Arthur J. Stanley, Jr., county attorney of Wyandotte County (Kansas City, Kan.), has written all theatres in the county. "This includes any scheme or system, whereby anything of value is given away to any person selected by chance, through any method."

The Kansas law provides for use of the injunction method in this connection, Stanley said, and any theatre proceeding with any sort of giveaway based on chance would be closed in that manner.

Ends Ban on "Dance"

Budapest, Feb. 4.—Grave, conservative Hungarian bureaucracy found its official sense of dignity shocked when the American film, "Born to Dance," came up before the censorship. The clowning and "monkeyshines" of middies and doughboys were regarded as downright mutinous and "subversive." Out of consideration for a friendly power's navy the censor forthwith banned the picture.

When the press pointed out that the picture not only had been officially approved by Washington and shown all over the world, but had had the co-operation of the U. S. Naval authorities in its making, Nicholas Kozma, as one of his last acts as retiring Minister of the Interior attended a showing and cancelled the ban.

Theatres Are Hit in New Ohio Tax Bills

Columbus, Feb. 4.—To raise $10,000,000 for relief purposes a bill was introduced in the House today providing for a seven per cent tax on admissions over 25 cents in addition to the present three per cent gross admission tax.

Another bill presented today provides for a boost in censorship fees.

Cleveland circuit owners are incensed over the admission tax bill.

Denies Stay Against U.A.

N. Y. Supreme Court Justice Salvatore A. Cotillo denied a temporary injunction yesterday to Rock Beach, Inc., operators of the Gem at Far Rockaway, which would restrain United Artists and the Century Circuit from continuing an alleged breach of contract to supply the plaintiff with United Artists pictures after they had been shown in theatres at nearby Rockaway Park.

The Century Circuit operates the Central at Cedarhurst and it is alleged that the Century succeeds in getting United Artists pictures for that theatre prior to their being given to the Gem.

In denying the injunction Justice Cotillo said the contract involved did not specifiy exactly when the plaintiff was to get his pictures from United Artists; merely that they were to get them after they had been shown at Rockaway Park. The court decided that the question was one to be determined during the trial for a permanent injunction against the defendants.

Universal Sued by Producer

Los Angeles, Feb. 4.—Sam Ronkel, producer, today filed suit for $10,500 against Universal Studios through L. Miller, assignee. The producer asserts that he was hired by the company Jan. 11, 1936 on a written agreement to make three pictures annually at $3,500 each but that he received no assignments.

Shift Marquee Ordinance

Wilmington, Feb. 4.—The board of directors of the Street and Sewer Dept. has adopted a resolution giving the directors power to grant permission for erection of signs, advertising and ornamentation upon marquises.

Weisman Gets Award Of $15,000 for Fees

Federal Judge Martin G. Manton yesterday granted Milton C. Weisman, receiver for the Fox Theatres Corp. in the suit brought by the Chicago Title & Trust Co., an allowance of $15,000 for his services for the six months from July 13, 1936, to January 12, 1937. Weisman had asked for $20,000. Claims against Fox Theatres, totaling $3,861,693, have been allowed for $1,258,391, the hearing revealed.

Other allowances were: Franklin Operating Co., claim $816,666, $25,399 granted; Ridgeway Operating Co., claim $550,000, $11,568 granted; Trust Company of Georgia, claim $1,332,563, $400,000 granted; Theatre Realty Corp., claim $1,073,028, $773,300 granted; Philadelphia Co. for Guaranteeing Mortgages, claim $389,436, $48,734 granted.

Montaigne Made Plaintiff

Arthur G. Montaigne, to whom George C. Dawson assigned his rights, was substituted as plaintiff yesterday in his breach of contract suit before Federal Judge John W. Clancy against Pathe News. RCA and M. H. Aylesworth were not proceed against, due to failure to serve them. Testifying, Dawson said he had received about 200 responses to his circulars and actually had been in a position to close with Erwin Wasey & Co., advertising agents, for Pathe sound tracks, but alleged he had been prevented from so doing by Pathe and Courtland Smith, its president. He claimed he had a contract to use Pathe films for three years in two half-hour programs per week. Smith, he alleged, had refused to abide by the contract, saying that three years was too long, and the price too low. He claimed the loss of 33 1/3% commission. Cross-examination will follow today.

Discontinue Music Suit

The $50,000 suit brought by the composers and publisher of the song "Hands Across the Table" against Paramount Prod., Paramount Pictures Distributing Corp. and Samuel Coslow, composer, was discontinued yesterday by the plaintiff. Discontinuance was announced just before it was to go on trial before Justice Samuel Hofstadter in the N. Y. Supreme Court. The plaintiffs, Jean Delettre, a composer, and Michtell Parish, lyric writer, and Mills Music, Inc., charged that the defendants failed to give Delettre and Parish proper credit for use of their song in "Hands Across the Table."

Charninsky Wins Award

Louis Charninsky of the Capital, Dallas, has been awarded a first prize of $350 by Warners for the best campaign on "Bengal Tiger," according to Gradwell Sears, general sales manager. The contest began Sept. 9.

Four other winners were: Sid Holland, Elco, Elkhart, Ind., $250; A. J. Belle, RKO Skouras Terminal, Newark, $150; J. M. Borresen, Strand, Minot, N. D., $100; J. Floore, Empire, San Antonio, $75.

Form Producing Firm

Hollywood, Feb. 4.—Lewis A. French and Jed Buell have formed Blackstone Prod. to produce six features for summer release.

PLAY SOCKO IN FEBRUARY

The Only Theatre Game in the World That Makes Everybody a Winner!

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Feb. 20th ERROL FLYNN and ANITA LOUISE in GREEN LIGHT

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MOTION PICTURE DAILY

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VOL. 41. NO. 31 NEW YORK, SATURDAY, FEBRUARY 6, 1937 TEN CENTS

Modernization Of Courts Aim Of President

Could Name Six Supreme Justices in 6 Months

By BERTRAM F. LINZ

WASHINGTON, Feb. 5.—Striking at Federal courts which have invalidated New Deal legislation in a determination to get away from the "horse and buggy days" to which nearly two years ago he declared the Supreme Court had returned the country by holding the NRA unconstitutional, President Roosevelt today sent to Congress a message and a draft of legislation for modernization of the Federal judiciary.

Laying down a policy for superannuation which would permit him, six months after enactment of the legislation, to appoint six new members of the Supreme Court, the President, declaring that it would speed up the handling of the cases and relieve over-

(*Continued on page 4*)

20th-Fox Policies Discussed at Meet

KANSAS CITY, Feb. 5.—General sales problems occupied the 20th Century-Fox sales executives here on the second and last day of their midwinter sales meet.

John P. O'Loghlin, Canadian manager, was named next drive leader, and William C. Gehring, who headed the last drive, was presented a plaque.

Charles E. McCarthy outlined the 1937 advertising plans and William J. Clark discussed the newsreel and shorts. District Managers William J. Kupper and William Sussman spoke.

"On the Avenue" was previewed this afternoon. Most of those attending left on a special car at 11 P. M.

End of Long Strike Cheers Up Portland

PORTLAND, Feb. 5.—Exhibitors are cheered by the ending of the maritime strike which had been in progress more than three months. The business loss is estimated to have run into the millions and it has hit box-offices hard. Heavy snow lately also has been a drawback.

On the pleasanter side of the picture, however, is the banning of all lotteries—pin ball games, punch boards and others.

The Legislature is now in session, but there are no tax bills on the horizon, so the prospect is much brighter.

Proposes High Tax On Foreign Income

WASHINGTON, Feb. 5.—Foreign subsidiaries of American film companies would be made subject to sky high taxes under the terms of a resolution introduced in the House by Congressman O'Malley of Wisconsin.

The measure proposes an amendment to the income tax law passed last year imposing an emergency surtax of 50 per cent on the net income of all foreign subsidiaries of American corporations, associations or partnerships or individuals.

More Loew Thursday Openings Scheduled

All Loew's first, second and third run theatres in Greater New York are now operating on a Thursday change schedule with 17 more houses scheduled to follow within the next few weeks.

The Capitol is slated to adopt this opening date following the four-week run of "Camille." According to latest developments "Maytime" may precede "Romeo and Juliet." Either picture may open Feb. 18.

Approximately 17 houses have not yet changed to Thursday openings. They include the Warwick, Canal, Brevoort, Astoria, Mayfair, Spooner, Borough Park, Palace, Century, Jersey City and Newark theatres. These are regarded as odd theatres by the circuit. All the units will play pictures five days, it was stated at the circuit's headquarters.

Conclusion of Union Agreements Delayed

The signing of agreements between Local 306 and the Allied Union and Local 306 and I.T.O.A., which was scheduled for yesterday, was delayed a day or two following a conference which began early yesterday afternoon and was adjourned at a late hour last night.

The conference, including all parties

(*Continued on page 4*)

Come on All Boats

"Every boat arriving from England brings a G. B. picture," Arthur Lee, vice-president of the American company, said yesteray.

This indicates the company will release its announced schedule of 24 features this season.

North Central Gross Rises to $137,320,000

By CLARENCE LINZ

WASHINGTON, Feb. 5.—U. S. Census Bureau reports released today disclosed that 7,412 places of amusement in the five east north central states had total box-office receipts in 1935 of $137,320,000, gave employment to an average of 32,269 persons during the year in addition to 6,444 proprietors and firm members active in the conduct of their business, and had an aggregate payroll for the year of $32,506,000, of which $4,173,000 was for part-time employment.

The reports made public today covered the heavily populated states of Illinois, Indiana, Michigan, Ohio and Wisconsin.

They showed that 1,726 amusement establishments in Illinois had receipts in 1935 of $50,732,000; 2,201 in Ohio reported $36,846,000; 1,558 in Michigan, $23,728,000; 1,085 in Indiana, $15,497,000, and 842 in Wisconsin, $10,517,000.

The reports covered the amusement industries as a whole and no individual data was given for film theatres or other branches.

Legislative Battle Looms in California

LOS ANGELES, Feb. 5.—A legislative fight between independent exhibitors and major circuits, producers and distributors is predicted here as a result of the formation of the California Independent Exhibitors' Protective League by D. D. Russell, formerly of

(*Continued on page 4*)

Evans a Brilliant Richard; Play Among Season's Finest

By PLAYBOY

It started as early as intermission between Acts 1 and 2 in the excited lobby of the St. James last night. It will continue today and by the time the weekend is over in circles where the theatre is cuffed, cursed and discussed this argument will be raging:

Is Maurice Evans a greater Shakespearian actor than John Gieulgud?

The lines imperceptibly were forming as the first night advanced. Yet, being an old hand at avoidance of this sort of pitfall, your drama critic steps aside as nimbly as he knows how by venturing no opinion on the impend-

(*Continued on page 4*)

Ascap Denies Any Share in Score Charges

Mills Says Its Only Fees Are to Exhibitors

Ascap does not levy any charge of any kind on either producers or distributors for the use of its copyrighted music in pictures and does not participate in any way in the score charges collected from exhibitors by distributors, E. C. Mills, general manager of Ascap, advises the I. T. O. A. in a letter published in *The Independent.*

"Ascap's sole and only charge made to exhibitors," Mills' letter states, "is in respect of a license to publicly perform musical compositions copyrighted by our members. We make no charges whatever to the producers of pictures —have no contact or relationship whatever with them . . .

"We have suggested before and we suggest again that it would be perfectly proper and consistent for the exhibitors to ask the producers who bill them for these charges to explain just what is covered by the charges.

"I wish emphatically to repeat," the letter concludes, "that this society does not participate in the revenue derived by film exchanges or producers under the heading of score charges."

Report Skouras in Westchester Deals

Skouras Theatres are reported getting together with Nick Paley and Jack Rosenthal on an operating deal for the Bronxville, Bronxville, and Scarsdale, Scarsdale, N. Y.

For the past several months, George Skouras has been expanding his activities in Westchester county, having taken over a theatre at Suffern and Haverstraw.

Efforts to check on reported negotiations with Paley and Rosenthal were unavailing yesterday.

British to Use EMI Television Method

LONDON, Feb. 5.—The Postmaster General yesterday revealed that henceforth the British Broadcasting Corp. will use the Marconi-EMI system in the transmission of all television programs, rather than the Baird system, developed by John L. Baird.

Up to this time, both systems had

(*Continued on page 3*)

More Radio—Page 3

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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VIENNA: Neustiftgasse, 55, Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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Rogers Succeeds Schenck

Hollywood, Feb. 5.—Charles R. Rogers was elected second vice-president, to succeed Joseph Schenck, and Louis B. Mayer, president, and all other officers of the Association of M. P. Producers, Inc., were re-elected at the annual meeting. Schenck resigned due to pressure of other business affairs. The other officers re-elected were: Jack L. Warner, first vice-president; Fred W. Beetson, secretary-treasurer; Joseph I. Breen, director of Production Code Administration; director of studio relations, Dr. James Wingate; associate director of studio relations, Mrs. T. G. Winter.

Duals Not Discussed

Pittsburgh, Feb. 5.—John H. Harris, head of the Harris theatres here, has declared that the subject of possible elimination of double bills in the city has never been discussed by theatre operators. The Alvin, according to Harris, uses duals during only about 25 per cent of the year. Double billing was started by Warners at the Warner here, Harris declared.

Italy Honors Zukor

Hollywood, Feb. 5.—Adolph Zukor has been notified that he has been named a commendatore of the Crown of Italy by King Victor Emmanuel III.

Purely Personal

John D. Clark heads the 20th Century-Fox delegation of 21 home-coming tomorrow from the annual mid-winter sales meeting in Kansas City.

•

Betty Hynes, film and drama critic of the Washington *Herald*, is in town on a two-week vacation, seeing stage and film shows and gathering material for feature stories. She is stopping at the Warwick.

•

D. J. Goldenberg is en route to Trinidad to succeed Harry Bryman as M-G-M manager there. Bryman will take over a similar post in South America.

•

Hank Kaufman, Columbia's manager of exchange operations, leaves tomorrow for an extended tour in connection with the Montague Sweepstakes.

•

Harry Cahill, manager of Tito Schipa, has returned on the *Lafayette* with two recordings from "Vivere," film being released in Italy by M-G-M.

•

Edgar B. Hatrick arrived on the coast today. Ditto Marion Davies, who has been spending several months here since she returned from Europe.

•

Yasha Bunchuk, Herbert Brenon, Jean de Cavaignac and Robert Schless, Warner European manager, sail today on the *Paris*.

•

E. J. McNerney, U. A. branch manager in San Francisco, left for the coast yesterday after visiting his family in New England.

•

David J. Kaye, nephew of Kelcey Allen, has just completed an original script with Giles Gerard called "Rhythm Racket."

•

Sig Wittman returned from Philadelphia yesterday with a cold which kept him home for the day.

•

Herman Rifkin, Boston Republic franchise holder, left for the New England city yesterday.

•

George Brent left yesterday for Florida to spend two weeks before going to the coast.

•

H. J. Yates concluded his coast visit yesterday and is expected back here on Monday.

•

William A. Pierce's story, "Armored Car," has been purchased by Universal.

•

Harold Kusell, writer, has had his option taken up by RKO for another year.

•

Mort Spring is due back from the coast next weekend. Vacation stuff.

•

Howard Benedict flew to the coast yesterday via American Airlines.

•

Willard McKay left by plane last night for a brief stay in Miami.

•

Frank McCarthy of Universal left yesterday for Miami.

•

Herman Gluckman of Republic is back from Hollywood.

•

Louis Chatain will sail today on the *Paris*.

Milt Kusell, Paramount district manager, will leave Monday for Cleveland, Cincinnati, Pittsburgh, Columbus and the south as far as Oklahoma City. He expects to be gone a month.

•

D. A. Doran has delayed his trip to the Columbia studios in Hollywood another five weeks. After a visit to the coast, he will return and sail for London, all in the interests of coordinating the editorial departments.

•

William Hulburt will have two of his plays produced shortly on Broadway, one by Harry Cort and the second by Al Woods.

•

Arthur Hirschman and Gene Murphy of Loew's have returned from sick leaves. Hirschman spent a month in Miami.

•

I. A. R. Wylie's forthcoming novel, "Puritan at Large," has been purchased by Universal for next season's production.

•

William Shiffrin has rejoined the Hawk-Volck agency on the coast. He was last with H. N. Swanson.

•

Beatrice Faber has joined the editorial staff of Loew's *Movie-Goer* under Oscar Doob.

•

Joseph Pollak arrived last night on the *Washington*.

•

. . . Denver

Ed Maple, producer of "Marihuana," and part owner of two Denver theatres, has left for Hollywood to make another film.

J. T. Sheffield is in town to supervise the finishing of his two new exchange buildings.

Bert Turgeon is back at his job as booker for J. H. Cooper Enterprises following an attack of the flu.

William Chin has reopened his Sun theatre.

•

. . . Indianapolis

Don R. Rossiter, local manager of Ger-Bar, and Sam Eibeck, booker for Columbia, are flu victims.

Truman Rembusch, Franklin exhibitor, plans a vacation at Key West.

Ralph Abbott, Jam-Handy representative, formerly of Indianapolis, a visitor on Film Row.

C. C. Wallace has joined Grand National.

Harold Neese, operator of the Beverly in Brazil, Ind., has reopened the Capitol in Clinton, Ind.

•

. . . San Francisco

Hal Neidas, Orpheum manager, and Lou Williams, assistant at the Fox, back at work after illness.

Sam Werner is the new manager of Lou Kaliski's Uptown in Oakland.

Ada Hanifin, drama editor of the *Examiner*, and Claude La Belle, the paper's news drama chief, lecturing on films at the San Francisco Museum of Art.

Set "Good Earth" Date

M-G-M has set a roadshow engagement of "The Good Earth" at the New Locust, Philadelphia, Feb. 21. March 8 has been selected as the tentative date for the Boston opening.

Smith Is Production Head for Dixey Unit

By BRUCE ALLAN

London, Feb. 5.—A. George Smith, once London chief for Samuel Goldwyn, and recently an independent producer, has joined the board of directors of Capt. A. C. N. Dixey's new company, Independent Exhibitors' Distributing Co., in charge of production.

J. H. Iles, backer of Joe Rock, also is a new member of the directorate. Production contracts are in the course of negotiation by Dixey with several other producers. Rock and Ludovico Toeplitz signified their intention of producing for the new company, which is backed by exhibitors, a few days ago.

J. Buchanan Forms New English Firm

London, Feb. 5.—Jack Buchanan Prod., Ltd., has been registered here with capital of £100,500. Other directors are J. Arthur Rank and Charles M. Woolf, of General Film Distributors, Ltd., and S. J. Passmore, an attorney.

Buchanan will produce at Pinewood Studios, and will release his product through General Film Distributors.

Harris U.A. Winner

Milton Harris, manager of Loew's State in Cleveland, has won the "Dodsworth" exploitation award, offered by United Artists, for which 237 exhibitors competed during the past three months. Harris will receive a free trip by plane to New York, hotel accommodations here and a seven-day cruise to Nassau on the *Carinthia*.

Wins Warners' Drive

Philadelphia, Feb. 5.—Abe Frank, manager of the Lyric in Camden, N. J., won the $300 first prize in the second annual managers' parade drive conducted by the Warner theatres in the Philadelphia area. Awards of $200 each went to Mickey Kippel, Victoria; Abe Sunberg, Keystone, and Sol Getzow, Washington.

English Group to Visit

London, Feb. 5.—Arthur Taylor, secretary of the London Branch of the Cinematograph Exhibitors' Ass'n, will lead a group of English exhibitors on a visit to the United States, similar to that of last year. The group will leave on the *Queen Mary* on May 19.

Book Guaranteed Film

RKO has booked for 11 houses of its metropolitan circuit "Phantom Ship," latest release of Guaranteed Pictures, starting Feb. 16. Bela Lugosi is featured.

Mary Pickford Gaining

Hollywood, Feb. 5.—Mary Pickford is recovering from an operation performed in the Los Angeles Hospital on Thursday.

"Parole Racket" Set

Hollywood, Feb. 5.—"Parole Racket" is the final title of Columbia's "Freedom for Sale."

Postpone A.T.&T. Probe

Washington, Feb. 5.—F. C. C. hearings in the A. T. & T. probe were adjourned today until Feb. 15.

New Shows On the Air

"Coffee Club"

"Coffee Club" is a pleasant, tuneful program geared to the days that are gone. Musically it offers one of the finest bands in radio—Dick Himber's—a pair of excellent vocalists—Stuart Allen and GoGo—and Fred Utell as master of ceremonies.

If last night's inaugural program can be taken as a criterion, "Coffee Club" can well compete with any program on the Friday night radio bill of fair.

With half of radio's musical programs engaged in a race to offer first the popular artists of the moment and the other half striving to guess the hits of tomorrow, "Coffee Club" wisely offers only the hit songs of yesterday. There's something inexpressibly pleasant about becoming acquainted again with the songs that once afforded pleasure and which have been forgotten. Wisely the sponsor has permitted Himber's Band to dominate the program. And we say wisely because—to repeat—his is one of the finest, if not the finest, band in radio.

Holland House Coffee sponsors. "Coffee Club" is offered each Friday at 8 P. M., E.S.T., on the Mutual network.

"Hollywood Hotel"

It is unfortunate that no system has been devised as yet whereby it can be determined accurately how many radio listeners are drawn into theatres by the pictures they've heard prevued on the air. However, we're willing to bet that 20th Century-Fox will benefit heavily at the box-office as a result of last night's "Hollywood Hotel" offering of "On the Avenue." It was was one of the most engaging pro-one of the most engaging programs to which we've ever listened.

Perhaps its effectiveness is due to the fact that thirty minutes of the show were set aside as a tribute to the musical genius of Irving Berlin thereby cutting the program in half and permitting only a mere inkling of the musical formula of the picture to be broadcast. In other words, we are suggesting to "Hollywood Hotel" that perhaps a full hour of picture prevue is too much.

Dick Powell, who recently was removed from the program by Warner Brothers, returned to his old air-spot last night as Gary Blake, author-actor, in "On the Avenue." Madeleine Carroll played "Mimi Caraway, the richest girl in the world," who, enraged at Blake's musical comedy, slaps him in the face. And in pictures, you know, a slap leads to love.

The Irving Berlin tunes are grand, notably "He Ain't Got Rhythm" and "Slumming on Park Avenue." "Hollywood Hotel" is heard Fridays on CBS, 9 to 10 P. M., E.S.T.; Campbell's Soups, sponsors.

JACK BANNER

KWK Men Are Injured

ST. LOUIS, Feb. 5.—Three employes of KWK, Mutual affiliate here, were seriously injured when the mobile unit in which they were traveling to cover the flood crashed head-on with another car between Cape Girardeau and Hayti, Mo.

James Burke, chief engineer, suffered a partial skull fracture.

Toscanini Plans NBC Series Here

Arturo Toscanini will return to America some time before the end of the present year to broadcast a series of symphonic concerts over the NBC network. A cable to this effect was received by David Sarnoff, president of RCA, late yesterday afternoon from Milan, Italy, where Toscanini is now resting.

The cable read: "I am very happy to accept your invitation to broadcast a series of symphonic concerts over the NBC network. It is a great pleasure for me to think that I shall be able to put myself once more in touch with the radio public which gave me in my last season with the Philharmonic the greatest proof of its appreciation and sympathy." The cable bore Toscanini's name.

The series will be non-commercial. Whether this is at the express stipulation of Toscanini is not known at the moment. It was known, however, that RCA, or possibly the General Motors were both eager to sponsor the Toscanini concerts in the event that he agreed to return to America for a radio series.

Recently Samuel Chotzinoff, music critic for the *New York Post* and a warm personal friend of the maestro, was sent to Italy as an emissary of Sarnoff to persuade Toscanini to return to the United States for a series of broadcasts.

The NBC symphony orchestra will be utilized for the NBC concerts.

Toscanini made his farewell concert in the United States last April in Carnegie Hall.

Preparing 10 Shows In Hollywood-Paley

HOLLYWOOD, Calif., Feb. 5.—Ten weekly shows emanating from the coast will be the total of new radio programs in preparation, according to William S. Paley, president of the Columbia Broadcasting System, in an interview here, thus evidencing Hollywood's gradual growth as a radio center. He stressed the increased time spent in program preparation. Whereas in 1930 one and one-half hours were spent in rehearsals, the System now averages six and one-half hours, he said.

"The committee on the working code between producers and radio, headed by Will Hays, is now working out conditions regarding star appearances," Paley added. Although he could not state the time when the code would be completed, he was optimistic as to the outcome. He manifested enthusiasm regarding television experiments at New York and predicted that the new operation would be ready for the market within two years, with receiving sets priced at about four hundred dollars.

"We have a wealth of material to utilize when television is ready," he said. "The broadcasting system's 'big headache' will come in the transition period after television is first introduced and before advertising starts coming in." He added that new experiments were now being made on the secondary television area recently discovered by experts. He asserted the only competition with newspapers would be on spot coverage. He denied that the CBS was negotiating any exclusive studio talent deals. Paley will be here for another week.

Discard Plan for Filming "Family"

HOLLYWOOD, Feb. 5.—Don E. Gilman, vice-president in charge of the western division of NBC, today admitted that negotiations for the screening of the radio serial "One Man's Family," by Paramount, had been dropped.

According to Gilman, the decision was made because Carlton E. Morse, author of the serial, and Paramount executives were unable to agree on a director, type of story, and other details. The negotiations had been under way for months, but contracts never were signed.

NBC owns half the rights to the story jointly with Morse, creator of the serial.

"Both Morse and myself felt that it wouldn't be fair to the 'One Man's Family' audience, which has again and again manifested its loyalty to this program, by offering a film production which might in any way be inferior to the standards which have been set on the air," said Gilman.

WMCA Depositions Are Asked in Suit

Damskov, Inc., which has sued Knickerbocker Broadcasting Inc., operators of Station WMCA, for $10,000 will ask Justice Lloyd Church in N. Y. Supreme Court Monday for permission to take a deposition from Donald Flamm, president, concerning an agreement of Feb. 20, 1930, whereby Knickerbocker allegedly agreed to broadcast thrice weekly the plaintiff's half-hour program, "V. E. Meadows' Beauty Forum." In an affidavit, Dorothea J. Damskov, president of the plaintiff's corporation, states that the contract was to run a year at a cost of $85 a week. This figure was later reduced by half. On May 17, it is alleged, Knickerbocker refused to advertise a product formula.

The defendant asserts that under a ruling of the F. C. C. it was privileged to discontinue advertising the product because the program was "not of a character creditable to the station," and because the formula allegedly was not truthfully advertised.

Details Ordered in Parker's Pathe Suit

Phillips H. Lord (Seth Parker) was ordered by Federal Judge Robert P. Patterson yesterday to file a bill of particulars in his breach of contract action against Pathe News in which he asks $50,000 damages.

Lord claims that under a contract with Pathe News made in July, 1933, he agreed to take three Pathe newsmen on an 18-month cruise aboard his schooner, "Georgette" and pay their expenses. The cameramen, he asserts, were to make a minimum of 13 shorts and one feature and the proceeds from their distribution were to be divided equally between himself and Pathe News. His action charges that Pathe News failed to fulfill the agreement.

Brown Describes B. B. C. Tieup

HOLLYWOOD, Calif., Feb. 5.—Increased entertainment budgets and closer co-operation with the British Broadcasting Company were approved at the Mutual sales meeting at Chicago, declared Willett Brown, assistant manager of HJK, upon his return here. Preliminary plans included national hookup for several of twelve Don Lee programs.

Radio Personals

RAY LYON, research engineer at WOR, leaves for a Florida vacation today. . . . Jack Pearl, whose program has just been renewed, begins the second 13 weeks of his series Monday. . . . W. J. Price, film distributor for the Social Security Board, will be heard over WINS at 4:30 P. M. today. . . . Hugo Mariani replaces Al Kavelin on the nightly Mutual dance parade beginning next week. . . . And Clyde Lucas will have a Mutual wire after Feb. 12. . . . Blanche Yurka, Stuart Churchill and Tom Thomas will appear as "Hammerstein Music Hall" guest stars Feb. 9. . . .

✚

Rea Hudiberh joined the WBT staff this week and Dewey Long, sales manager of the station, returns from a business trip to Atlanta Monday. . . . Lady Wilkins, wife of the noted explorer, appears as guest star on the "Theatre Guide" program today at 11:45 A. M. . . . Block and Sully make a return appearance on Jack Oakie's "College" Tuesday night. . . . Sigmund Spaeth, the "Tune Detective," will appear on the Heinz "Magazine of the Air" program" Feb. 15. . . . Leo Carrillo and Flora Finch will appear with Jackie Cooper on WOR Feb. 8 and 10, respectively.

✚

Grant Mitchell, currently appearing on Broadway in "Tide Rising," will be interviewed by Lawrence Gray on "Morning Matinee" Feb. 11. . . . Gertrude Niesen is en route from Hollywood to Chicago, where she begins a stay at the Chez Paree Feb. 12. . . . Smiling Ed McConnell, who has been vacationing in Florida, returns to his NBC-Red network program this Sunday at 5:30 P. M., E.S.T. McConnell has just signed a two-year contract with his sponsor. . . .

British Use EMI Television Method

(*Continued from page 1*)

been employed in alternate weeks, and it was left in the hands of the Government's television advisory committee to recommend a single system. The EMI (Electrical and Musical Industries) system calls for 405 lines interlaced per picture transmitted at the rate of 50 picture or frames per second, while the Baird is a 240 line-25 frame method.

Following a special meeting of the board of Baird today, the company declared that the decision does not imply a monopolistic policy or the sole adoption of one system, and indicated it will not hinder Baird developments. The inference drawn here is that Baird will attempt to evolve a system meeting the new standards.

Baird deferred ordinary shares today dropped from four shillings, six pence to two shillings, three pence, and the preferred ordinary from two shillings to one shilling, four and one-half pence. EMI ordinaries rose to 26 shillings, three pence on the strength of the decision.

Modernization Of Courts Aim Of President

(*Continued from page 1*)

worked judges, recommended that when any judge in a Federal court reached the age of 70 and has had not less than 10 years service, continuous or broken, and refuses to resign or retire within six months thereafter, the President shall appoint an additional judge to that court. The number of judges to be so appointed is limited and in the case of the Supreme Court the membership is not to exceed 15.

Enactment of the bill would permit the President to change the Supreme Court in six months, since six of the nine present members are over 70 and have served for more than 10 years, although Chief Justice Hughes' service has not been continuous. Whether the membership of the court would be increased would depend upon whether these six resigned.

With new members of the court, selected by himself, the President is confident that a more liberal interpretation of the constitution and of the validity of the New Deal legislation will be secured, which would be important in the consideration of new industry control legislation which he is expected to secure later.

Varied Screen Uses Discussed by Board

Various uses of the screen outside the usual theatrical field were discussed yesterday in a series of talks accompanied by films at the second day of the three-day 13th annual conference of the National Board of Review at the Hotel Pennsylvania. The topic of the morning session was "Looking at the Motion Picture in its Various Uses."

During the afternoon period, under the general title, "Looking at the Junior Motion Picture Activity," members of the Young Reviewers, junior organization connected with the National Board, discussed the several phases of their work.

The evening session, held at the Chanin Little Theatre in the Chanin Bldg., John V. Hansen, producer, and D. E. Hyndman, of the film department of Eastman Kodak, discussed the developments of color photography. Col. Roy W. Winton, managing director of the Amateur Cinema League, presided.

This morning, preceding the 22nd annual luncheon at the Pennsylvania, the Young Reviewers will meet at the 20th Century-Fox home office to review and discuss an unreleased film. Leroy E. Bowman will be toastmaster at the luncheon, at which the speakers will include Trubee Davison, Langdon W. Post, Clarence Little, former president of Michigan University; Fritz Lang, director, and Frederick Feher, producer of "The Robber Symphony." Numerous film, radio and stage players will attend the luncheon.

Borrows Montgomery

Hollywood, Feb. 5.—Cosmopolitan has borrowed Robert Montgomery from M-G-M for the lead opposite Marion Davies in "Ever Since Eve."

Evans a Brilliant Richard; Play Among Season's Finest

(*Continued from page 1*)

ing controversy which so plainly is just in the offing.

On one point, however, he is certain. In fact, he is more than certain. He is emphatic and he won't be argued with about it that very quickly now the town will be resounding with lavish encomiums recounting the brilliance of this young English actor's performance as Richard II in the play of that name. And with the fanfare, let him inform you quickly he is in thorough and most complete accord.

Charming and cunning, masterful and weak, stalwart and cringing, resigned and tragic, the various facets of the part Evans harnessed, then tapped. When he returned from the Irish wars to learn of Bolingbroke's rebellion to say "I had forgot myself: am I not king?," the fire, the majesty, the conviction with which he cloaked that stirring, but temporary, rekindling of faith in his own power rippled through an enthralled audience like an electric wave. So it went for three acts.

For this performance is rich in dramatic rendition, so rich that a play glamorous in its pageantry and in the beauty of its lighting seemed to dim when it went on its way with no Richard on the stage.

Possibilities Fully Utilized

Eddie Dowling and Robinson Smith turned out a handsome and impressive piece. Margaret Webster staged it with an appreciation of the tragedy and in full recognizance of its possibilities for visual appeal.

They surrounded their stellar light with an effective cast in which Ian Keith, as the conniving Bolingbroke, stands second to Evans in plot importance, yet something further removed in point of histrionics. This is not to minimize Keith's performance. Not at all. He did well, as did others in variable degrees, including Augustin Duncan as John of Gaunt, Lionel Hogarth as the Duke of York, Whitford Kane as the gardener and Olive Deering as the Queen. But nothing in the evening rivaled Evans. Star by billing and star by right, he gave New York and its theatre one of the few memorable evenings of the current season.

Conclusion of Union Agreements Delayed

(*Continued from page 1*)

involved, was held in the offices of Weis, Quinn, Allan & Spett for the express purpose of affixing final signatures to the agreements designed to end the multiple union situation in the New York theatres.

Inability to arrive at a satisfactory settlement of several minor points forced the adjournment after hours in the conference room. The agreements were to have become effective Monday. It is not anticipated that the final signing of the deals will be delayed more than a day or two. Additional conferences are expected to be held over the weekend, with the possibility that the Monday effective date may still be attained.

No Theatre Changes

For the first time in many months, the local Film Board of Trade reports no changes in theatre management for a week.

Legislation Battle Looms in California

(*Continued from page 1*)

the independent producers' organization.

The new group will campaign for passage of three anti-industry bills recently introduced at Sacramento by Assemblyman Ernest Voight of Culver City.

The bills would ban designated playdates in sales contracts, block booking and theatre operation and control by producers or distributors. Although the I. T. O. of Southern California and Arizona is sponsoring the new league, it is understood it is acting independently. The league will embark on a propaganda campaign to set up a plan of procedure. The I. T. O. is now contacting all members by mail.

Fight 4 Massachusetts Bills

Boston, Feb. 5.—Opposition to four theatre bills was registered by Joseph Brennan of M.P.T.O. and Arthur K. Howard of Allied at a hearing held here today before the legislative committee on public safety.

Of the four measures, which were introduced by Harrison Atwood and George Leary, one seeks regulation requiring two licensed operators in booths at all times during projection while another stipulates that no film shall be rewound except in a booth or enclosure constructed separate and apart from the projection booth.

The third bill provides that at no time shall more than 1,000 feet of film be inserted in the projection machine, while the fourth measure calls for the compulsory installation of sprinkler systems.

The bills have been taken under advisement and are expected to die in committee.

File Patent Suit Detail

A bill of particulars was filed in U. S. District Court here today by the Amperite Corp. and Samuel Ruttenberg, defendants in a patent infringement action brought by RCA and General Electric. The action is for an injunction and accounting of damages for the alleged infringement of four patents on microphones and amplifiers. The defendants claim the patents are invalid and deny any infringement.

William Fox Asks Injunction

Camden, Feb. 5.—William Fox today petitioned Federal Judge Boyd Avis for an injunction against his arrest in New York State. Charles A. Wolverton, counsel for Fox, declared the latter's arrest, threatened by George Frankenthal, counsel for Capital Co., would interfere with pending proceedings under Judge Avis' jurisdiction.

Variety Club

Washington

Washington, Feb. 5.—The first stag smoker in several weeks was held this week with the Social Activities Committee, under Charles Kranz, chairman, assisted by A. Julian Brylawski. Liquid and solid refreshments were served.

Nelson B. Bell and Andrew R. Kelley, respectively dramatic editors of the *Washington Post* and *Washington Times,* will be kings-for-a-day at the luncheon on Feb. 8.

Barker Morton G. Thalheimer, president of the M.P.T.O. of Virginia, has issued an invitation to members of Variety Club and local theatre people to attend the annual convention of his organization Feb. 11 in Richmond.

Finke Is Promoted By General Register

Harry Finke, manager of the Chicago branch of General Register, has been promoted to vice-president and named a director of the company, it is revealed by Percy Philipson, president.

Phillipson, who is here from England, outlined new apparatus which the company plans to market.

Peskay Leaving Coast

Hollywood, Feb. 5. — Edward Peskay leaves tomorrow for New York, stopping at Chicago for the Grand National regional sales meeting. He announced realignment of February and March releases: for February, "Romance and Riches," "The Navy Spy," "Killers of the Sea" and "Trouble in Texas;" for March: "23½ Hours Leave," "Two Shall Meet" and "Hittin' the Trail."

Jessel Joins LeRoy

Hollywood, Feb. 5.—George Jessel today was signed by Mervyn LeRoy as an associate in production. The effective date is April 15.

Wall Street

Board Losses Continue

	High	Low	Close	Net Change
Columbia	36¾	35½	35½	— ¾
Columbia, pfd.	45	45	45	— ¼
Consolidated	5⅛	5	5⅛	+ ⅛
Consolidated, pfd..	16⅞	16⅞	16⅞	— ⅛
Eastman Kodak ..	174¼	173⅝	173⅝	— ⅞
Eastman, pfd.	160¾	160¾	160¾	.....
Gen. T. Equip.....	32⅝	32½	32½	— ⅛
Loew's, Inc.	77⅜	75½	76	— ¾
Paramount	27⅞	26¼	26¾	— ¾
Paramount 1 pfd..	195	187	188	—2⅝
Paramount 2 pfd..	25	24	24⅜	— ⅜
Pathe Film	9¼	8⅞	8⅞	— ⅜
RKO	8½	8¼	8¼	.....
20th Century-Fox.	36¾	35¾	35¾	— ⅞
20th Century, pfd..	45½	44¼	44¼	—1⅛
Warner Bros.	15½	15	15⅛	— ⅛

Curb Declines

	High	Low	Close	Net Change
Grand National ..	3⅞	3½	3⅝	— ⅛
Sonotone	2¼	2	2	— ¼
Technicolor	21⅛	20⅝	20⅝	— ½
Trans-Lux	4½	4⅜	4½	+ ⅛
Universal Pict. ...	17	17	17	.....

Little Bond Movement

	High	Low	Close	Net Change
Loew's 3½s '46....	100¾	100¾	100¾	+ ⅜
Paramount B'way 3s '55............	74½	74½	74½	.....
Paramount Pict. 6s '55............	100½	100⅜	100⅜	.....
RKO 6s '41 pp....	119½	119½	119½	— ½
Warner Bros. 6s '39 wd	99⅝	99½	99¼	— ⅛

(Quotations at close of Feb. 5)

The Leading
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Motion
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MOTION PICTURE DAILY

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VOL. 41. No. 32 NEW YORK, MONDAY, FEBRUARY 8, 1937 TEN CENTS

Grosses Gain 13.8% in 28 Keys for Year

Eight Spots Show Losses From Sept. to January

Grosses in 28 key cities increased approximately 13.8 per cent in 1936 over 1935 during the peak of the exhibition season from early September through the New Year rush. This is believed to typify the general average increase in box-office receipts throughout the country for the entire season running from September to September.

The 1935 total for 28 key spots was $21,708,740. For 1936 it was $24,704,313, a jump of $2,995,573. These figures are compiled from weekly box-office reports checked by MOTION PICTURE DAILY correspondents.

The financial score card, city by city, on page 5.

An analysis of the totals discloses

(*Continued on page* 5)

Block Booking Bill Backers Ask Action

WASHINGTON, Feb. 7.—Efforts to secure consideration of block-booking legislation by Congressional committees will be made in the near future by parent-teacher organizations and other groups which are supporting such bills, it was stated here today.

The National Parent-Teacher Ass'n has a continuing program on films of which anti-block-booking legislation is an important phase. The full support of the organization was given to block-booking legislation at the hearings last year.

It is anticipated that requests for hearings will be submitted to the committees in charge of the legislation as soon as the presently pending important measures are disposed of.

"Lynton" Testimony To Be Heard in West

A stipulation authorizing the taking of testimony at the M-G-M studios, beginning March 1, in the accounting and damage action of Edward Sheldon and Margaret Ayer Barnes against M-G-M, was signed Saturday by attorneys for the principals. The accounting testimony is an aftermath of the recent decision which held that the plaintiffs' book, "Dishonored Lady," had been plagiarized by the film, "Letty Lynton." The plaintiffs estimate the damages at more than $1,000,000. Special Master Gordon Auchincloss will hear the testimony.

Distributors' Branch Heads To Aid Conciliation Boards

Major distributors who have agreed to cooperate in the establishment of local conciliation boards will begin at once to authorize their branch managers to participate in the setting up of the boards in conjunction with local exhibitor organizations in those cities where the first, or "test" boards will be established, it was learned over the weekend.

The boards will be set up only in those territories where the local exhibitor organizations have requested them. From present indications it appears that Philadelphia will have the first completed board and Kansas City the second. Either Dallas or Seattle will follow and Charlotte may complete the initial "trial" group of conciliation boards. While procedures are being established and the possibilities of the boards being studied in this initial group of four or five territories, there is little likelihood of any additional boards being added, it is said. The degree of success attained by the trial group will, of course, influence

(*Continued on page* 5)

Mochrie Resigns Warner Sales Post

Bob Mochrie on Saturday resigned as eastern sales manager of Warners, effective the end of this week.

"I'm going to take the first ship out of here on a vacation and will talk about future plans after my return," he declared.

In view of his close association with A. W. Smith, Jr., now general sales manager of United Artists, the probability is Mochrie will join that organization.

Coming up from Philadelphia three years ago where he had been branch manager, Mochrie was appointed assistant to Smith, then eastern sales manager for Warners. When the latter resigned and Gradwell L. Sears

(*Continued on page* 5)

Expect Early Close Of Westchester Deal

Negotiations between George Skouras and Nick Paley and Jack Rosenthal whereby Skouras Theatres will operate the Bronxville, Bronxville, and Scarsdale, Scarsdale, N. Y., are expected to be consummated shortly.

The deal is understood to be in line with Skouras' plans to expand his activities in Westchester County.

An executive of the circuit admitted a deal was on over the weekend. Both theatres are playing single features, and whether Skouras will add another picture to programs is problematical.

Educational to Vote Upon Changes Today

WILMINGTON, Feb. 7.—An adjourned special meeting of stockholders of Educational Pictures, Inc., is scheduled to be held here tomorrow to vote on the company's plan of capital reorganization and corporate simplifica-

(*Continued on page* 5)

Dallas Defendants May Answer Today

DALLAS, Feb. 7.—The Hoblitzelle theatre interests and major distributor defendants in the government action attacking the legality of restrictive first run contracts made with certain Hoblitzelle theatres are expected to file answers to the Government's complaint in U. S. District Court here today. It is expected that all of the answers will contain general denials of the allegations made in the Government's complaint, the most important of which charged restraint of trade and conspiracy in violation of the anti-trust laws.

The contracts under attack were made at the behest of certain of the Hoblitzelle theatres which agree to maintain an advanced minimum admission during the runs of specified pictures, in return for which the distributors agree not to license such pictures to subsequent runs except at a designated minimum admission and for single feature showings. The contracts were unsuccessfully attacked in the state supreme court here in 1935.

Mother of Momand In Suit of Her Own

BOSTON, Feb. 7.—Loretta L. Momand, mother of A. B. Momand of Oklahoma City who is suing distributors for $5,000,000 in an anti-trust action, filed a suit of her own here Saturday through George S. Ryan,

(*Continued on page* 5)

Caffey Issues Order On Hearing for Roxy

Federal Judge Francis G. Caffey signed an order on Saturday directing creditors and stockholders of the Roxy to show cause on March 5 why the plan of reorganization for the theatre company should not be declared fair

(*Continued on page* 5)

Para's Reply In; Finishes MPTO Agenda

Follows Pattern Struck In Earlier Instances

Major company replies to the M. P. T. O. A. 10-point trade practice program were completed on Saturday with the release of Paramount's statement advising Ed Kuykendall, M. P. T. O. A. president, of the company's attitude on the proposals.

Paramount's reply follows the pattern set by the other companies in granting a liberalized 10 per cent cancellation, offering cooperation in the setting up of local conciliation boards and evidencing a willingness to cooperate in the future on other matters of mutual exhibitor-distributor interest. The company declines to eliminate the separate score charge and sets forth that it "is an essential part of our revenue and we cannot afford to forego it."

Paramount is the seventh major distributor to formulate its stand on the program. No reply is expected from Warners which declined to participate in the joint distributor conferences with the M. P. T. O. A. executive committee, held here last June. National independent distributors, such as

(*Continued on page* 5)

Seven Denver Houses Dropping Bank Night

DENVER, Feb. 7.—Bank Night has been dropped by the group of seven houses operated by Harry Huffman and the Civic Theatres have dropped Cash Nights, but are retaining their weekly Ford giveaways. Neighborhood houses are retaining their cash and other minor giveaways.

The Denham is the only first run in the so-called "Lucky Seven" group which is continuing Bank Night. If business does not hold up without Bank Night, it has been stated, other first runs will restore it.

Iowa I.T.O. Annual Meeting Feb. 15-16

DES MOINES, Feb. 7.—The Allied-Independent Theatre Owners of Iowa and Nebraska, Inc., will hold its annual convention at the Savery Hotel here on Feb. 15-16, with Leo F. Wolcott, president, presiding.

Among the subjects to be discussed

(*Continued on page* 5)

Radio News—Page 6

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VIENNA: Neustiftgasse, 55, Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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Legion Approves 13 Of 15 New Pictures

The National Legion of Decency in its list of 15 new pictures for the current week approved nine for general patronage, four for adults, classed one as objectionable in part and condemned one. The list of new pictures and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Don't Pull Your Punches," "Don't Tell the Wife," "Law and Lead," "Left-Handed Law," "Off to the Races," "On the Avenue," "Park Avenue Logger," "Rebellion," "Sarga Csiko" (Hungarian). Class A-2, Unobjectionable for Adults—"August der Starke" (German), "The Good Earth," "Mama Steps Out," "Outcast." Class B, Objectionable in Part—"Woman Alone." Condemned—"Pitfalls of Youth."

Denies Kaplan Motion

Federal Judge Robert P. Patterson on Saturday denied a motion for a further bill of particulars in an action brought by F. Kay Kaplan against Fox Film Corp., charging copyright infringement. Kaplan alleges in his suit that the "George White's Scandals of 1935" contained a copy of the cover design of the August, 1929, *Theatre Magazine* and employed stills from the publication. He asks an accounting and damages.

◂ Purely Personal ▸

NATE J. BLUMBERG and MAX FELLERMAN returned Saturday from the coast and Kansas City, respectively.

•

MILT KUSELL will preside over a sales meeting of the local Paramount exchange today. J. J. UNGER will attend. KUSELL spent Saturday in bed with a bad cold.

•

ROBERT SCHLESS, French representative for Warners, sailed Saturday on the *Paris* after spending two months here. He said his next trip will be in about four years.

•

LOU WEINBERG got back from the coast over the weekend. The trip was a 20th wedding anniversary vacation.

•

ARTHUR GOTTLIEB of Du Art Laboratories left Saturday for the coast via American Airlines.

•

RUBE JACKTER takes off for Miami Beach on Feb. 16.

•

. . . Baltimore

Industry folks here who are in, or have just returned from Florida vacations include MEYER and MRS. LEVENTHAL, MRS. LEO H. HOMAND, FRANK A. and MRS. HORNIG and JOSEPH BRODIE.

LOUIS SROZEK, assistant manager of Warners' Metropolitan, ill for several days.

•

. . . Cincinnati

PAUL KRIEGER, branch manager Universal, is back at his desk following an operation for a face infection.

STAN JACQUES, RKO branch manager, and MRS. JACQUES are vacationing in Florida.

MRS. MAX STAHL, wife of the U. A. branch manager, reported out of danger after an operation at Jewish Hospital.

•

. . . Los Angeles

CLARENCE MULLINS, owner of the Florence, has changed the name to the World.

FRED HERSHORN has bought a half interest in the Metro.

BOB DUNAGAN, owner of the Liberty in Blythe, is in town. DUNAGAN expects to begin construction on a new theatre soon.

•

. . . Omaha

LARRY HENSLER, Grand National salesman here, has joined the sales force of Universal out of Omaha. He replaces JACK MCCARTY, who resigned.

CHARLES LIEB, M-G-M salesman, has returned from a visit with friends at Minneapolis.

CHARLES SCHLAIFER, Tri-States ad manager here, is back on the job after being ill with a throat infection during the holidays.

•

. . . Pittsburgh

ART MORRONE is recovering at Mercy Hospital from an appendix operation.

PAUL ADAMS has joined the Pittsburgh Playhouse's permanent company, replacing FRANKLIN GRAY, who left for Broadway and a role in "In Gold We Trust."

GABE RUBIN has held "Cloistered" for a sixth week at the Art Cinema.

GEORGE JAFFE is leaving this week for his annual winter vacation in Hot Springs.

Your Own Ripley

Tops among unusual gifts received by artists is the one sent to Bob ("Believe It or Not") Ripley by a listener from Southview, Pa. It was a money order for one cent, "in appreciation for pleasure received."

•

. . . Washington

C. A. NEEPER, national representative for HAROLD LLOYD, was a visitor at the Paramount Exchange.

CHARLES J. BRENNAN, one-time exploiteer for Universal, later manager of Warner's Metropolitan, has joined the local staff of United Artists.

EDMUND PLOHN has replaced STEPHEN E. COCHRAN as manager of the National.

EDWARD DES. MELCHER, formerly dramatic editor of *The Evening Star*, has arrived in Hollywood. HARROLD A. WEINBERGER, lately office manager for M-G-M, has gone to Hollywood.

HARDIE MEAKIN, manager of RKO-Keith's, tossed a luncheon for RKO's GEORGE GERHARD, and division manager, JIM BRENNAN.

RUDOLPH BERGER, branch manager for M-G-M, is back at his desk after throat and eye operations.

JOHN J. PAYETTE of Warner theatres has been ill with the prevailing malady.

Report 585 British Defaults on Quotas

LONDON, Jan. 29.—In the four years to September, 1935, 585 exhibitors failed to show the statutory percentage of British films. In 42 cases, certificates of exemption were granted. In four years to March, 1936, 29 cases of default by distributors were recorded. There were no exemptions granted.

The figures were given in the House of Commons today by Dr. Burgin, parliamentary secretary to the Board of Trade. He declined to say whether action had been or would be taken in cases of default not condoned by a certificate from the B. O. T.

Loew's to Continue Thursday Openings

Loew's change to Thursday openings instead of Fridays will be permanent, according to C. C. Moskowitz.

All theatres will not play pictures five days on the long split and two days on the short, it was stated. Many houses will continue the four and three-day bookings and still other houses two, three and two-day weeks.

All first, second and third run houses are now on a Thursday change arrangement with 17 odd run theatres switching within the next few weeks.

Date "Earth" in Chicago

Loew's has set the first roadshow engagement of "The Good Earth", following the current Astor engagement, for the Apollo in Chicago on Feb. 20. Other dates are the New Locust, Philadelphia, Feb. 21 and the Colonial, Boston, March 8.

Cleveland Holds Big Show for Flood Fund

CLEVELAND, Feb. 7.—All Cleveland theatres held a midnight performance Friday night at the RKO Palace for the benefit of flood sufferers. This included Loew's RKO, Warners, representing the first run and affiliated theatres and the Cleveland M. P. Exhibitors' Ass'n., representing the independent theatres in the Greater Cleveland area. Twenty acts, composed of leading members of "On Your Toes" currently playing the Hanna, the stage revue on the RKO Palace program, and stars of local night clubs donated their services. Stage hands, projectionists and theatre employes also contributed their time. In addition to the stage show, there was a preview of M-G-M's "Dangerous Number." The show opened with a speech by Mayor Harold Burton. Admission was $1.

Cincinnati Houses Reopen

CINCINNATI, Feb. 7.—Amusement-starved citizens flocked to the local houses which opened from 10 A. M. to 5 P. M. on Thursday, and resumed regular operating schedules on Friday, after having been dark for 10 days to help conserve power during the flood emergency. Business began building Friday, as the natives finished their urgent shopping needs. "Happy Days Are Here Again" was the caption carried on RKO theatre newspaper advertisements.

See $1,000 in Seattle

SEATTLE, Feb. 7.—A minimum of $1,000 for the Red Cross flood relief fund has been promised local officials by John Hamrick, as the contribution of the theatre and film industry of this locality. Hamrick, as chairman of the industry's division of a special flood relief committee, is supervising collections.

Surveys Flood Area

WASHINGTON, Feb. 7.—Sam Galanty, midwest division manager for Columbia, is making a complete survey of the Cincinnati and Pittsburgh areas to check on flood area theatres.

Portsmouth Opening Delayed

CLEVELAND, Feb. 7.—Nat Wolf, Warner zone manager, who has been commuting between Cleveland and the flood areas, reports that, in his opinion, the Portsmouth houses will not be in condition to reopen within a month.

Circuit Has Flood Shows

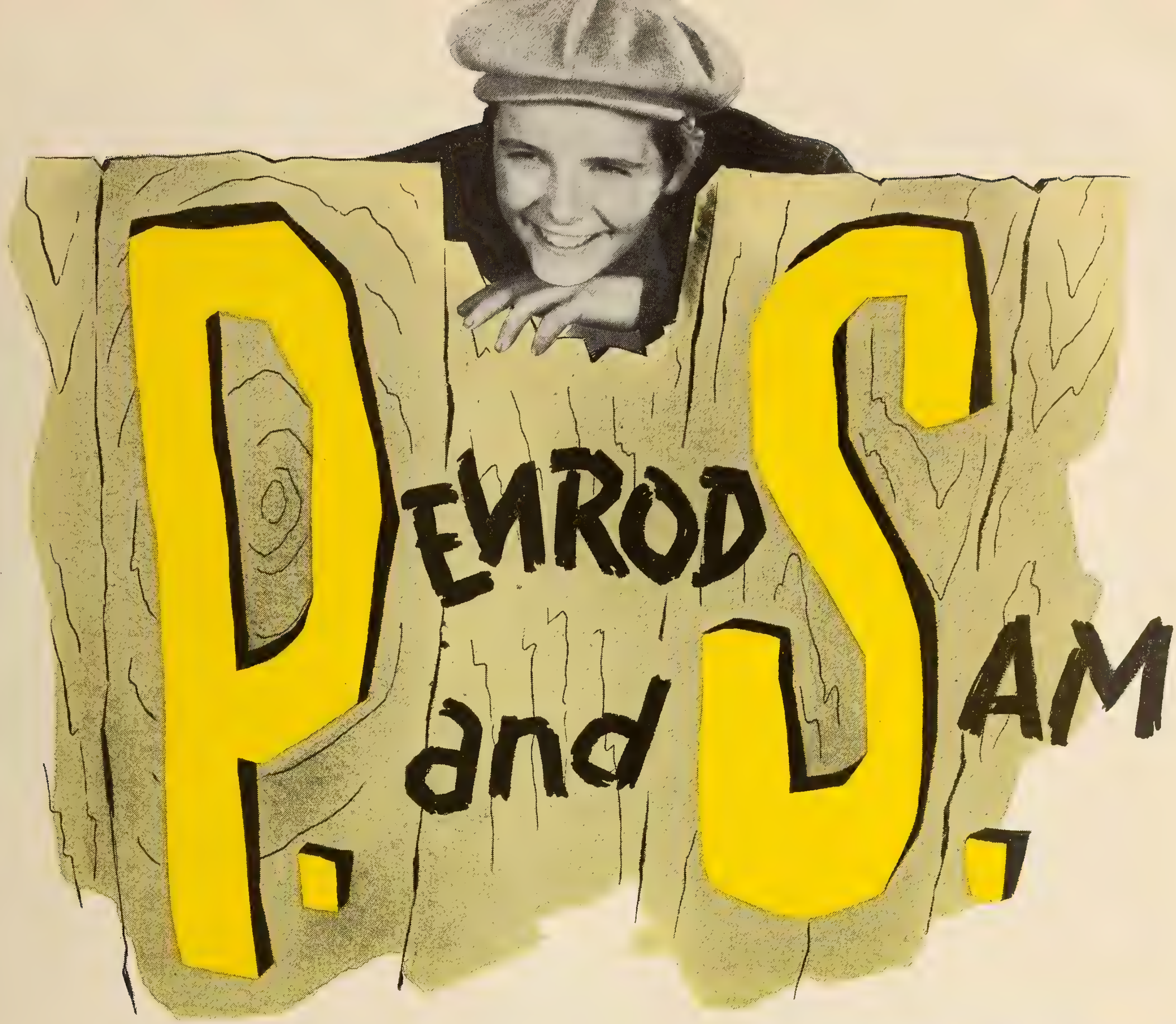
COLUMBUS, O., Feb. 7.—The Northern, Garden, Alhambra, Hudson, Grandview, Empress and Ogden, suburban units of the Chesbrough circuit here, donated an entire evening's receipts to the Red Cross for flood relief.

Lundgren Rites Held

CHICAGO, Feb. 7.—Funeral services for Charles Lundgren, Warner salesman were held Friday. Lundgren died suddenly from a heart attack. He was widely known in film circles here having been on the sales staff of many major companies.

Hold Mrs. Maloney Rites

WORCESTER, Feb. 7.—Funeral services for Mrs. William Henry Maloney, 86, mother of H. M. Maloney, were held here yesterday. Maloney is the Poli manager, recently transferred from a similar position at the Poli in New Haven.



. . . And watch the way the 'G-Men' producers start another success cycle rolling this month with the first story of the Junior G-Men, that spunky group of young Americans now winning as much national favor as the heroes who inspire them. Booth Tarkington wrote it and none other than little 'Anthony Adverse' himself, Billy Mauch, is star! Yessir, you'll find seven reels of rousing family appeal in this latest addition to the Famous February Four—and another big reason why every night is Bank Night with WARNER BROS.

Variety Club

Omaha

OMAHA, Feb. 7.—JOE JACOBS, publicity chairman of the Omaha tent of the Variety Club, says efforts are being made to bring either JOHN B. KENNEDY or M. H. AYLESWORTH to Omaha as a speaker for the national convention of the Variety Club April 17 and 18.

The convention will take over the entire mezzanine floor of the Hotel Fontenelle, including the grand ballroom, balcony and smaller dining rooms, for the miniature circus, midway and side shows the local club is planning as an entertainment feature.

Letters have gone out to all chief barkers of local tents seeking their cooperation to make the convention a success.

Irish Houses Fight British Penetration

LONDON, Jan. 29.—The Irish Cinema and Theatre Ass'n, of the Irish Free State, is to associate itself with a movement originated by the National Agricultural and Industrial Development Ass'n to protect the Irish theatre field from "penetration" by British circuit interest. A national conference of exhibiting interests is to be held, which will discuss, among other matters, offers made to Dublin theate owners for control of their houses by British circuits.

"To prevent the same kind of financial disruption as has been occasioned in England" is the declared object of the movement. It is asserted that competition with English combines, with a price-cutting policy, would seriously affect Irish industry wages, which are declared to be 50 to 100 per cent higher than in England. An all-Irish newsreel is one of the objects aimed at by the movement.

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"Time Out for Romance"

(Twentieth Century-Fox)

HOLLYWOOD, Feb. 6.—Fun in a cross-country auto caravan is the keynote of this film. The thin, but pleasant, quality of the story, bolstered by the capable performances of Claire Trevor, Michael Whalen, Chick Chandler, Douglas Fowley, Bennie Bartlett, William Griffith, William Demarest, Lelah Taylor and Joan Davis, who steals the show; the story by Eleanore Griffith and William Rankin, fashioned into a screenplay by Lou Breslow and John Patrick, ripples with clever dialogue and builds interesting situations.

Malcolm St. Clair directed, causing the laughs to come fast and often. The plot involves Miss Trevor, who is running away from marriage. She hitch-hikes a ride in Whalen's caravan-car and there ensues breezy fun which is participated in by all the cast. Tourists think Miss Trevor is a gangster's moll and she, while hiding her true identity, thinks Whalen to be a jewel thief. The mixup is ironed out when Miss Trevor's father, played by Andrew Tombes, shows up to claim his daughter and also to toss her into jail with Whalen, where she will be safe from trouble.

The light and wholesome amusement of the show should strengthen a weak program and make a good one better.

Production Code Seal No. 3,014. Running time, 70 minutes. "G."

Looking 'Em Over

"Les Mysteres de Paris"

("The Mysteries of Paris")

(Franco-American)

From the famed novel of Eugene Sue, Felix Gaudera, the producer, has fashioned a shocker type of melodrama, laden with all the heavy atmosphere which attached to the seamy side of the Paris of the early 19th Century.

It would seem on occasion that too great an effort has been made to provide the most sinister appearing characters, to paint their cutthroat activities in almost too depressing a light, for the maximum in entertainment value. Also, there are not enough English subtitle translations to permit the viewer lacking a knowledge of French to follow many of the details of the film's plot. These two factors tend to indicate the picture's market as the foreign language house exclusively.

The cast is strong for the most part, but of course unknown here. In essentials, the story concerns the wife of a prince of a mythical duchy, who refuses to permit him to see their child when she is ordered from the castle. A lapse of years finds him the king, spending his time discovering how the other half lives in the depths of Paris. His friendship for a young girl, when he saves her from mistreatment, the efforts to do away with her, and the final revelation that she is his own daughter, pursued by her mother unknowingly, when the latter fears the girl's friendship with the king, make up the plot.

No production code seal. Running time, 88 minutes. "A."

"Spain in Flames"

(Amkino)

A compilation of material gathered, it is said, in part by official Spanish Government cameramen and for the most part by the photographers of Soviet Russia, this film graphically points out that "War is Hell," but does so in a decidedly one-sided fashion. The side is indicated by the Russian origin of most of the camera work.

Graphic indeed many parts of the picture are, especially when the blood-spattered bodies of women and children are shown in the heaps of rubbish which once were Madrid homes, but throughout the film is the breath of Moscow inspiration, exemplified in the continuous raising of clenched fists. The audience at New York's film center of Communism, the Cameo, responded vigorously with cheers.

Not for a moment to condone the activites of the hordes of Mussolini and Hitler "volunteers" and their activties in the Spanish war, this is nonetheless not an unbiased series of war shots, but one which has been devised and is presented with a definite and obvious purpose. The Soviet cameramen covered Madrid, Valencia and the Guaderramo Mountains, and the results are for those whose sympathies lie not so much for the defenders of beleaguered Madrid as for the system which they represent. Actually, the film is neither above nor below average.

No production code seal. Running time, 65 minutes. "A."

Short Subjects

"Hollywood; The Second Step"

(M-G-M)

More interesting adventures of Jane Barnes as she seeks her place on the screen. Her contract as a stand-in through, she registers with Central Casting and gets extra work again. There is a small talking bit in a test and finally she gets a minor part. At the preview she sadly discovers her art has been eliminated. But hope rises again when she is engaged for the lead in a new film. These shorts have appeal. Well produced, they should be welcomed by the masses. Production Code Seal No. 2,867. Running time, 10 mins. "G."

"Everybody Sing"

(Universal)

Contented Birdville is tunefully thriving, a condition enhanced by the fact that Oswald, the cartoon rabbit, and his band are playing at the local inn. Terror in the form of a trio of crows swoops in and they proceed to ransack the peaceful hamlet. Oswald, however, after some slam-bang action drives off the raiders. An excellent item for children's programs. Should amuse adults, too. Production Code Seal No. 2,866. Running time, 7 mins. "G."

"Screen Snapshots, Series 16 No. 4"

(Columbia)

The picturesque eating places about Hollywood are toured in the first part of this diverting item. Next Warren William's home where one of his inventions is shown. A baby party at Arline Judge's, some cricket practice by David Niven and Nigel Bruce with Merle Oberon looking on and finally a parade of the now defunct McLaglen Light Horse Troop. Production Code Seal No. 2,543. Running time, 10 mins. "G."

Wall Street

Light Gains on Board

	High	Low	Close	Net Change
Columbia	35¾	35¾	35¾	+ ¼
Columbia, pfd.	45¼	45	45	.....
Consolidated Film	5⅛	5⅛	5⅛	.....
Consolidated, pfd.	17	16⅜	17	+ ⅛
Eastman Kodak	174½	174	174	+ ⅜
Eastman, pfd.	161	161	161	+ ¼
General Theatre Equipment	32⅛	32⅛	32⅛	— ⅜
Loew's, Inc.	77⅜	76½	77⅜	+1⅜
Paramount	27¼	26¾	27	+ ¼
Paramount 1 pfd.	190	190	190	+2
Paramount 2 pfd.	24½	24⅛	24½	+ ⅛
Pathe Film	9⅛	8⅞	9⅛	+ ¼
RKO	8½	8¼	8½	+ ¼
20th Century-Fox	36	35¾	35¾	.....
20th Century, pfd.	44½	44½	44½	+ ¼
Warner Bros.	15⅜	15	15⅛	.....

Curb Rises Fractionally

	High	Low	Close	Net Change
Grand National	3¾	3¾	3¾	+ ⅛
Sentry Safety	1	⅞	1	+1/16
Sonotone	2⅛	2⅛	2⅛	+ ⅛
Technicolor	20¾	20¾	20¾	+ ⅛
Trans Lux	4½	4½	4½	.....

Bonds Unchanged

	High	Low	Close	Net Change
Loew's 3½s '46	100¾	100¾	100¾	.....
Paramount Pictures 6s '55	100½	100⅜	100⅜	.....
Warner Bros. 6s '39 wd	99½	99⅜	99½	.....

(Quotations at close of Feb. 6.)

Grosses Gain 13.8% in 28 Keys for Year

(Continued from page 1)

some surprises. Eight of the 28 keys did less business in the 1936 season than they did the year before. These cities were Cincinnati, Kansas City, Lincoln, Louisville, Milwaukee, Providence, St. Paul and Washington.

In Kansas City, Lincoln, Milwaukee and St. Paul this may have been due to the drought in the wheat growing country, but the falling off in Cincinnati, Louisville, Milwaukee and Washington cannot be explained. Cincinnati shared in the general industrial pickup, Louisville general business was good and Washington had more Government employes than ever before. The falling off in Providence is believed to have been due to the overwhelming popularity of horse racing with pari mutuel betting, a novelty in New England.

Where Grosses Gained and Lost

	1935-'36		1936-'37	
City	Period	Total	Period	Total
Boston	Sept. 5-Jan. 3	$1,704,500	Sept. 5-Jan. 2	$1,810,200
Buffalo	Sept. 5-Jan. 5	753,139	Sept. 5-Jan. 2	917,821
Chicago	Sept. 5-Jan. 2	2,218,300	Sept. 5-Jan. 2	2,532,600
Cincinnati	Oct. 4-Jan. 2	811,500	Oct. 3-Jan. 2	805,750*
Cleveland	Sept. 6-Jan. 3	947,370	Sept. 5-Jan. 2	1,067,180
Denver	Sept. 5-Dec. 31	470,800	Sept. 5-Jan. 2	665,500
Detroit	Sept. 5-Jan. 2	1,360,300	Sept. 5-Jan. 2	1,393,000
Houston	Oct. 3-Jan. 1	310,700	Oct. 3-Jan. 2	389,000
Kansas City	Sept. 5-Jan. 3	755,700	Sept. 4-Jan. 2	737,900*
Indianapolis	Sept. 5-Jan. 3	496,700	Sept. 4-Jan. 1	535,700
Lincoln	Oct. 3-Dec. 31	164,400	Oct. 3-Jan. 2	162,585*
Los Angeles	Sept. 5-Jan. 2	1,596,651	Sept. 4-Dec. 30	1,771,587
Louisville	Oct. 3-Jan. 3	350,900	Oct. 3-Jan. 3	334,600*
Milwaukee	Oct. 3-Dec. 31	369,260	Oct. 3-Jan. 3	337,500*
Minneapolis	Sept. 5-Jan. 1	504,800	Sept. 4-Jan. 2	563,450
Montreal	Sept. 5-Jan. 3	785,500	Sept. 4-Jan. 2	786,500
New Haven	Oct. 3-Jan. 1	304,400	Oct. 3-Jan. 1	322,800
Oklahoma City	Sept. 5-Jan. 4	253,825	Sept. 4-Jan. 2	267,800
Omaha	Sept. 5-Dec. 31	371,150	Sept. 4-Jan. 3	466,700
Philadelphia	Sept. 5-Jan. 2	1,529,150	Sept. 4-Jan. 2	1,609,650
Pittsburgh	Sept. 5-Jan. 2	880,120	Sept. 4-Jan. 2	933,795
Portland	Sept. 5-Jan. 5	551,100	Sept. 4-Jan. 1	654,850
Providence	Sept. 5-Jan. 2	770,300	Sept. 4-Jan. 2	758,700*
San Francisco	Sept. 5-Jan. 3	1,446,675	Sept. 4-Jan. 2	1,626,820
Seattle	Sept. 5-Dec. 31	596,100	Sept. 4-Jan. 2	714,800
St. Louis	Oct. 3-Jan. 2	723,700	Oct. 4-Jan. 2	897,525
St. Paul	Sept. 5-Jan. 2	319,600	Sept. 4-Jan. 2	312,200*
Washington	Sept. 5-Jan. 2	1,364,700	Sept. 4-Jan. 2	1,327,800*
	Total	$21,708,740	Total	$24,704,313

*Loss.

Mother of Momand In Suit of Her Own

(Continued from page 1)

local attorney who also represents her son.

Ryan filed the latest action here following his return from Oklahoma City where A. B. Momand's suits were postponed a few days ago by the unexpected death of U. S. Circuit Court Judge Tilman Johnson. That case now has been transferred to a special term of the Federal court in Denver for Feb. 16.

The suit for Mrs. Momand was entered here because service can be made against all major distributors locally. Her claim is that she had been operating the Odeon, Shawnee, Okla., since July 15, 1931, and alleges an "unlawful combination and conspiracy to restrain and to monopolize interstate trade and commerce in motion picture films." Triple damages are sought.

Mochrie Resigns Warner Sales Post

(Continued from page 1)

was appointed general sales manager, Mochrie was named in charge of the east.

Sears told MOTION PICTURE DAILY on Saturday he had not determined upon any successor.

Iowa I.T.O. Annual Meeting Feb. 15-16

(Continued from page 1)

will be opposition to proposed adverse legislation by the Iowa legislature this session. The Bank Night bill, admission tax, booth labor bill and censorship are some of the proposed pieces of legislation.

Research Council Meets

HOLLYWOOD, Feb. 7.—The Academy Research Council, at its first quarterly meeting of the year, approved the completed report on standards for theatres, inaugurated a new project for standardization of framing, and approved the progress reports of several technical committees.

Luncheon Concludes Review Board Meet

The National Board of Review concluded its three-day 13th annual conference at the Hotel Pennsylvania on Saturday, with the 22nd annual conference luncheon.

A number of stars of the screen, stage and radio were present and numerous prominent figures in various fields spoke. Among the speakers were Fritz Lang, director; Will Irwin, author; F. Trubee Davison, president of the American Museum of Natural History; Dr. Clarence Cook Little, managing director of the American Society for the Control of Cancer; Langdon Post, Tenement House Commissioner of New York; Mrs. Johanna M. Lindlof of the New York Board of Education, and Frederick Feher, director of "The Robber Symphony." Irwin's talk was a vigorous attack on censorship against any form of literary effort.

L. E. Bowman, chairman of the luncheon, read messages from President Roosevelt and Mayor LaGuardia.

During the morning session on Saturday, the Young Reviewers unit of the National Board viewed a new film at the 20th Century-Fox home office, reviewed the film and held a discussion of it. Several hundred delegates from all parts of the country attended the conference, called one of its most successful by National Board executives.

Caffey Issues Order On Hearing for Roxy

(Continued from page 1)

and equitable by the court and adopted.

Judge Caffey's order also directed the stockholders and creditors to show whether the company is solvent or insolvent and whether or not stockholders have a right to participate in the plan. The order directs the trustee to mail the plan to all interested parties on Feb. 20 after advertising notice of the March 5 hearing and sets forth that a list of creditors of the Roxy may be had by application to the court.

Manufacturers Trust Co. was designated depository for bondholders' assents to the plan, and Halsey, Stuart & Co. for the noteholders.

Loew's to Start New House in the Bronx

Loew's will have another new theatre in the Bronx, a 1,200-seat house, at Fenton Ave. and Boston Road. Construction will get under way immediately with July 1 scheduled as the date of opening.

Although Loew's has a long-term ground lease on the site, actual building will be handled by an outside company. Harry Moskowitz, head of the circuit's construction department, will supervise from plans drafted by Thomas Lamb.

The last theatre taken over by Loew in the local area was the Boston Road, in the same zone, from Henry Seigel a few years ago. There is no intention to give up this house, according to Charles C. Moskowitz.

Educational to Vote Upon Changes Today

(Continued from page 1)

tion. Under the plan accrued dividends on the outstanding preferred would be eliminated by an exchange of new shares for the old, while common shareholders will receive warrants to buy new common at $10 per share. The new capitalization of the company would be $1,500,000 and 150,000 shares of common.

The plan also provides for the dissolution of six of the present nine subsidiaries of Educational Pictures.

Town Abandons Games

KANSAS CITY, Feb. 7.—Theatres at Ottawa, Kan., have abandoned all money giveaways, including Bank Night, following the order of Attorney General Clarence V. Beck to county attorneys. Beck issued the order after the Kansas Supreme Court declined to review its decision holding Bank Night a lottery.

RCA Estimates '36 Net

RCA, prior to its stockholders' meeting which is scheduled for April 6, has estimated its gross income for 1936 at $101,850,000, an increase of 14.1 per cent over 1935. The company's official audit has not yet been completed.

Para's Reply In; Finishes MPTO Agenda

(Continued from page 1)

Grand National, G-B, Republic and Monogram, have indicated that they will cooperate with the M. P. T. O. A. movement and several of them may make formal written statements later.

Paramount authorizes the cancellation of 10 per cent of the total number of features contracted for on 10 days' written notice by the exhibitor after a picture's availability. It is restricted to exhibitors who are not in default on their contracts at the time the cancellation is sought.

Clearance is held by Paramount to be a matter of negotiation between buyer and seller. The company states that it recognizes that clearance should not be "excessive," but asserts that it is a subject which cannot be left to the determination of local conciliation boards.

Overbuying is held to be "a problem between exhibitors" and one over which the distributor has no control. Unfair cut-rate competition is placed in the same category by Paramount, but it states that the company has insisted upon "reasonable minimum admissions" and has refused to license situations which might result in unfair competition or injury to a customer's business.

Standard Agreement Rejected

The statement declares against the licensing of non-theatrical accounts which compete with established theatres. It rejects both the proposed standard license agreement and the short form of contract prescribed by the M. P. T. O. A. on both legal grounds and those of company policy.

Paramount holds the designation of preferred play-dates to be a matter of negotiation between buyer and seller on a fair basis and declines to permit the subject to be delegated to a local conciliation board in the event it gives rise to a dispute. It asserts that it expects a customer "to take at least the same proportion of our short subjects as they do of our features."

Distributors to Aid Conciliation's Start

(Continued from page 1)

the pace at which other boards are added.

With home offices giving their branch managers authorization to participate in the setting up of the boards, all that will remain to be done will be the selection of a mutually agreeable slate of conciliators by the local exhibitors and branch managers and the establishment of headquarters for the boards. Exhibitors probably will submit a slate of nominees to the branch managers and, if any are not acceptable, alternate nominees may be submitted by either exhibitors or branch managers until a mutually agreeable slate has been agreed upon. Some official opinion holds that the Philadelphia board may be completed by the end of this week.

Paramount, whose reply to the M. P. T. O. A. trade practice program is made public today, is the seventh major distributor to approve the boards.

◂ Radio Personals ▸

DR. and Mrs. H. L. Mendenhall are now in New York, visiting. Dr. Mendenhall is a research engineer for the Bell Laboratories in Alaska . . . Little Jackie Heller, now in England, will be heard from London Feb. 11 on the "Jamboree" program . . . Phil Lord may go into a sanatorium for a four-week rest . . . Edward Everett Horton will guest appear on Bing Crosby's "Music Hall" Feb. 11 . . . Jack Ingersoll, WINS sports announcer, will address the Manchester Dartmouth Alumni Association next week. . . .

✚

Ben Bernie will guest appear on Jack Benny's program Feb. 14 . . . Frank Black, NBC maestro, is endeavoring to break Andre Kostelanetz's air record. Every week Black takes the United Airline Skylounge to Chicago for a Monday night broadcast and then returns to New York for broadcasts here . . . Lotte Lehmann has been set for a Ford "Sunday Evening Hour" performance Feb. 14 . . . Margaret Horan will be interviewed by Jeff Sparks on WOR's "Harmonia Interlude" net Sunday. . . .

WMCA to Emphasize Films

More attention will be paid to films, particularly to current films, by WMCA and affiliated stations of the Inter-City network, beginning with Harry Hershfield's return to the station today.

Martin Starr, film critic and commentator for Inter-City for some months past has been doubling as theatre critic as well, filling Hershfield's spot while the latter has been in Hollywood working for Warners. With the return of Hershfield, Starr will be relieved of the theatrical routine, permitting him to devote more time to screen comments and picture reviews.

Rockefeller Address Set

John D. Rockefeller, Jr., will make one of his rare public addresses Wednesday at 9:30 p. m., E.S.T., when he extends greetings to those who attended meetings of National Preaching Missions throughout the country during the past few months. Over the NBC-Blue network.

WTMJ at Milwaukee Gets $38,351 Fund

Milwaukee, Feb. 7.—WTMJ, the *Milwaukee Journal* station, in four evening benefit broadcasts, succeeded in raising $38,351 for flood relief. In each instance, the broadcasts continued for several hours and names of contributors were announced over the radio.

In connection with one of the broadcasts, the entire Riverside stage show, including Lee Roth's Orchestra, presented an hour broadcast from the *Journal* studios.

One and a half carloads of meat and foodstuffs donated by WTMJ listeners as a result of appeals by Heinie, of the Grenadiers, were shipped by the Red Cross to the flood zone in addition to a carload of clothing.

John Olson served as master of ceremonies for the broadcasts which included a host of WTMJ stars.

Carpenter Promises To 'Vindicate' WHK

Cleveland, Feb. 7.—H. K. Carpenter, director of WHK, today stated that he will issue a statement vindicating the station of charges of censorship and breach of contract made by the Automobile Workers Union and by the American Civil Liberties Union when present existing conditions are settled. Under the present unsettled circumstances he will not comment for publication, he said.

H. K. Carpenter's statement is in answer to the story which appeared in Motion Picture Daily Feb. 3. The American Civil Liberties Union had stated it had wired WHK protesting censorship talks made by officials of the Automobile Workers Union, and the "unwarranted" termination of the contract between the strikers and the station when Lewis Spisak, president of the Cleveland strikers' local, was abruptly cut off the air while reading verbatim from a script that presumably had already been censored and approved by the station.

New "Hollywood" Shows

The "Hollywood Hotel" schedule for Feb. 19 and Feb. 26 will offer reenactments from the current "Black Legion" and from the forthcoming "Internes Can't Take Money." Humphrey Bogart and Ann Sheridan will be heard in scenes from "Black Legion" Feb. 19, while Joel McCrea and Barbara Stanwyck will offer highlights from "Internes Can't Take Money."

WOR Reports Renewals

R. H. Macy & Co. renews Martha Manning's program on WOR beginning Feb. 12. The program is heard Mondays through Fridays at 8:30 a.m.

Additionally on WOR, the Anderson Co. will present Frank Singiser in Transradio news readings beginning Feb. 14 at 10 a. m. The program was previously broadcast at 11 a. m.

Cecil Lewis, B. B. C., Arrives

Cecil Lewis, English author and vice-president of the British Broadcasting Co., arrived in New York Friday aboard the *Rex* and left for California by plane yesterday.

Re-Sign Kirberry, Reisers

Ralph Kirberry and Al and Lee Reiser, who broadcast over WEAF Mondays, Wednesdays and Fridays for the Thomas J. Lipton Tea Co., have been renewed for 13 weeks beginning Feb. 17. Frank Presbrey Co. is the agency.

Mutual Billings Up

The Mutual network time billings for January, 1937, exceed last year's revenue for the month by 12.7 per cent. This year's billings were $187,362, as compared with $166,266 for January, 1935.

George Engelter Goes to WIRE

Des Moines, Feb. 7.—George Engelter, traffic manager of the Iowa network, shifts to WIRE, Indianapolis, in a similar capacity, beginning next week.

Bernie West for Talent

Herman Bernie will leave Wednesday for the Coast to book guest stars for the American Can program.

Those P. A.'s Again

Florence Hurlbut, who made the front pages when Harold Hulen chained himself to a hallway radiator and staged a sit-down strike to win her hand in marriage, was brought to New York by the Gulf Co., sponsors of Phil Baker's program, for an air appearance on the show yesterday.

What the sponsor may not have known is that the hallway sit-down strike is a publicity stunt cooked up by Tom Fizdale, Chicago press agent, who handles the publicity for Excelsior Springs, site of the strike.

Gibbons Retraction Is Not Forthcoming

Cincinnati, Feb. 7.—Cincinnatians listened in vain for a radio retraction from Floyd Gibbons, requested from Colgate-Palmolive-Peet Co., sponsors, by city officials, mercantile organizations and the Red Cross, who charged him with an inaccurate and exaggerated description of local flood conditions in his weekly broadcast of "True Adventures," over the Columbia network through its local affiliate, WKRC, on Jan. 31, from 10 to 10:30 P. M.

Gibbons, however, paid tribute to the manner in which Cincinnati carried on during the flood emergency, and complimented the city on again being back to practically a normal basis in many ways.

Benton and Bowles, agents for the program, refused comment when asked what action had been taken by the agency and client in response to the protest.

Will Have Hawaii Program

Beginning Feb. 20 and alternating Saturdays thereafter, the Mutual network will present a half-hour program, 10 to 10:30 P. M., E.S.T., from KGMB, Honolulu. The series will be known as "Hawaiian Serenades" and will feature native music and entertainers.

Waring a Good Scout

Fred Waring's Orchestra will be heard in a special program over CBS Feb. 11 at 5:15 p. m., E.S.T., in behalf of Boy Scout Week.

Waring has also arranged to be heard in a Boy Scout program over NBC. Both programs are his personal contribution to the scout cause.

To Renew "David Harum"

"David Harum," five-times-weekly drama sponsored by B. T. Babbitt Co., will be renewed over 21 NBC-Red stations beginning Feb. 22. Blackett-Sample-Hummert is the agency.

General Electric to Use WBT

A three-time-weekly program, Tuesdays, Thursdays and Saturdays, will be sponsored by the General Electric Co. over WBT, CBS station in Charlotte, N. C., beginning Feb. 16.

"Red" Barber to Handle Shows

Cincinnati, Feb. 7.—"Red" Barber, sports announcer for WLW and WSAI, has taken on the added duties of directing several shows at both stations.

WPG, Atlantic City, Has Net of $69,747

Atlantic City, Feb. 7.—WPG, this city's municipally-owned and operated broadcasting station, took in $69,747.01 from commercial business last year, according to the annual report completed today by Manager Norman Reed.

Total expenses were $74,911.40, so the total operating loss, aside from depreciation, was $5,164.39. This contrasted with an annual loss of $16,000 during a five-year lease to CBS, Reed declared.

The station was on the air 5,034 hours.

"Look" Turns to Radio

Des Moines, Feb. 7.—*Look,* the new monthly picture magazine published by Gardner Cowles, Jr., executive editor of the *Des Moines Register and Tribune,* has added radio to its advertising campaign, beginning with a test campaign of spot announcements. If results warrant, radio programs will instituted later. The first spot schedule includes WBNS, Columbus; WFBM, Indianapolis, and WCAE and WJAS, Pittsburgh. Other stations may be added this week.

Dave Nowinson, publicity director for the magazine and for the Iowa network, is in charge of the campaign.

WKRC Increases Service

Cincinnati, Feb. 7.—Telephone calls at WKRC, Columbia affiliate, have been so numerous during the flood that three new trunk lines have been added to the six normally in operation.

The station stays on the air until three o'clock each morning and is continuing to render aid to flood sufferers. Manager Timothy Goodman has received hundreds of letters from listeners all over the country expressing appreciation of the special flood broadcasts.

U. of P. to Honor Ormandy

Philadelphia, Feb. 7.—The honorary degree of doctor of music will be conferred on Eugene Ormandy by the University of Pennsylvania on Feb. 13 at the midyear convocation. Ormandy has been conductor of the Philadelphia Orchestra since Oct. 1, and directs the symphonic group on the CBS air show for the bank sponsors.

To Do New Blackface Act

Hollywood, Feb. 7.—'Lasses White and Honey Wilds, billed as 'Lasses and Honey, will inaugurate a new blackface comedy skit over KEHE and the CRS chain Monday.

The show will be heard five nights a week beginning at 7 P.M., Pacific Time.

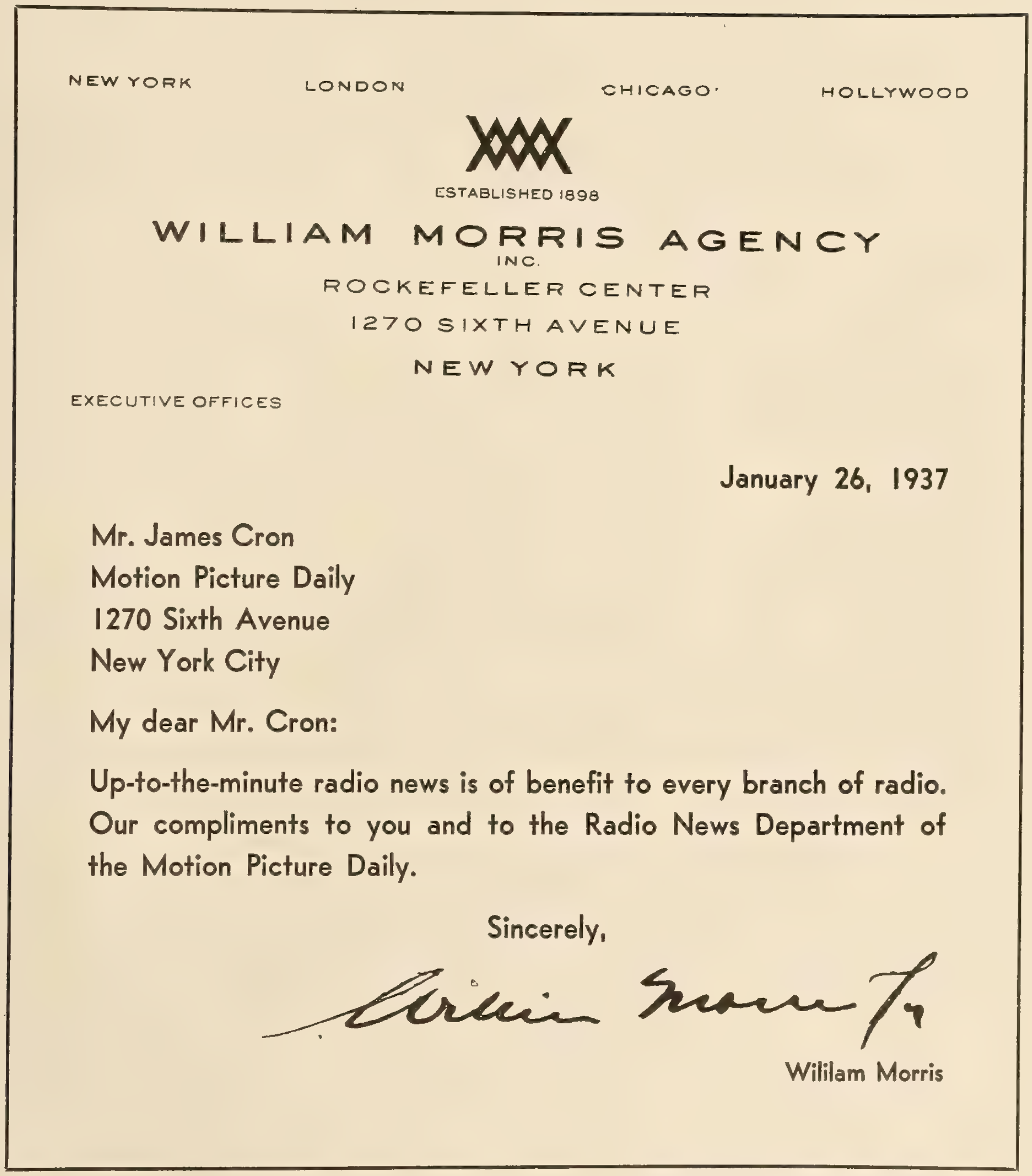
Charter New Radio Firm

Wilmington, Feb. 7.—Associated Broadcasting Co. has been incorporated at Dover to operate a broadcasting station. Capital is listed at 100 $1,000 shares. Incorporators are M. C. Swearer, M. L. Geisbert and A. G. Foulk of Wilmington.

Peabody to Do New Series

Hollywood, Feb. 7.—Eddie Peabody gets in from a series of stage engagements in the North on Feb. 10 to start a series of air programs over KFWB.

Radio Acceptance



NEW YORK LONDON CHICAGO HOLLYWOOD

ESTABLISHED 1898

WILLIAM MORRIS AGENCY
INC.
ROCKEFELLER CENTER
1270 SIXTH AVENUE
NEW YORK

EXECUTIVE OFFICES

January 26, 1937

Mr. James Cron
Motion Picture Daily
1270 Sixth Avenue
New York City

My dear Mr. Cron:

Up-to-the-minute radio news is of benefit to every branch of radio. Our compliments to you and to the Radio News Department of the Motion Picture Daily.

Sincerely,

Wililam Morris

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

"Champagne," Show $50,500 Chicago Smash

Chicago, Feb. 7.—"Champagne Waltz" with the aid of Veloz and Yolanda neared a record at the Chicago. The gross was $50,500, above average by $18,500. With better weather and no hindrance from health regulations, which prohibited standees in the lobby, the gross would have been somewhat higher. As it was, extra shows were given daily to take care of the crowds.

At the United Artists "Camille" did terrific business to double the average gross for a big $30,000. A swell advertising campaign helped.

Other houses doing better than average were the Oriental with "Banjo On My Knee," "Rembrandt" at the Apollo and "After the Thin Man" at the Garrick. The latter came to the Garrick after four big weeks at the U. A. The State-Lake did well with "Join the Marines" and grossed a neat $17,300.

Cold weather and snow hurt grosses some, but business in the Loop has shown a strong comeback the past 10 days and continues to look good.

Total first run business was $162,000. Average is $118,000.

Estimated takings:

Week Ending Feb. 4:

"CAMILLE" (M-G-M)

UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $30,000. (Average, $15,000)

"GOD'S COUNTRY AND THE WOMAN" (W.B.)

ROOSEVELT — (1,591), 35c-55c-75c, 6 days. **Gross:** $9,000. (Average, $11,000)

Week Ending Feb. 4:

"THREE SMART GIRLS" (Univ.)

PALACE—(2,509), 35c-55c-75c, 7 days, 2nd week. Stage: James Melton in person and revue. **Gross:** $17,700. (Average, $19,000)

"CHAMPAGNE WALTZ" (Para.)

CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Veloz and Yolanda in person and revue. **Gross:** $50,500. (Average, $32,000)

"BANJO ON MY KNEE" (20th-Fox)

ORIENTAL — (3,490), 35c-55c, 7 days. Stage: "Hawaiian Follies." **Gross:** $18,800. (Average, $15,000)

"REMBRANDT" (U.A.)

APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $8,800. (Average, $6,500)

"AFTER THE THIN MAN" (M-G-M)

GARRICK—(900), 35c-55c-75c, 7 days, 5th Loop week. **Gross:** $9,900. (Average, $6,500)

Week Ending Feb. 5:

"JOIN THE MARINES" (Republic)

STATE-LAKE — (2,776), 20c-35c-40c, 7 days. Stage: Rex Weber and revue. **Gross:** $17,300. (Average, $13,000)

Marvin Townsend Ill

Detroit, Feb. 7.—Marvin Townsend, Butterfield circuit booker, is seriously ill in Herman Kiefer Hospital here. Charles Perry, manager of the Adams, was taken to a hospital when he slipped on some ice in a parking lot and broke his leg. William G. Bishop, whose wife and son died of pneumonia during the holidays and who has been seriously ill with the same ailment, is reported to be out of danger, but still confined to the hospital.

RCA Issues New Book

RCA Photophone has prepared and sent to all recording licensees a binder-type book containing all necessary information for the installation and use of the RCA recording channel, in easily accessible form, and permitting the insertion of new or revised pages.

Out Hollywood Way

Hollywood, Feb. 7.—Sonja Henie's next for 20th Century-Fox will be "Thin Ice," an original by Melville Baker. Laurence Schwab will produce.

Robert Lockwood, well known artist, added to art department of Selznick International. . . . Lela Rogers returns from eastern talent hunt for Radio. . . . "Internes Can't Take Money" stopped second time at Paramount due to illness of Barbara Stanwyck and Joel McCrea. . . . "Danger, Men Working" held up because of Lew Ayres' illness. . . . "The Luck of the Irish" next for Pat O'Brien, Warners. . . . Vladimir Sokolow here to work for Warners.

Lew Landers finished "Wings of Mercy" at Radio two days ahead of schedule. . . . Dean Jaggers changes his name to Dean Jefferys. . . . William Dieterle to finish directing "The Prince and the Pauper," Warners, for William Keighley, who is sick. . . . As sequel to "The Old Mill Pond," Harman-Ising will make "Swing Wedding" in color.

*

Casting—Charles Winninger in "Cafe Metropole," 20th Century-Fox. . . . Norman Willis in "Midnight Taxie," same studio. . . . Helen Jerome Eddy in "Special Orders" and Greta Meyers in "Steel," Republic. . . . Eduardo Cianelli, Kane Richmond and Colin Tapley in "The Girl from Scotland Yard," Major. . . . Rosalind Keith and Charles Quigley in leads of "Honeymoon Pilot," Columbia.

Robert McWade in "Private Enemy," 20th Century-Fox. . . . Patricia Ellis and Craig Reynolds in "The Hobo and the Heiress," and Jane Darwell in "The Singing Marine," Warners. . . . John Boles in "Stella Dallas," Samuel Goldwyn. . . . Irving Pichell, Jack Clifford and Lucien Littlefield in "High, Wide and Handsome," Paramount.

*

Writers—Robert E. Cohen signed to term contract, Columbia. . . . Albert Treynor and Jeff Moffit assigned to adapt "There's Always a Woman," Same studio. . . . Dwight Taylor signed by Columbia to do screenplay of "The Awful Truth."... Frederick Lonsdale off to Palm Springs. . . . He will write the screenplay for "Kiss in the Sun," Samuel Goldwyn.

*

Directors—Gus Meins signed by Nat Levine for "The Hit Parade," next for Republic.

*

Title Change—"Trapped" is new title for Columbia's "Raiding Guns."

*

Story Buy—David Garth's "Don't Forget to Remember" acquired by Radio.

"Champagne" Hits $9,000 in Denver

Denver, Feb. 7.—"Champagne Waltz" got off to a flying start at the Denham and piled up a gross of $9,000, exactly double par for the house. It was held over.

"Three Smart Girls" also was in the money with a gross of $9,500 at the Denver. This was $2,000 to the good. The picture was moved to the Broadway for another week. Other houses failed to stand up under the competition.

Total first run business was $30,000. Average is $26,500.

Estimated takings for the week ending Feb. 4:

"BELOVED ENEMY" (U. A.)

ALADDIN—(1,500), 25c-40c-50c, 7 days, following a week at the Denver. **Gross:** $1,500. (Average, $3,000)

"REMBRANDT" (U. A.)

BROADWAY—(1,500), 25c-40c, 7 days, following a week at the Aladdin. **Gross:** $1,500. (Average, $2,000)

"CHAMPAGNE WALTZ" (Para.)

DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $9,000. (Average, $4,500)

"THREE SMART GIRLS" (Univ.)

DENVER—(2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $9,500. (Average, $7,500)

"PLOUGH AND THE STARS" (Radio)
"RACING LADY" (Radio)

ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $5,500. (Average, $6,000)

"SMART BLONDE" (W. B.)
"FUGITIVE IN THE SKY" (W. B.)

PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

Interstate Checking Move

Interstate Checking Service has moved from the Paramount Bldg. into larger quarters in the Candler Bldg. The company is expected to announce a new type checking plan shortly. Charles Schwerin is general manager of the company.

"God's Country" at $8,000 in Portland

Portland, Feb. 7.—"God's Country and the Woman," in its second week at the Paramount, secured a take of $8,000, over average by $3,000.

"Three Smart Girls" on a dual with "Mad Holiday" was continued for a second week at Broadway, rolling up $7,000, over par by $2,000.

"Country Gentlemen" with Weaver Bros. and Elviry, took $6,000 at the Mayfair doubling the usual take here.

Heavy snow cut in heavily.

Total first run business was $36,500. Average is $24,700.

Estimated takings for the week ending Jan. 30:

"THREE SMART GIRLS" (Univ.)
"MAD HOLIDAY" (M-G-M)

BROADWAY—(1,912), 30c-35c-40c, 7 days, 2nd week. **Gross:** $7,000. (Average, $5,000)

"THEODORA GOES WILD" (Col.)
"CAN THIS BE DIXIE" (20th-Fox)

BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 5th downtown week. **Gross:** $2,500. (Average, $1,700)

"COUNTRY GENTLEMAN" (Republic)

MAYFAIR—(1,700), 30c-35c-40c, 7 days. Stage: Weaver Bros. Elviry. **Gross:** $6,000. (Average, $3,000)

"BANJO ON MY KNEE" (20th-Fox)
"IN HIS STEPS" (G.N.)

ORPHEUM—(1,700), 30c-35c-40c, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,000)

"GOD'S COUNTRY AND THE WOMAN" (W.B.)
"FIND THE WITNESS" (Col.)

PARAMOUNT — (3,008), 30c-35c-40c, 7 days, 2nd week. **Gross:** $8,000. (Average, $5,000)

"STOLEN HOLIDAY" (W.B.)

UNITED ARTIST—(945), 30c-35c-40c, 7 days. **Gross:** $7,000. (Average, $5,000)

Rousseau in New Job

Barnesville, Ga., Feb. 7.—E. H. Rousseau has been appointed manager of the Ritz, succeeding Olin Hall, who has been transferred to the West Point in West Point, Ga.

"Lloyds" Dual Best Draw in Frisco Slump

San Francisco, Feb. 7.—"Lloyds of London," on a dual with "Off to the Races," was the only attraction to make the grade here last week. It grossed $14,800, up by $1,800, at the Warfield.

"Champagne Waltz" and "Career Woman" at the Paramount was $800 to the good on a take of $13,800.

Competition included two legitimate shows, "Cocktail Hour" at the Geary and "Return of Hannibal" at the Curran. The Municipal Opera gave six performances.

Total first run business was $84,200. Average is $85,000.

Estimated takings:

Week Ending Feb. 2:

"FORBIDDEN ADVENTURE" (Roadshow Att.)

EMBASSY — (1,400), 15c-30c-35c-40c, 7 days. **Gross:** $6,200. (Average, $4,500)

"CONDEMNED ROW" (Radio)

GOLDEN GATE—(2,850), 15c-30c-35c-40c-55c, 7 days. Stage: vaudevilie. **Gross:** $15,500. (Average, $16,000)

"THREE SMART GIRLS" (Univ.)
"FIND THE WITNESS" (Col.)

ORPHEUM — (2,440), 15c-30c-35c-40c, 7 days, 3rd week. **Gross:** $6,500. (Average, $9,500)

Week Ending Feb. 3:

"STOLEN HOLIDAY" (W.B.)
"BULLDOG DRUMMOND ESCAPES" (Para.)

FOX—(5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $15,600. (Average, $16,000)

"CHAMPAGNE WALTZ" (Para.)
"CAREER WOMAN" (20th-Fox)

PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $13,800. (Average, $13,000)

"AFTER THE THIN MAN" (M-G-M)
"HATS OFF" (G.N.)

ST. FRANCIS—(1,400), 15c-30c-35c-40c, 7 days, 4th downtown week. **Gross:** $6,400. (Average, $6,000)

"GARDEN OF ALLAH" (U.A.)

UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days, 3rd week. **Gross:** $4,700. (Average, $6,000)

Week Ending Feb. 4:

"LLOYDS OF LONDON" (20th-Fox)
"OFF TO THE RACES" (20th-Fox)

WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $14,800. (Average, $13,000)

Week Ending Feb. 5:

"SON OF MONGOLIA" (Amkino)

CLAY—(400), 15c-35c, 7 days, 2nd week. **Gross:** $700. (Average, $1,000)

Arrange Hunter Dinner

Baltimore, Feb. 7.—J. Lawrence Schanberger, manager of Keith's, and Frank H. Durkee have been appointed a committee of two to invite and arrange for transportation of as many Baltimore exhibitors as possible to attend the testimonial dinner at the Hotel Willard in Washington Feb. 16 for Harry Hunter, Paramount exchange manager, who has been promoted to take charge of the Australia and New Zealand territory for that company.

Control Milford Building

Milford, Del., Feb. 7.—The City Council of Milford at a special session has adopted a building ordinance regulating construction of buildings for amusement purposes. The ordinance was adopted in view of the prospective building of a new theatre here already announced and the remodeling of a building for amusement purposes is scheduled.

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Alert, Intelligent and Faithful Service to the Industry in All Branches

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Educational Stockholders Approve Plan

New Company Shares to Be Exchanged for Old

WILMINGTON, Feb. 8.—A plan of recapitalization for Educational Pictures, Inc., was approved by a special meeting of stockholders here today.

The plan provides for the exchange of the old preferred stock of the company, about 18,000 shares of which are oustanding, on the basis of 3.2 shares of new common for each share of preferred, plus 1.8 shares of new common in payment of the accrued dividends on each share of old preferred, or a unit of five shares of new common for each share of old preferred. The preferred stockholder also will receive a warrant to subscribe for one new share of common stock at $10 per share for each share of old preferred now held.

Holders of Educational's old common stock will receive a warrant to subscribe for one share of new common at $10 per share for each two shares of old common now held. The warrants to subscribe for the new common will extend for 18 months after the plan becomes effective.

The plan must be approved by the Delaware state chancellor and the new issues of common and cumulative convertible preferred must be registered

(*Continued on page* 10)

Louisville Houses Manning the Pumps

LOUISVILLE, Feb. 8.—Gasoline pumps were operating here yesterday outside each downtown house, in an effort to rid the basements of flood water. All houses were affected, and after the water is pumped out, heating plants will be dried out and made ready for operation.

Two pumps have been going continuously at the Strand, and the water has now been pumped out to the lowest level. Several rows of seats were removed, although the water did not come up to the floor of the house.

At Loew's State, Manager George

(*Continued on page* 6)

Harry Hunter Named To Australian Post

Harry Hunter, Washington branch manager for Paramount, has been named to succeed the late John E. Kennebeck as managing director for Paramount Film Service, Ltd., in Australia and New Zealand. The appointment was made by John W. Hicks,

(*Continued on page* 10)

Warners About to Step Out As Radio Producers on Film

HOLLYWOOD, Feb. 8.—Warners are about to step out into the field of celluloid transcription with programs totaling as many hours a day as the organization can find time buyers.

Applying straight entertainment principles and the complete resources of the studio, the shows will be recorded on film. They will be unhampered by limitations imposed on the producers of radio shows and will be handled on a scope which marks modern film production methods, the limitations imposed on the plan being only those imposed by the radio medium itself.

Discussed has been an elaborate program. Retakes and remakes, common in film production until the desired result is achieved, would be allowed for. Dramatized newsreels are well within the realm of possibility, extensive musical and dance routines viewed as outside the pale of the one-time produced radio show are others.

Experimental in intent is a full hour's film-recorded program with Dick Powell as master of ceremonies. It was built by Don Becker of

(*Continued on page* 12)

Additional Radio on Pages 12, 13 and 14

Distributors File Dallas Suit Reply

DALLAS, Feb. 8.—Answers were filed today by distributor defendants in the U. S. District Court here to the Government's charge that provisions in contracts with first and subsequent run exhibitors in Dallas, Ft. Worth, Houston and San Antonio were in restraint of trade in violation of the Sherman Act.

The answers deny the Government

(*Continued on page* 7)

Production Drops With 43 in Work

HOLLYWOOD, Feb. 8.—Seven features were completed here last week while only four new ones started to lower activity to 43 in work against the preceding week's 46. Short subject production showed a noticeable gain, jumping from four to six during the week. Pictures scheduled to go into work within the next two weeks included 24 features and nine

(*Continued on page* 16)

Atlas' RKO Issues Held at $4,058,274

Atlas Corporation's books carry the company's RKO investment at $4,058,274, it was disclosed in the Atlas report giving effect to changes in the company's structure as a result of recent mergers and dissolutions of Atlas subsidiaries.

The Atlas holdings in RKO were listed as $2,128,597 face amount of RKO bonds and 263,493 shares of

(*Continued from page* 4)

Benton-Schine Join In Expansion Moves

SARATOGA SPRINGS, Feb. 8.—Willian E. Benton has entered into a partnership with Schine Theatres for a joint expansion program in northern and eastern New York and Vermont and Massachusetts.

Benton operates houses at Ballston Spa, Mechanicsville, Whitehall, Cohoes, Plattsburg and Saratoga Springs. The Schine group has grown to 130 houses.

Anderson Play Is Overlong, Confused, on the Dull Side

By PLAYBOY

Maxwell Anderson's socio-economico consciousness has been bothering him again. The fruits of his latest reflections on the status of man and the world he has built find expression in "The Masque of Kings," the fourth play of this, the Theatre Guild's 19th season and about on the same plane as its three predecessors. Which is not so high.

Here, the playwright draws upon

(*Continued on page* 7)

Columbia, "U" Replies Best, MPTOA Finds

Agreed to Nine of 10 Points Presented

Columbia and Universal delivered the most satisfactory responses of any of the larger distributors who replied to the M.P.T.O.A. 10 trade practice proposals, a tabulation just completed by the national exhibitor organization and made public yesterday discloses.

The M.P.T.O.A. analysis of the distributors' replies shows that Columbia and Universal responded "favorably", in so far as the exhibitor organization is concerned, on nine of the 10 proposals. The one point refused by both was the recommendation for adoption of a short form of contract and, in their replies, both companies cited what they believed to be legal obstacles in the way of taking such action.

RKO is second on the list with favorable responses in eight instances, one refusal, that of abandonment of the score charge, and a doubtful attitude on designation of preferred playing time. Loew's is listed third with a favorable action on seven proposals; two refusals, relating to elimination of the score charge and designation of preferred playdates, and a doubtful attitude on the forcing of shorts with features.

United Artists ranks fourth with favorable action on six proposals; refusals on granting cancellation and adopting the short form of contract; a qualified endorsement of the local conciliation boards, and a doubtful atti-

(*Continued on page* 7)

Republic Will Start Unit Producing Plan

Republic will inaugurate a unit production system, similar to that adopted by Grand National, as a result of the resignation last week of Nat Levine, vice-president and studio head, it was stated here yesterday following the return from the coast of H. J. Yates, J. J. Milstein, sales

(*Continued on page* 16)

Chicago to Start 239 B. N. Suits Tomorrow

CHICAGO, Feb. 8.—Two hundred and thirty-nine chance drawing suits which have been brought by the city against 114 theatre corporations and 125 theatre managers will be heard by Chief Justice Sonsteby in municipal court here Wednesday. They will be charged

(*Continued on page* 4)

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MPPDA Executives Dined by L. B. Mayer

Hollywood, Feb. 8.—Louis B. Mayer played host to members of the M. P. P. D. A. at a dinner here tonight following which industry problems were discussed.

Among those attending were: Will Hays, Fred W. Beetson, Samuel J. Briskin, George Cohen, Herbert Freston, A. J. Loeb, Henry Herzbrun, Ben Kahane, Edward Mannix, J. P. Normanly, Charles R. Rogers, Joseph Schenck, Leo Spitz, Hal Wallis, Darryl Zanuck, Adolph Zukor, M. B. Silberberg and Nicholas Mayfack.

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Purely Personal

JOE POLLAK on the telephone, cheery and bright. He has recovered from the accident which almost cost him his life near Budapest some months ago. He caught cold aboard ship, but admits readily it's sissy stuff by comparison.

•

Leon Netter, assistant to Y. Frank Freeman, Paramount vice-president, left last night for Greensboro, N. C., to attend a meeting of the board of North Carolina Theatres, a Paramount subsidiary.

•

Mildred Iliffe Feely, daughter of Joseph Alan and Mrs. Feely of "Edely," Merion, Pa., has become engaged to Vincent Gavin Hart. He is in charge of eastern activities of the Production Code Administration.

•

L. W. Conrow, general operating manager of Erpi, returned yesterday from the coast. He stopped en route at the New Orleans and Atlanta offices.

•

J. Frank Brockliss, one of the leading supply dealers in Europe, and F. W. Pins arrived here yesterday on the *Europa*.

•

A. H. McCausland, Irving Trust Co. representative in RKO, returned yesterday from a brief visit at the RKO studio.

•

Edward J. Peskay returned to New York yesterday, at the conclusion of a tour of exchanges which ended with a visit to the coast studio.

•

Irving Stein, until recently with Standard Theatres at Milwaukee, has joined Gilliams & Rubin, stereotypers, as home office contact man.

•

Norman H. Moray, Vitaphone sales manager, has returned from a six-week tour of Warner exchanges.

•

Willoughby Speyers' original story, "Certified," has been purchased by Radio.

•

Herb Crooker, Warner publicity director, left for Pittsburgh last night. He'll be away a week.

•

Abe Montague returned after a visit of a few days at the Columbia studio.

•

Joe Vogel returned from his Florida vacation yesterday.

•

Paul Ash and his orchestra open tonight at the French Casino.

•

Leo Spitz is remaining at the RKO studio for a while.

•

. . . Pittsburgh

Eddie Carrier, Bill Ferguson's assistant in the M-G-M exploitation department, was in town.

Mannie Greenwald and Gertrude Goldstein have named an April date.

Danny Davis has been named talent scout in this district for Burroughs-Tarzan Pictures.

Betty Janos, Joe Feldman's former secretary, will become Mrs. George Jones, wife of the basketball referee, in a couple of months.

Whither Levine?

Hollywood, Feb. 8.—Where Nat Levine, president of Republic Prod., will go from there, when he resigns his post in two months, is the subject of much speculation, including:

To Warners as an associate producer.

To M-G-M for a production post in London.

To M-G-M as a producer of "B" product.

To take a long rest.

End Lincoln Fight With New Agreement

Lincoln, Feb. 8.—The protracted fight here among J. H. Cooper, head of the Lincoln Theatres Corp.; Bob Livingston, manager of the Capitol and dependent on Cooper for film, and the major film exchanges which have not been getting second runs on schedule, has been tentatively ironed out. Livingston is to start single features, full weeks, and raise all prices five cents to 15-20 cents on Feb. 14.

Cooper, plagued with dime admissions for which the ace pictures were refused him second run behind the Stuart, was unplayed on all but about a half dozen of the Stuart's 1936 programs. The new arrangement benefits Livingston and should improve business since it is another move into the upper price brackets. Cooper went on to Denver for conferences with his division head, L. J. Finske.

Exchange Head Married

Baltimore, Feb. 8.—Ben Oletsky, manager of the Hollywood Exchange here, was married yesterday in Philadelphia to Lillian Brandt.

The Quaker City, on Mar. 6, will also be the scene of the wedding of Sam Diamond, 20th Century-Fox salesman, and Mae Segal.

Parkyakarkus Weds

Hollywood, Feb. 8.—Harry Einstein, Parkyakarkus of the air-waves, was married here to Thelma Goodman, professionally known as Thelma Leeds. Following the ceremony, the couple left on a wedding trip to Bermuda.

St. Clair-Holt Nuptials

Laguna Beach, Cal. Feb. 8.—Hal St. Clair, the director, and Margaret Murray Holt were married here over the weekend.

Zabel, Powers Arrive

Ed Zabel and William T. Powers arrived in New York late last night from the coast, following the Fox West Coast meetings which ended on Friday. Milton Hossfeldt and Aubrey Schenck, who left the coast Saturday, are due here today. Spyros Skouras is remaining in Los Angeles until today or tomorrow. Hospital reports from Stockton, Cal., indicated that George Balsdon was still in a coma on Saturday, while Sumner Gambee's condition continued unchanged.

Variety Meet April 17

Omaha, Feb. 8.—The third annual national convention of the Variety Clubs of America will be held here April 17 and 18. General chairman of the affair is Harry J. Shumow.

U.A. Closes a Deal On 21 British Films

London, Feb. 8.—Under the terms of contracts just signed United Artists will distribute 21 British pictures in 102 countries during the next 12 months.

U. A. estimates they will gross $5,000,000. The list will be dubbed in French, Italian, Spanish and German, and titles for other countries will be in 25 languages.

The product includes that of Alexanda Korda, Max Schach, Erich Pommer, Paul Czinner, Victor Saville, Marcel Hellman and Lothar Mendes.

Biddell Moves Offices

Hollywood, Feb. 8.—Sidney M. Biddell, executive assistant to Edward L. Alperson, president of Grand National, has moved his offices into the Educational Studio. The company will take over the lot officially on April 1, at which time the name will be changed to Grand National Studios. Producers Richard Rowland, Victor Schertzinger and Zion Myers will move in later this week. Joe Shea, publicity head, and Harold Lewis, production manager, moved in with Biddell.

G.N. May Meet on Coast

Hollywood, Feb. 8.—Grand National will probably hold its next sales convention here, Edward L. Alperson stated today. Tentative plans call for the meeting to be held at the company's studios.

Brandt to Add Two More

The Brandt circuit will take over operation of the Rogers, Brooklyn, and start construction on a house at 231st St. and Broadway. The circuit has taken over the 79th St., at 79th St., and Second Ave., and after renovations will reopen with American films instead of German. Work on another new house located at 23rd St. and Eighth Ave. has been started.

After Film Names

Leonard S. Field has entered upon a producing arrangement with Jerome Mayer, producer of "Russet Mantle" and jointly they will put on "We, the Living," by Ayn Rand, on the New York stage this fall. The play deals with Russia. Field is now in Hollywood after film names to head his cast.

Is Houston Manager

Houston, Feb. 8.—Edward H. Smith, former west coast Paramount division manager and more recently managing director of the Metropolitan, Boston, has been named manager of the Metropolitan here, Interstate unit. Ellis Ford, former manager, has gone to the suburban Delman.

Bryan Foy in Denial

Hollywood, Feb. 8.—Bryan Foy today denied reports that he will succeed Nat Levine as president of Republic Prod.

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Executive in Distribution Organization requires capable secretary. Write in detail stating qualifications, past experience and connections. To Box No. 950, MOTION PICTURE DAILY.

PAT
O'BRIEN
HUMPHREY BOGART

in

THE GREAT O'MALLEY

It's the battle of the century and 'Killer' Bogart is standing Pat—right on his wild Irish nose! . . . That's the sort of goings-on you get—in such a *nice* way—in this latest of the Famous February Four, now making every February night a Bank Night with WARNER BROS.

With ANN SHERIDAN
FRIEDA INESCORT
SYBIL JASON • DONALD
CRISP • HENRY O'NEILL
CRAIG REYNOLDS
HOBART CAVANAUGH
GORDON HART

Directed by William Dieterle

THE SEARS DRIVE IS ON!

Atlas' RKO Issues Held at $4,058,274

(*Continued from page* 1)

RKO common. The company is a participant with Lehman Bros. in an option to buy an equal amount of RKO securities from RCA for $2,610,000, subject to certain adjustments. The securities now held were also acquired from RCA in conjunction with Lehman Bros.

The Atlas report notes that its RKO holdings may not be disposed of before Dec. 31, 1937, or until the reorganization of RKO is effective. It also states that reorganization expenses and the proposed management of RKO are expected to absorb a minor part of the profits from the investment.

Depinet, Levy Will Preside at Chicago

Ned E. Depinet, vice-president in charge of distribution of RKO Radio Pictures, and Jules Levy, general sales manager, will preside at a regional sales meeting at the Drake Hotel, Chicago, on Thursday and Friday, which will be attended by the company's southern and midwestern district representatives. Depinet and Levy left the RKO studios for Chicago last night and are expected in New York next Monday.

The following home office officials will go to Chicago from here for the meeting: Cresson Smith, Harry Michalson, A. A. Schubart, Franklin Fielding, Herb MacIntyre, Walter E. Branson and Ralph Rolen, the latter representing March of Time.

Branch managers who will attend the session are: J. Osserman, Chicago; Lou Elman, Des Moines; T. R. Thompson, Kansas City; A. N. Schmitz, Milwaukee; L. E. Goldhammer, Minneapolis; A. M. Avery, Omaha; B. J. McCarthy, St. Louis; S. W. Fitch, Sioux Falls; H. M. Lyons, Atlanta; S. M. Sachs, Dallas; R. C. Price, Charlotte; C. W. Allen, Jacksonville; P. M. Baker, Memphis; G. C. Brown, New Orleans, and R. B. Williams, Oklahoma City.

Depinet and Levy are expected to set a date for an eastern district meeting to be held here following their return. Year end and new season product plans developed as a result of the recent meetings at the RKO studio will be outlined at the sessions.

Set Dixey Firm Name

London, Jan. 29—The British Independent Exhibitors (Distribution) Co., Ltd., is the title finally chosen for the "Dixey scheme" flotation. It was formally registered today with a capital of £200,000 in £100,000 £1 preference shares, 300,000 ordinary shares of four shillings value and 400,000 franchise shares of two shillings value. The latter are reserved to exhibitors. The directors are A. C. N. Dixey, R. McLaughlin, J. X. Prendergast, J. Milner, R. Dooner, R. E. Richards, F. U. Astbury, O. E. Wetzel and G. M. Heap.

Fire Damages House

Olympia, Wash., Feb. 8. — The Capitol here was damaged to the extent of $1,000 by a fire yesterday which was caused by a cigarette. Furniture and fittings were burned.

Six Suits Dismissed Here by Judge Knox

Federal Judge John C. Knox yesterday dismissed six suits because of failure to prosecute. They were:

An action brought by Joseph M. Runshinsky, president of the Society of Jewish Composers and Publishers, and Henry Lefkowitz, song writer, against the Giglia Broadcasting Co. which operates Station WHOM. Infringement on two songs written by Lefkowitz was claimed.

An action by Headline Pictures, Inc., against Paramount Distributing Corp., the plaintiff claiming that in 1930 it purchased a script from John Matteford called "Private Scandal" which it produced. Paramount also produced a picture with this title which Headline claims was an infringement. An accounting and damages were asked.

A suit brought by American Tri-Ergon against Talking Picture Epics. The plaintiffs claimed that in 1922 Hans Vogt invented for them improvements in sound recording and reproduction. They further claimed that the defendants infringed on this by putting out on the market a similar device for the same purpose.

An action started in May, 1934, by Fleischer Studios, Inc., and King Feature Syndicate against the *Daily Mirror*. It was claimed that the *Daily Mirror* plagiarized Betty Boop on which the plaintiffs claimed to have a copyright. An injunction and damages were asked.

Jersey Firms Involved

An action by Eagle Pictures Corp. of New Jersey, Paul J. Duffy, as receiver, and Morris Levin against the Forward Picture Corp., Eagle Prod., Ltd., and Empire Laboratories, Inc. The suit was filed in May, 1933, and charged infringement on a picture called "Big Chance," the plaintiff claiming that Eagle Prod., Ltd., incorporated the Forward Picture Corp. which company procured the negative of "Big Chance" from the plaintiff and turned it over to the Empire Laboratories who released it.

An action brought by Winifred Ashton who is known as Clemence Dane and Richard Addinsell against Shuwynne Prod., Inc., Harold B. Franklin, I. F. Kingman, Lee Shubert, Art Selwyn, Eva La Gallienne and Doubleday, Doran & Co. The suit was filed in Dec., 1934, Dane claiming that he wrote a book called "L'Aiglon" which Doubleday, Doran published for him. The Shuberts produced a play called "L'Aiglon" and Dane claimed that they did not pay him royalties to which he was entitled. The plaintiffs sued for an injunction and damages.

File Nomand Details

Boston, Feb. 8.—A lengthy series of allegations charging conspiracy to restrain trade are included in the action filed here Saturday by George S. Ryan, attorney for A. B. Momand of Oklahoma City, on behalf of Momand's mother, Loretta L. Momand, against major distributors. Ryan will leave here again this week for Denver, where the other action will come up Feb. 16.

In the suit here, it was charged that the alleged conspiracy was for the purpose of granting to producer-controlled theatres special licenses, privileges and franchises and to refuse to grant them to independent exhibitors; to prevent double featuring throughout the country; to increase and maintain minimum admissions and to eliminate giveaways. The suit revolves about Mrs. Momand's claim that she operated the Odeon in Shawnee, Okla., in 1931, and that the Griffith Amusement Co., which is called in the action a subsidiary and affiliated operating company of Universal Film Exchange, acquired a third house in Shawnee "knowing that the population was insufficient to support or require an additional theatre."

The action goes on to charge that in 1935 Griffith built another house in Shawnee, and that the defendants supplied it with first and second run film to the exclusion of the plaintiff. It is charged that the producers attempted to force Mrs. Momand to raise admissions and eliminate giveaways, although no such compulsion was exercised against the Griffith houses. The complaint also charged picketing of the plaintiff's house.

Patriotic

Arthur L. Mayer said yesterday the new Trans Lux theatre in Washington which opens some time in March, will be offered to the Government.

"It only seats 600 and I figure it about the right size for the Supreme Court."

Alleged Bombers Go On Trial at Mineola

Mineola, Feb. 8.—Six men charged with exploding tear gas bombs in three Nassau County theatres went on trial yesterday. The defendants are Frank Cummings of Great Neck, business agent of Operators' Local 640; Leroy Schwartz of Mineola, president of the local; Thomas A. Watson of Mineola, Michael D'Angelo of Hempstead, John M. Baptiste of Freeport and Thomas E. Cubbard of Great Neck.

Several women and children were slightly injured on May 15, 1936, when a bomb was set off at the Mineola. A stage hand had been displaced by the new mechanical equipment.

Bombs also were set off at the Central Theatre in Cedarhurst and the Park in New Hyde Park.

Cohan Sues Publishers

George M. Cohan filed suit yesterday in U. S. District Court against Maurice A. Richmond and Max Mayer, who do business as the Paull-Pioneer Music Co. Cohan claims that prior to 1908 he copyrighted about 52 songs and licensed Fred A. Mills to publish them for him. Mills assigned his rights to the defendants. Cohan claims the defendants are continuing to publish the songs, but are not paying royalties due him. He asks an accounting and an injunction to restrain the company from further publishing of the songs.

"Horizon" Roadshow Set

Hollywood, Feb. 8.—Columbia will release "Lost Horizon" on a roadshow basis nationally the first week in March with world premiere set for the Gary, San Francisco, March 2. Local premiere will be held at the Four Star with the house closing a week in advance to prepare for the two-a-day policy.

Chicago to Start 239 B.N. Suits Tomorrow

(*Continued from page* 1)

with distributing money by chance on prize drawing nights in violation of terms of the city ordinance under which they obtained their theatre licenses.

The corporation cases will be tried first, according to Assistant City Corporation Counsel Charles Horan. Indications are that separate suits against theatre managers will be dropped if the corporations are successfully prosecuted.

The maximum fine is $100.

Omaha Not to Oust B.N.

Omaha, Feb. 8.—A formal decision was reached by the City Council that it will not attempt to oust Bank Night here or do anything about the Lutheran Ministerial Ass'n request that Bank Night either be banned or changed to some other night than Wednesday during Lent.

City Attorney Seymour Smith in two decisions informed the Council that Bank Night is conducted legally in Omaha and that there was no legal basis for the council to comply with the ministers' request.

Irvin Levin, attorney in Nebraska and Iowa for Affiliated Enterprises, Inc., of Denver, and district manager Evert R. Cummings of Tri-State have offered to confer with a committee of ministers in regard to the night on which the drawing is held, but their offer has been ignored.

B.N. Proxies Illegal

Windsor Locks, Conn., Feb. 8.—Bank Night, operated with a proxy system, was declared a lottery in the Town Court today. David Magliora, exhibitor there, who is contesting the case without aid, has appealed to the Superior Court in Hartford.

Roy Heffner, Bank Night distributor here, declared he had warned Magliora that if he intended running the chance game on a proxy basis, the exhibitor would have to assume responsibility for any action relative to possible violation of the lottery laws.

The action was precipitated by the refusal of Magliora to pay a $525 prize to a 15-year-old boy when his name was called, on the ground that he was under the age limit. A protest to the state police followed. The police discovered that ticket buyers received stubs entitling them to win awards without being present. Of five counts, the Town Court found Magliora guilty on only one, that of using the proxy system. The Bank Night distributors here are maintaining a hands-off policy in the case.

Ask B.N. Repeal in Nebraska

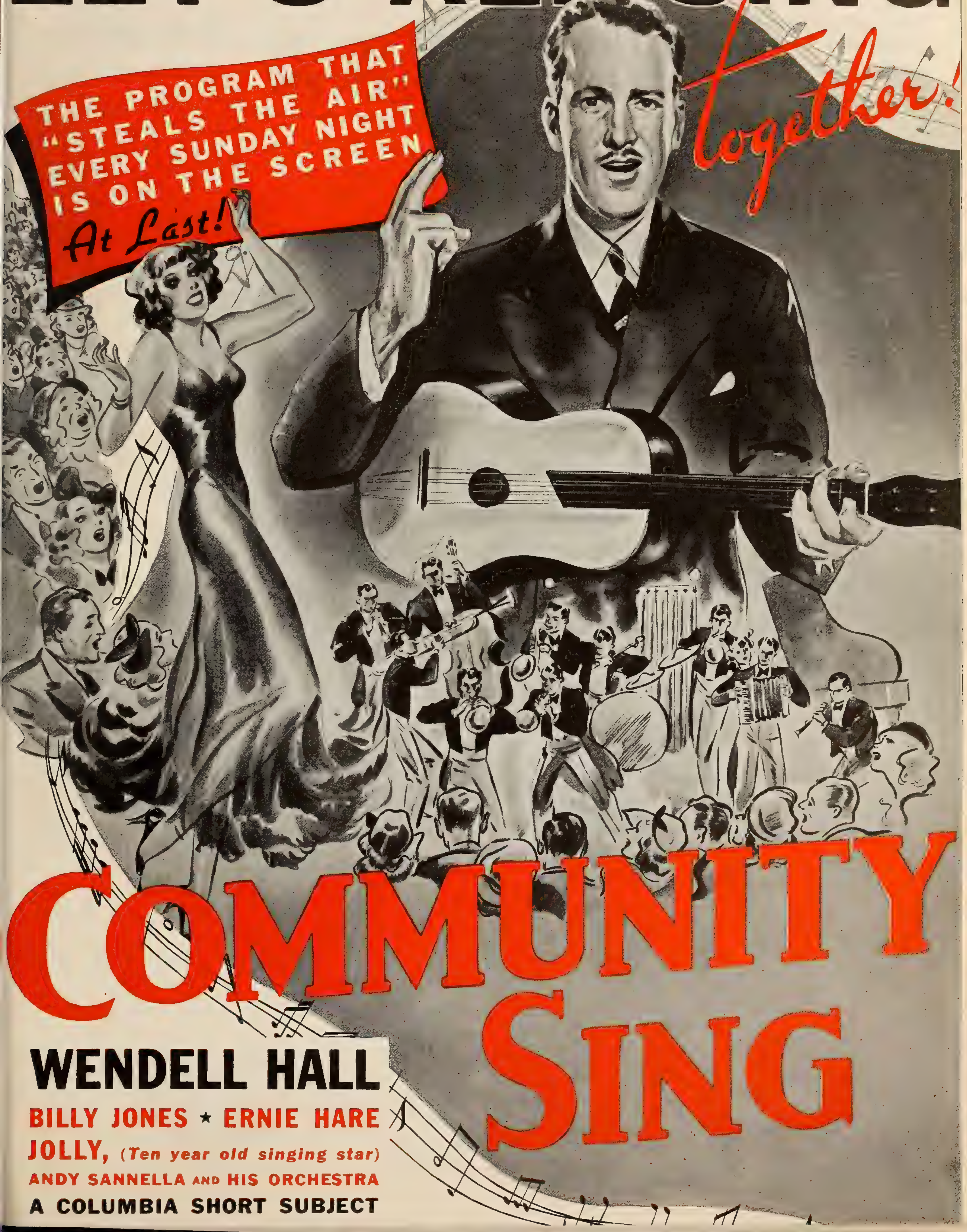
Lincoln, Feb. 8.—Nebraska is being covered by a petition asking that all existing gambling laws be repealed at the Nov. 8, 1938, election. The plan is to legalize chance games and levy a tax, the revenue from which can be turned over to funds for widows, orphans, and the aged.

The show business generally has an eye on the plan, but gives it little chance of success. The circulators of the petition, calling themselves the National Liberty League, Omaha, are headed by Don E. DeBok, secretary.

Would End Contests

Seattle, Feb. 8.—Walkathons and other endurance contests will be prohibited in the state of Washington if a bill introduced in the legislature is passed.

LET'S ALL SING *together!*



THE PROGRAM THAT "STEALS THE AIR" EVERY SUNDAY NIGHT IS ON THE SCREEN *At Last!*

COMMUNITY SING

WENDELL HALL

BILLY JONES ★ ERNIE HARE

JOLLY, *(Ten year old singing star)*

ANDY SANNELLA AND HIS ORCHESTRA

A COLUMBIA SHORT SUBJECT

Louisville Houses Manning the Pumps

(*Continued from page* 1)

Hunt, Jr., is replacing damaged seats. Water damaged about half the lower floor. Crews are also busy at the Rialto, where the water did only slight damage. New seats were on hand when the disaster hit this area, and the shut down will be an opportunity to install the new seating equipment.

Foresight on the part of the Switow brothers, operators of the Kentucky, saved much equipment. All seats were removed and taken to an upper floor before the flood waters came into the house. The Switows, however, suffered a heavy loss in the flood, particularly to their houses in Jeffersonville and New Albany, Ind.

Houses of the Fourth Avenue Amusement Co. which suffered severe damage by the flood were the Ideal and Oak, in the inundated West End district, and the Broadway and Towers, situated in the East End of the city, where flood waters were particularly devastating.

Considerable loss was suffered by the Brown, which was completely covered with water on the lower floor. The terrific upward pressure of the water under the stage, caused the concrete section to buckle, and rise about eight feet in the air. The damage here will be considerably greater than any other house in the city. At present, nothing is being done to repair the damage, although a crew is on hand to pump the water from the basement. A large cave-in in front of the house is barricaded.

Slight Pittsburgh Damage

PITTSBURGH, Feb. 8.—Returning over the weekend from a tour of the flood area, C. J. Latta, assistant zone manager for Warners, said that the physical damage to the theatres in this district would be very slight. In most cases, the managers, profitting from their experience last year, were ready for the high water and had most of the furnishings removed to safety by the time it struck.

Gives Shows for Refugees

INDIANAPOLIS, Feb. 8.—Robert B. Annis, president of the R. B. Annis Co., supply house, is giving two-hour showings nightly for about 200 flood refugees from southern Indiana housed in the Municipal Gardens community house here.

A no-admission show, with contributions collected inside the house, netted $104.65 for flood relief at the Paramount, Jack Finkelstein, manager, reported.

Benefits in 7 Houses

COLUMBUS, O., Feb. 8.—Seven local theatres gave the receipts of one full day's business to the Red Cross for flood relief. The houses were: the Hudson, Alhambra, Garden, Grandview, Northern, Empress and Ogden.

Small House Gives $200

PITTSBURGH, Feb. 8.—The Roxian in McKees Rocks raised $200.46 for flood relief in collections from patrons. Sam Fleishman, manager of the house, started the ball rolling himself with a $25 donation.

The first of the downtown theatres here to stage a benefit show for the flood victims will be the Casino, which has scheduled its performance for next Sunday night.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Sea Devils"

(*Radio*)

HOLLYWOOD, Feb. 8.—In a rough, boisterous melodrama, Victor McLaglen returns in a typical "What Price Glory - Cockeyed World" character. Preston Foster is his capable, glib-tongued, fist-swinging running mate. Presented in the atmosphere of the Coast Guard, the film majors in well toned rowdy stuff, includes acceptable romance contrast and has its full quota of seagoing comedy. It combines breezy dialogue, brisk action and wild situations to give the film an exciting wallop. Human interest is there in abundance and is believable even when daubed on with a mop.

The swaggering McLaglen arranges a marriage between Ida Lupino, his daughter, and Donald Woods, a studious sailor. At this point the hard-boiled Foster enters. The romantic conflict between the girl and him effectively balances the personal antagonism between McLaglen and Foster. As the story seethes with roaring brawls, McLaglen's personal romance with Helen Flint forms an interlude which creates tension and pleasing comedy.

The cutter is ordered to duty on the iceberg patrol and here are given vivid glimpses of the legitimate Coast Guard activity in locating and charting icebergs. While Woods is planting dynamite in a berg, McLaglen and Foster are engaged in a mad battle which finally causes their dory to go adrift. Woods is injured in the blast, for which McLaglen and Foster are courtmartialed. McLaglen turns the trial into a riot with his personal accusations and recriminations matched by the vitriolic mouthings of Foster. McLaglen is reduced in rank and ordered to retire, while Foster is sentenced to the brig.

The two rivals disregard the regulations and take charge of the film's big spectacle, a storm-swept sea rescue. Woods having died, the pair save the passengers of a disabled vessel. Being the last two aboard, McLaglen knocks Foster unconscious in order to send him safely ashore in the breeches buoy, after which McLaglen goes down with the sinking ship.

The picture is colorful and exciting all the way. Both McLaglen and Foster give realistic performances. Their work is abetted by the capable support of Miss Lupino, Woods, Miss Flint, Gordon Jones, Pierre Watkin, Murray Alper, Billy Gilbert and Barbara Pepper. Melodrama, together with the McLaglen-Foster ability to present hair-raising action, form the dominating theme of the screenplay by Frank Wead, John Twist and P. J. Wolfson. Ben Stoloff's direction concentrates on accentuating those qualities. Edward Small produced in a manner which captured their full effect. The film should enthuse those who like to see plenty happening in a picture that is moving every minute.

Production Code Seal No. 2,814. Running time, 85 minutes. "G."

Looking 'Em Over

"The Gun Ranger"

(*Republic*)

The necessary ingredients of westerns are present in this film. There is a full quota of tight-lipped dialogue, bullet-slinging, brawling and hard-riding. The story drags along but builds to an exciting climax. On the whole it should be found acceptable to its type of audience.

As a Texas ranger, Bob Steele is unable to cope with the flood of range crime. When a suspected murderer is set loose, he resigns and decides to take the law unto himself. He also appoints himself guardian of Eleanor Stewart, who is heiress to a big cattle property. His one aim is to find the murderer of Miss Stewart's father. Tracking down his clues and locating his quarry Steele brings things to their proper noisy and vengeful conclusion.

The story is an original by Homer Gordon. Robert Bradbury directed. The supporting cast includes John Merton, Ernest Adams and Earl Dwire.

Production Code Seal No. 2,598. Running time, 55 minutes. "G."

(Additional Reviews on Page 10)

Ohio Valley Houses to Open

CINCINNATI, Feb. 8.—With flood waters slowly receding, theatres in this territory are preparing to reopen. In nearby Portsmouth, the Westland has been opened. Six others in that town, including three Warner houses are still dark pending rehabilitation.

Short Subjects

"Spooky Hooky"

(*Roach-M-G-M*)

The circus comes to town and the "Gang" decides to play hookey and attend. They place a note explaining their absence on the teacher's desk and find themselves in a spot when she tells them she is taking the entire class to the show the following day. The rest of the film concerns their difficulties when they return to the school at night to retrieve the note. The usual spook and skeleton business follows. Their trip through the rain nets the would-be truants severe colds and though they want to go to class their respective mothers decline. It is routine "Our Gang" comedy. Production Code Seal No. 2,880. Running time, 11 mins. "G."

"Slippery Silks"

(*Columbia*)

The Three Stooges inherit their uncle's dress shop and therein go through their reliably comic bag of tricks. Rising from cabinet makers to modistes, they are pursued by Vernon Dent after they ruin his antique Chinese box. Dent catches up with them and in the melee a free-for-all cream puff throwing battle develops. It has its moments. Production Code Seal No. 2,325. Running time, 20 mins. "G."

"Stranger Than Fiction No. 32"

(*Universal*)

Another collection of the strange and bizarre. This issue includes a cow that pumps its own water, a bicycle riding dog, a "worm-omat" for early rising anglers, a beer guzzling rooster, and a varied number of others. Interesting. Production Code Seal No, 01,302. Running time, 9 mins. "G."

"School for Swing"

(*Mentone-Universal*)

Tuneful doings in a modern musical school. A show is put on for a visiting "swing" king by Sylvia Froos, Bert Gordon, and Wally and Ver'dyn Stapleton, who hope to land engagements. Later, it turns out the spectator is a hammock and swing mogul. Quite snappy and diverting. Production Code Seal No. 01,395. Running time, 10 mins. "G."

Would Boost Mo. Tax

KANSAS CITY, Feb. 8.—Senator Albest M. Clark has introduced an administration-approved bill providing for an increase in the present Missouri sales tax from one to two per cent. The present tax law expires at the end of this year. The tax would be paid by tokens, probably of metal. If the present tokens are discarded the token change machines installed by many theatres in the state would be worthless and exhibitors would have to purchase new ones to fit the new pieces.

Players at MPTOA Meet

HOLLYWOOD, Feb. 8.—A delegation of film players will attend the M.P.T.O.A. convention in Miami, March 16-18, according to current plans under way between the M.P.P.A. and major studios.

Columbia, "U" Replies Best, MPTOA Finds

(*Continued from page* 1)

tude on clearance problems. The tabulation puts 20th Century-Fox in fifth place with only three favorable replies; two refusals, relating to elimination of the score charge and adoption of the short form of contract, and four doubtful responses, relating to clearance disputes, overbuying complaints, "investigation and mediation of charges of unfair competition between theatres", and designation of preferred playing time.

Paramount's answer, which was completed last Saturday, had not been received at the time the tabulation was made, but on the basis of the M.P.T.O.A. grading, that company's reply would appear to rank about on a par with or below that of 20th Century-Fox. The Paramount statement contained two refusals, one qualified acceptance and five responses which might be considered doubtful.

The M.P.T.O.A. points out that the responses are the first concrete results to be obtained as a result of exhibitor-distributor conferences and indicates that further efforts to extend its trade practice negotiations will be undertaken after discussions are held and plans formulated at the organization's national convention in Miami, March 16, 17 and 18.

The bulletin also states that actual setting up of the local conciliation boards now rests with the distributors and the local exhibitor organizations. It points out that six or seven of its proposals can only be accomplished through these boards.

Distributors File Dallas Suit Reply

(*Continued from page* 1)

charges and state that since all the defendants' films are copyrighted, the distributors have the right under the copyright laws to require subsequent run exhibitors to agree that any motion picture shown first run at an adult admission price of 40 cents shall not be shown subsequently in the same city at a night adult admission price of less than 25 cents, nor as part of a double feature program, and that such agreements are not in restraint of trade.

The case is expected to be tried shortly and the outcome is regarded as of wide significance to the industry.

The companies filing answers were Paramount, Vitagraph, RKO Radio, Columbia, United Artists, Universal, M-G-M and 20th Century-Fox.

Erpi Meeting Today

All Erpi district superintendents and district managers will convene today for a three-day conference under the direction of G. L. Carrington, operating manager. The opening session will be devoted to reorganization work made necessary by recent orders for Mirrophonic installations from Loew's and Paramount. Tomorrow and Thursday will be devoted to familiarizing the personnel with new technical developments and to tours of the Erpi laboratories.

Anderson Play Is Overlong, Confused, on the Dull Side

(*Continued from page* 1)

the mystery and legend which surround the Mayerling tragedies. Much has been indulged in point of speculation as to how Crown Prince Rudolph, heir apparent to the throne of Austria-Hungary, and the Baroness Vetsera, his mistress, came to their end. One account, strongly credited, says the baroness was actually the crown prince's sister through an early indiscretion by the emperor with the young woman's mother; that when Franz Joseph learned of his son's affair, he ultimately told the truth and the young couple thereafter entered upon a death pact. However, there is another approach, that which held Rudolph as a liberal, and so a rarity among 19th century royalty, who sought relief for his people and his own release from the decadent and enervating atmosphere of the court at Vienna.

Tale of Regal Intrigue

This is the basis of Anderson's treatment. He tells of Rudolph's passion for the Vetsera and the emperor's displeasure over it; of the crown prince's plan to lead a revolt of the Hungarian populace; its collapse and the effort next to capture a Vienna depleted by troops hurrying to crush the earlier disturbance; the collapse of the second plan when it means the son must order his own father's execution. The letting of blood, in wholesale, proves too much for Rudolph, who recognizes his defeat and with it the death of his hope that a monarchical government could also be a liberal government. To Mayerling he goes determined to return to his allotted part as the emperor to be. By this time, his faith has been further shattered by discovery that Vetsera, the woman he loves, also has been in Franz Joseph's service.

Vetsera is repentant and proves it by shooting herself, which seemed silly. Rudolph, for some reason and seeking some out never made lucid, follows in her footsteps and that was even sillier.

Solution Is One Man's Opinion

So it is that Anderson explains the mystery of Mayerling. Purely his own version, available fact has been embroidered with playwriting fancy. Also he has indulged in those flights of beautiful prose usual with him. They do not, however, always aid the plot which is another way of saying that effective and thoughtful dialogue on its own simply will not turn out a play. Strong in the first act, weak in the first half of the second and powerful in its close, the stream begins to go dry in the third and finishes parched by the time the curtain drops.

Henry Hull as the crown prince and Margo as Vetsera impressed this reviewer not a bit. They were rarely believable and never captured his sympathy. Pauline Frederick as the queen was quietly effective, but the best performance of them all and by far was that of Dudley Digges as the emperor. He looked like Franz Joseph and he played his tyrannies in a manner which seemed plausible.

Our deadline impression of "The Masque of Kings" is that Anderson inadvertently found himself rather badly tricked up in his own endeavors and failed to find the way out.

They're Different

Indianapolis, Feb. 8.—Film audiences and legitimate audiences are different castes in Indianapolis. Hence:

"Those people look prosperous," said a member of the cast of "You Can't Take It With You," looking through the curtain at the house just before the play opened at English's.

"Yes," cracked a stage hand. "Those who have money go to first nights; those who don't go to bank nights."

"Be So Kindly"

A rather authentic view of a certain pseudo-social stratum of New York and one peculiarly of New York, this latest addition to the considerably unimportant list of unimportant plays to reach Broadway this season, emerged at the Little last night as a harmless, albeit occasionally amusing piece. It was penned by Sara Sandberg.

There is the glow—but just a glow—of the spark of drama along the way, but it never quite flames to give the play a great deal more substance than it now has. Let it be said at once that there is nothing here for the screen. It is the sort of thing which does not have to be bought from the stage and in any case is too peculiarly "typed" as of the cloak-and-suit "society" of New York, to enable it to have a potential range of appeal for Hollywood.

If it is pointed out that the one and only set is the living room of an apartment on West End Ave., and that it concerns the family of Kadan, which was not that originally, it would seem to tell the story quite thoroughly. There is the accented father and mother, played well by Angela Jacobs and Francis Pierlot, whose accent occasionally slips; the affected daughter out for a catch, played even better by Jeanne Greene; the studious daughter, played not too well by Eva Langbord, and the jobless, happy-go-lucky son, played with a good touch of highly unsubtle comedy by John Call.

Marrying Off Important

The efforts of the mother, in particular, to foster good "matches" for her children, and her disappointment when one, at least, turns out badly, with a considerable admixture of comedy, a note of almost pathos and the drawing of a picture which is typical of a situation, make up the somewhat insignificant structure.

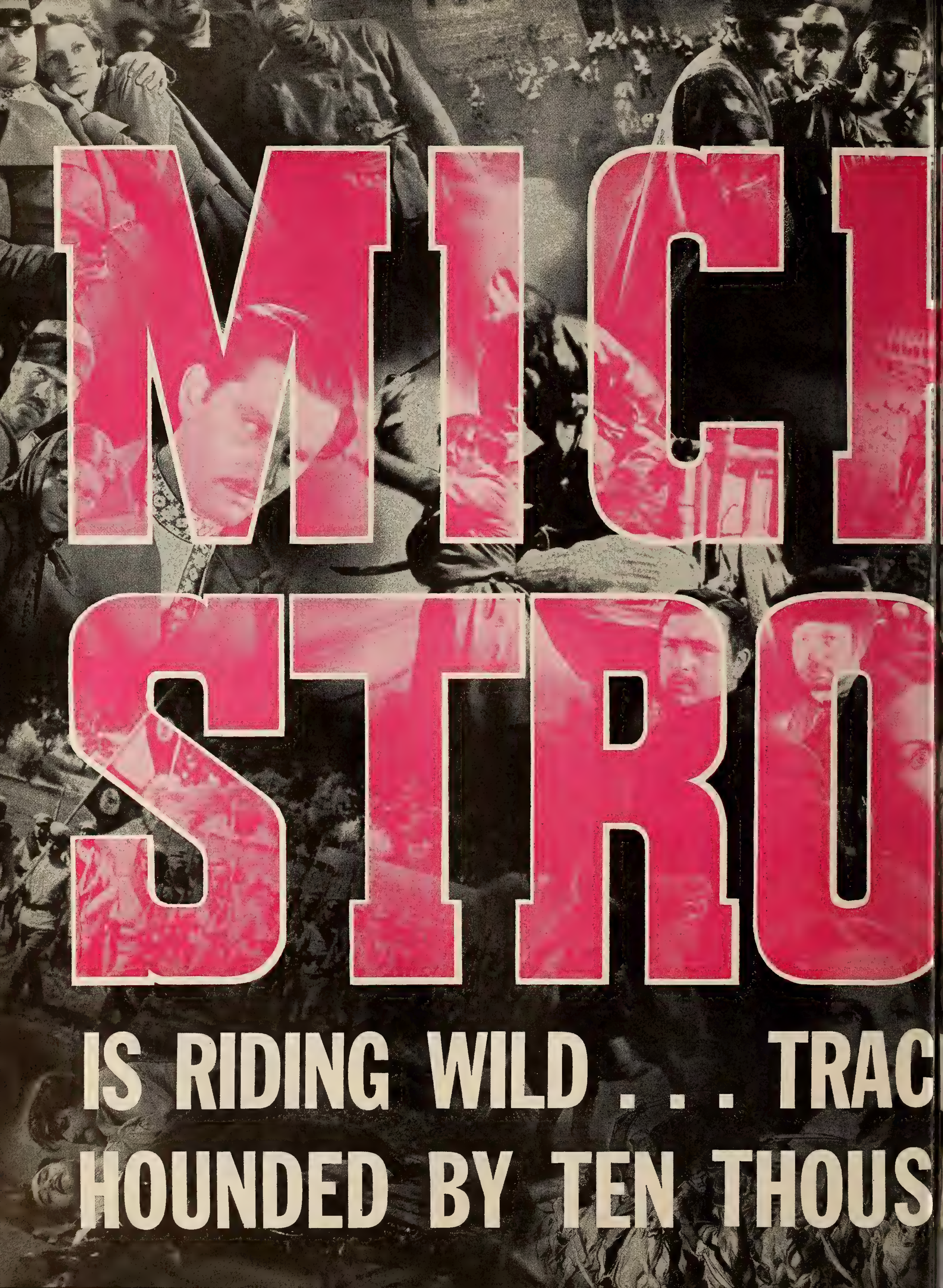
Richard Skinner and Hope Lawder produced in association with Aldrich and Myers and Kenneth MacKenna staged the piece.

PLAYBOY, JR.

Pettey in Meeting

HOLLYWOOD, Feb. 8.—Tom Pettey of the M.P.P.D.A. here, held a meeting with several studio publicity directors at the request of Will Hays.

Box-Office Siren
JESSIE MATTHEWS
GB


MICI
STRO
IS RIDING WILD . . . TRAC
HOUNDED BY TEN THOUS

IAEL
GOFF
RKO RADIO PICTURES
KED BY A WOMAN SPY . . .
AND FIGHTING HORSEMEN!

Educational Stockholders Approve Plan

(*Continued from page* 1)

with and approved by the Securities & Exchange Commission. The new common will consist of 150,000 shares and there will also be 150,000 shares of the new $100 par preferred.

The stockholders' meeting also authorized the company to proceed with the dissolution or merger of six of the nine subsidiaries of Educational Pictures, and this will be undertaken by the company at once.

Commenting on the meeting, E. W. Hammons, Educational president, said, "The fact that more than 75 per cent of each class of stock now outstanding has given approval to our plans, with no objection being voiced by any stockholder, is a most encouraging sign for Educational's plan for greater future activities."

Harry Hunter Named To Australian Post

(*Continued from page* 1)

vice-president in charge of the foreign department.

Hunter will be guest of honor at a testimonial dinner to be sponsored by the Washington Variety Club Feb. 18. The following day he will come to New York to spend a couple of weeks in conference with home office executives before starting for Australia via Los Angeles.

He has been with the company since 1917, first as salesman in Portland and later as assistant manager there. Later he was at Des Moines as branch manager.

Joel McCrea Assigned

Hollywood, Feb. 8.—Joel McCrea's first assignment under his new contract with Samuel Goldwyn is the leading male role in "Hurricane."

Wall Street

Paramount Issues Drop on Board

	High	Low	Close	Net Change
Columbia	37	36⅝	36⅝	+1¾
Columbia, pfd.	44⅞	44⅞	44⅞	— ⅛
Consolidated	5⅛	5	5⅛	.....
Consolidated, pfd.	17	17	17	.....
Eastman Kodak	174	174	174	.....
Gen. T. Equip.	32⅞	32	32¾	+ ⅝
Loew's, Inc.	77¾	76¾	77½	+ ⅛
Paramount	27¼	26⅝	26¾	— ¼
Paramount 1 pfd.	190½	186¾	186¾	—3¼
Paramount 2 pfd.	24⅞	24⅛	24⅜	— ⅛
Pathe Film	9⅜	8⅞	9⅜	+ ¼
RKO	8⅝	8½	8½	.....
20th Century-Fox.	36⅜	35¾	36¼	+ ½
20th Century, pfd.	44½	44¼	44¼	— ¼
Warner Bros.	15⅜	15	15	— ⅛

Little Curb Movement

	High	Low	Close	Net Change
Grand National	3¾	3⅝	3⅝	— ⅛
Sonotone	2⅛	2⅛	2⅛	.....
Technicolor	21½	20⅞	21	+ ¼
Trans-Lux	4½	4⅜	4⅜	— ⅛

Slight Bond Changes

	High	Low	Close	Net Change
Loew's 3½s '46	100¾	100¾	100¾	.....
Paramount Pict. 6s '55	100¾	100⅜	100¾	.....
RKO 6s '41 pp.	120	120	120	+ ⅛
Warner Bros. 6s '39 wd	99¾	99¼	99¼	— ⅛

(Quotations at close of Feb. 8)

Out Hollywood Way

Hollywood, Feb. 8.—Grace Moore's next for Columbia, "The Sound of Your Voice," an original by Stephen Morehouse Avery.

Walter Connolly to have role of Nero Wolfe in Columbia's "The League of Frightened Men" by Rex Stout . . . Hal Roach building a double star dressing room bungalow on the lot . . . Grantland Rice a guest of Pete Smith watching the shooting of "Gold Mistakes" . . . Ring Lardner, Jr., and Silvia Schulman, secretary to David O. Selznick, to be married soon . . . Paramount's "Souls at Sea" resumes after week's delay due to illness of Gary Cooper and Director Henry Hathaway.

S. J. Briskin offers $50 cash prizes for titles for Radio's "Tomorrow's Headlines" and "Satisfaction Guaranteed" . . . Dwight Franklin signed by Cecil B. DeMille as costume designer on "The Buccaneer;" he held a similar post on "The Plainsman" . . . Patricia Ellis, on loan from Warners, gets lead in Columbia's "Venus Makes Trouble."

Gary Grant signs with Columbia to do two pictures a year for four years . . . "This Is My Affair" starts this week at 20th Century-Fox . . . Andrew L. Stone, Grand National producer, signs Ray Heinz as production manager on "Broadway Chiselers" . . . Harry Sherman completes cast of "The Hills of Wyoming," next in "Hapalong Cassidy" series . . . Richard Rowland to produce first color film for Grand National, "The Thief of Taos."

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Director — Ralph Murphy will direct "The Stones Cry Out," Universal, replacing Harold Young, who has the flu.

✚

Writers — Anthony Veiller will work with Mortimer Offner on the screenplay of Radio's "Vivacious Lady" . . . Louis Stevens' contract renewed by Paramount . . . Edwin V. Westrate signed by Paramount . . . Henry Ducoin signed by Universal.

✚

Casting — Morgan Wallace in "Charlie Chan at the Olympics," 20th Century-Fox . . . Paul Graetz in "Madame Walewska," Pat West and Albert Hill in "Skidding," M-G-M . . . Erik Rhodes on loan from Radio in "The Woman's Touch," Samuel Goldwyn . . . Republic castings include Weldon Heyburn in "Git Along, Little Doggies," Duncan Renaldo in "Painted Stallion," Howard Hickman, Charles McMurphy, Grace Hayle, Gladys Gale, Lu Miller and Harry Tyler in "Jim Hanvy" and Pierre Watkin in "Hit Parade."

"Elephant Boy"

London, Feb. 8.—Trade shown tonight at the Piccadilly, the two stars of this production are Sabu, an attractive Indian boy, and Kolonai, a magnificent elephant. It is, of course, a jungle story and has not a single woman character. The high spot of the picture is a spectacular roundup of a large herd of elephants.

The Indian backgrounds are not exceptional and the sound seems to have been slightly overdone.

Adults will characterize the film as original and picturesque while the younger element will undoubtedly be fascinated.

Running time, 100 minutes.

ALLAN

Seattle House to Duals

Seattle, Feb. 8.—Hamrick-Evergreen's Fifth Avenue, last of the de luxe first run houses in this territory to retain a single feature policy, has at last capitulated. Admissions remain as before, with a 40-cent top.

House Changes Policy

Danbury, Conn., Feb. 8.—A policy shift brings two double-feature bills weekly to the Palace with a drop in admission prices. Matinees are now 25 cents with the evening top 40 cents.

Overseas Previews

"Faisons Un Reve"

"Let's Dream"

(*Cineas-Tobis*)

Paris, Jan. 29.—This film is adapted from one of Sacha Guitry's first stage plays. It was directed and is acted mainly by its author. The story, dealing with the problem of the eternal triangle, is quite immoral, and its denouement still more so, but the film is well acted, the dialogue smart, and although very much a screened stage play, the film is certainly not without interest.

The prologue is notable for its originality, for while the film itself is acted entirely by three actors: Guitry, as the lover, Jacqueline Delubac (in private life, Mrs. Guitry), as the wife of his friend, and Raimu as the husband, the prologue introduces 15 of the most popular and best stage and screen stars of the present moment in Paris.

"Fáisons un Rêve," besides being of interest to Guitry's numerous admirers, should be of particular interest to foreign people interested in good French productions.

Running time, 80 minutes. "A." Autre

Will Name Academy Winners on March 4

Hollywood, Feb. 8.—Winners of the Academy awards for 1936 will be revealed at the annual dinner to be held the evening of March 4. Nominations, now completed, include 10 films, five actors, five actresses, nominees for best supporting performance by actor and actress, direction, original story, screenplay, and assistant manager. The nominations in each of the several divisions follow:

Films—"Anthony Adverse," Warners; "Dodsworth," Goldwyn-U. A.; "The Great Ziegfeld," M-G-M; "Mr. Deeds Goes to Town," Columbia; "Libeled Lady," M-G-M; "Romeo and Juliet," M-G-M; "San Francisco," M-G-M; "The Story of Louis Pasteur," Warners; "A Tale of Two Cities," M-G-M; "Three Smart Girls," Universal.

Actors—Gary Cooper in "Mr. Deeds Goes to Town"; Walter Huston in "Dodsworth"; Paul Muni in "The Story of Louis Pasteur"; William Powell in "My Man Godfrey"; Spencer Tracy in "San Francisco."

Actress—Irene Dunne in "Theodora Goes Wild," Gladys George in "Valiant Is the Word for Carrie," Carole Lombard in "My Man Godfrey," Luise Rainer in "The Great Ziegfeld," and Norma Shearer in "Romeo and Juliet."

Supporting Actor—Mischa Auer in "My Man Godfrey," Walter Brennan in "Come and Get It," Stuart Erwin in "Pigskin Parade," Basil Rathbone in "Romeo and Juliet" and Akim Tamiroff in "The General Died at Dawn."

Supporting Actress—Beulah Bondi in "Gorgeous Hussy," Alice Brady in "My Man Godfrey," Bonita Granville in "These Three," Maria Ouspenskaya in "Dodsworth" and Gale Sondergaard in "Anthony Adverse."

Direction—"Dodsworth," by William Wyler; "The Great Ziegfeld," by Robert Z. Leonard; "Mr. Deeds Goes to Town," by Frank Capra; "My Man Godfrey," by Gregory la Cava, and "San Francisco," by W. S. VanDyke.

Original Story—"Fury," by Norman Krasna; "The Great Ziegfeld," by William Anthony McGuire; "San Francisco," by Robert Hopkins; "The Story of Louis Pasteur," by Sheridan Gibney and Pierre Collings and "Three Smart Girls," by Adele Comandini.

Screenplay—"After the Thin Man," by Frances Goodrich and Albert Hackett; "Dodsworth," by Sidney Howard; "Mr. Deeds Goes to Town," by Robert Riskin; "My Man Godfrey," by Morris Ryskind and Eric Hatch, and "The Story of Louis Pasteur," by Sheridan Gibney and Pierre Collings.

Assistant Directors—William Cannon for "Anthony Adverse," Jack Sullivan for "The Charge of the Light Brigade," Eric G. Stacey for "Garden of Allah," Clem Beauchamp for "The Last of the Mohicans," Joseph Newman for "San Francisco."

Art Direction—"Anthonv Adverse," "Dodsworth," "The Great Ziegfeld," "Lloyds of London," "Magnificent Brute," "Romeo and Juliet," "Winterset."

Under a change in rules, the art direction nominees were selected by a nominating committee from a group chosen by committees representing the art directors section and other branches rather than by general vote of the whole Academy membership.

SUPREX CARBONS

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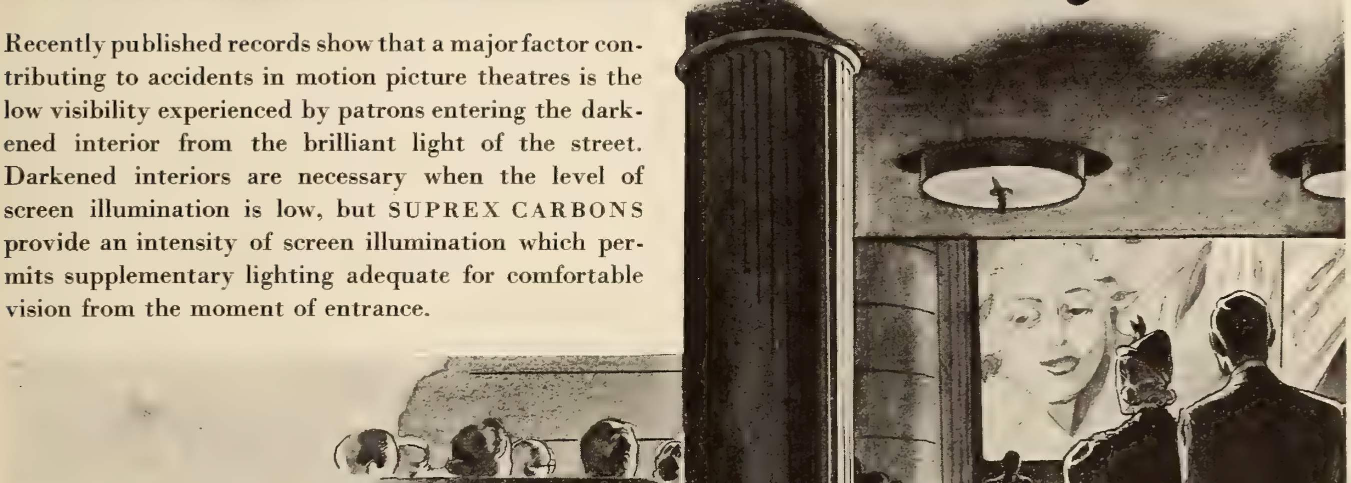

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Wrigley Pays $30,000 for Benefit Show

By contributing a sum reported to be $30,000 to the American Red Cross, William Wrigley & Co. has secured sponsorship of the flood relief program which will be broadcast over the combined networks of CBS, Mutal and NBC-Blue, as well as over WMCA and WHN, Thursday night from 12:30 to 2:30 A. M., E. S. T. The program also will be available to any other broadcasting stations in the country that desire to donate the air time. Participating networks, stations and artists are donating time and talent.

The entertainment will originate in Radio City Music Hall. Radio, stage and screen have joined hands for the huge benefit, and a list of talent lined up for the program reads like a "Who's Who" of the entertainment world. Thus far more than 100 artists have been assembled and the list is growing hourly. The talent lineup for this program has already been published in the radio section of MOTION PICTURE DAILY.

The broadcast orginally was to have been sold to the sponsors in half-hour units, at a cost of $10,000 for each stanza.

Classical Program Set

Additionally, the American Guild of Musical Artists, Inc., is now completing plans for a Red Cross benefit to be held in Carnegie Hall Feb. 20. Among the topflight concert artists who will perform at the benefit are Lily Pons, Lawrence Tibbett, Gladys Swarthout, Elizabeth Rethberg, Efrem Zimbalist, and others.

Mrs. Alma Gluck Zimbalist, wife of the famous violin virtuoso, is in charge of the committee arranging the benefit. Unquestionably the concert will be broadcast if a sponsor willing to contribute anywhere from $50,000 to $100,000 to the Red Cross flood fund can be found.

WCAU Has Portable Unit

PHILADELPHIA, Feb. 8.—W3XEO, portable short-wave station of WCAU, has been installed in a small truck and will play an important part in a new series of broadcasts now being planned by the station's officials. The mobile unit will visit historic points in a series called "Historic Philadelphia." With an announcer riding in the truck, pickup will be in the nature of a sightseeing tour, giving descriptions as they pass the spots.

"With Regrets"

Philadelphia, Feb. 8.—When Mayor S. Davis Wilson invited his radio audience to shake his hand in his City Hall reception room, he was overheard by a chap in Nyassaland, British Central Africa, whose "regrets" were just received. Writing as a British subject, L. S. Norman explained he always likes to accept invitations, but unfortunately had to pass this one by.

Warners About to Step Out As Radio Producers on Film

(*Continued from page* 1)

Transamerica, a Warner subsidiary, and includes the Vitaphone orchestra conducted by Leo Forbstein, a voice ensemble of 40 voices, bits by Allan Jenkins and Rosalind Marquis and a re-enactment of scenes from "Kid Gallahad" with Bette Davis and Edward G. Robinson.

A print is expected to arrive in New York momentarily where it will be "auditioned" for prospective buyers. It was reported here today that Chase and Sanborn will get a first peek at the show to determine whether or not they will supplant the coffee company's current program, "So You Want to Be an Actor?" The latter is also a Warner-Transamerica air production, but reports indicate Chase and Sanborn are not completely satisfied with it and may want another.

Warners are believed to be of the opinion that, with their years of experience in the entertainment-building business, they are in a stategic position to develop shows which may open an entirely new avenue in the calibre of air entertainment. It has been reported for some time that the studio has frowned upon the appearance of its talent on the air and that it has made arrangements to hold the services of its players for air entertainment turned out by its own studio exclusively.

John Clark, president of Transamerica, arrived in New York from Florida yesterday. Don Becker, Transamerica production chief, who produced the Powell film-recorded air show, is due from the coast this week. Martin Gosch, active on radio within the Warner organization, already has arrived from the coast.

If Warners succeed in selling their first air show, some in the radio field yesterday were inclined to believe the day of the "waxed" program may be hastened to its close. Hollywood reports declare the Powell show, which is on film, represents a considerable improvement over transcriptions on wax.

Expand on "Lone Ranger"

"The Lone Ranger," radio serial produced at WXY, Detroit, and heard over the eight stations of the Michigan network of which WXY is the key station, and WOR, Newark, WGN, Chicago, and WSPD, Toledo, will be heard additionally over the entire 10 stations of the Don Lee network beginning Feb. 15.

Expansion of the "Lone Ranger" gives the program three sponsors. In the east and middle west it is sponsored by the Gordon Baking Co., in Southern California by the Western Bakeries, and in the northern part of the Pacific Coast by the Kilpatrick Bakeries.

Marrow Renews Show

J. W. Marrow Manufacturing Co., sponsors of the Henry Busse Orchestra program heard Wednesdays at 4 P. M. E,S.T., over a split NBC-Red network, renew the series for eight weeks beginning March 17. The program is broadcast in behalf of Mar-O-Oil shampoo and was placed through Baggaley, Horton and Hoyt.

May Enter Radio

New Haven, Feb. 8.—It is reported John Day Jackson, publisher of New Haven's daily newspapers, is looking into the radio field with a buy in mind.

Philco to Show New Television Thursday

PHILADELPHIA, Feb. 8.—Latest advances in television will be demonstrated by Philco Radio & Television Corp. Thursday at the Germantown Cricket Club. The showing will be an invitation affair, presenting for the first time 441 line television. A Philco demonstration in August, 1937, seven miles from the company's laboratory, showed pictures of only 345 lines.

KSFO Gets Power Increase

SAN FRANCISCO, Feb. 8.—After a long wait, KSFO, new Columbia outlet in this territory, has been granted permission by the F.C.C. to increase its day power from 1,000 to 5,000 watts, and to locate its transmitter in suburban San Francisco.

The present transmitter, which operates on a day power of 1,000 watts, is located in Oakland, having been erected when KSFO was KTAB and owned by the 10th Ave. Baptist Church of that city. No location has yet been selected but a site on the Bay Shore highway, near the beach, is understood to be under consideration.

May Get Unlimited Time

NEW ORLEANS, Feb. 8.—An F.C.C. examiner in Washington has recommended approval of an application of the Alexandria Broadcasting Co., Inc., operator of KALB, Alexandria, La., for full-time operation on a new wave length. KALB now operates during the day on 1,420 kilocycles. If the commission approves the examiner's report, KALB will be permitted to operate on unlimited time on a frequency of 1,210 kilocyles. Examiners reported there was a need for additional service in that area and that granting of the application would "serve public interest."

Staging a Comeback

PHILADELPHIA, Feb. 8.—Larry Vincent and Ben Alley, former stars whose songs thrilled listeners from coast to coast, are hitting the comeback trail via local airlines. Both singers are doing their songs daily over WCAU, Vincent doing a sustaining shot at 11:20 P. M., and Alley, once again with an organ accompaniment, at 5:45 P. M. for the Household Finance Corp.

"NBC Progress" Is Out

The first issue of *NBC Progress,* a new weekly published by the broadcasting chain for its employes, clients, advertising agencies and radio executives throughout the nation was placed in the mail yesterday. The publication is intended to summarize current activities of NBC.

New Jersey Opposes Liquor Ads on Radio

EASTON, Pa., Feb. 8.—Disapproval of all liquor advertising over radio stations, "because it carries its message directly into the home and to the family fireside, whether welcome or not," is voiced by New Jersey State Alcoholic Beverage Control Commissioner D. Frederick Burnett in a letter to WEST, replying to an inquiry from the local station regarding his attitude on a proposed word-building contest by a liquor advertiser.

Although admitting there is nothing in the present New Jersey liquor rules and regulations barring such contests, Commissioner Burnett warned WEST that its widespread use in connection with liquor advertising would result in "immediate promulgation and rigid enforcement of rules forbidding the conduct of such contests."

It was also pointed out to the station that beer advertising is no longer being carried by the Iowa Broadcasting System, operating WMT, Waterloo, and KRNT, Des Moines, confirming the policies of the affiliated *Des Moines Register & Tribune,* which rejects beer advertising, this in spite of the fact that seven beer sponsors in 1936 yielded considerable revenue to the stations.

Will Short Wave Mardi Gras

NEW ORLEANS, Feb. 8.—Every English speaking country in the world will hear the Mardi Gras, Feb. 9, from 3:30 to 4 o'clock in the afternoon when WWL, through CBS and the British Broadcasting system, London, broadcast a half-hour program from the streets of New Orleans and the WWL studio.

Alfred Danziger, assistant to Mayor Maestri, will make an address on behalf of the Mayor, and there will be other speakers as well as Announcer Jimmy Wilson for the street broadcasts.

WDSU to Air Mardi Gras

NEW ORLEANS, Feb. 8.—WDSU will broadcast Mardi Gras events from four points throughout the city during the event, with a statewide hookup, as well as a transfer to the Mutual System.

P. K. Ewing, manager of WDSU, has purchased the construction rights for a station in Granada, Miss., and the station midway between Gulfport and Biloxi, Miss. (WGCM) 250 kilocycles, which has been placed in charge of his son, P. K. Ewing, Jr. This gives him coverage in both north and south Mississippi, as well as Louisiana with WDSU. New equipment has been purchased for WGCM.

Music, the Idea

Oklahoma City, Feb. 8.—The Heestand-Stuart Music Co. is demonstrating that radio is a natural medium for selling the music idea to schools. It invites a different high school band to broadcast over WKY each Sunday afternoon and ties in with the program by mentioning the fact that many of the instruments used in the band have been sold by the sponsoring company.

California Has Bill for State Radio Stations

SACRAMENTO, Feb. 8—A bill introduced by Assemblyman Ellis Patterson just before the recess of the Legislature session here would appropriate $500,000 of state funds to build twin radio stations in Los Angeles and Berkeley.

They would be operated by the staffs of the University of California extension division, which, under the bill, would be required to "prepare and broadcast a curriculum of education beneficial to those citizens who are unable to partake of the benefits afforded by actual attendance at a university."

The *University Explorer,* a weekly University of California program, is heard in California over the NBC blue network, and numerous educational programs are heard over various stations in the state.

Delay WMCA Case to Feb. 23

A cross motion filed in N. Y. Supreme Court yesterday by Knickerbocker Broadcasting Co., Inc., operators of WMCA, asked for a summary judgment in favor of Knickerbocker in the $10,000 suit brought against the company by Damskov, Inc.

Argument on that motion as well as the motion submitted by Damskov last week was adjourned yesterday until Feb. 23. Damskov seeks permission to examine Donald Flam, president of Knickerbocker, before trial concerning an agreement of Feb. 20, 1935, whereby Knickerbocker allegedly agreed to broadcast a beauty forum program three times a week for one year. Knickerbocker dropped the program last May and thus violated the contract, it is alleged. The defendant argued that the discontinuation of the program was permissible under a rule of the F.C.C. The plaintiff also has asked the defendant to file a bill of particulars concerning its defense.

Sinclair Reserves CBS Time

The Sinclair Refining Co. has reserved stations and time on the CBS network for a new program to begin April 7. The program will be heard Wednesdays and Fridays from 10:30 to 10:45 P. M., E.S.T., over 59 CBS stations. Federal Advertising Agency is the Sinclair representative.

The program idea is still nebulous and will not be set for another 10 days or so. A script show is indicated, however, by the twice weekly 15-minute periods.

"Romancers" for Weston

Beginning Sunday, Feb. 14, from 9:45 to 10 P. M., E.S.T., the Weston Biscuit Co. will sponsor a new series entitled "The Romancers" on WOR. The talent lineup will include Willard Amison and Adelaide Norton, vocalists, as well as poetry readings by Erik Rolf and incidental organ music supplied by Louis Wilcher. The deal was handled direct between client and station.

More Radio—Page 14

"Showboat" Faces Cut in Two; Burns and Allen May Be Added

It was reliably reported yesterday that the Thursday night Maxwell House "Showboat" program, one of radio's oldest full hour programs, will be sliced in half beginning some time in April and that the last half of the 9 to 10 P. M., E.S.T. NBC Red network period will be filled by Burns and Allen, who were signed some time ago by General Foods through Young and Rubicam to broadcast for Grape Nuts. The "Showboat" program is also a General Foods account, placed through Benton & Bowles.

The agency yesterday admitted that the report had reached it, but withheld information. Young and Rubicam also refused confirmation.

KGGC, KLS to Join Broadcast Programs

SAN FRANCISCO, Feb. 8.—Arrangements just completed by W. N. McGill, station manager of KGGC, will establish a "midget network" comprising KGGC and KLS in Oakland.

The two small stations will start broadcasting simultaneously as soon as KGGC gets permission from the F. C. C. to step up its power to 250 watts.

Report Warners Sign Waring for Picture

Fred Waring and his troupe of Pennsylvanians have been signed by Warner Bros. for a picture tentatively entitled "Varsity Show," according to a report last night.

The price for the Pennsylvanians is said to have been set at $150,000. If so, this is an all-time high for a band.

KOY Joins CBS

KOY, 1,000-watt station in Phoenix, Ariz., joins CBS March 1.

The station recently was granted permission to step up its power from 500 watts.

Back to Announcing

Signed yesterday by Martinson's Coffee, Gabriel Heatter tonight begins a new series of news comments over WOR, from 9 to 9:15 P. M. The series is for 26 weeks and was placed through the Albert Frank-Guenther-Law Agency.

The understanding is that Heatter accepted the local program only because the automobile strike has held up several network commercials for which he'd been angling.

Broadcast Rio Carnival

As part of NBC's policy of exchanging broadcasts with South and Central America, the carnival festivities at Rio de Janiero was broadcast over the NBC-Blue network last night at 7 P. M., E.S.T. The program will be brought to this country over the facilities of Radiobrass, Brazilian broadcasting system, and RCA Communications.

Radio Personals

CROSBY GAIGE, producer of "Eternal Road," is the "surprise" master-of-ceremonies for the forthcoming C. F. Mueller Co.'s program which will be heard five times weekly on the NBC Blue beginning Feb. 22. Gaige will introduce occasional guest artists on the series . . . Two new additions to the staff of WROK, Rockford, have been affected with the engagements of Maurice P. Owens and William R. Traum as announcers . . . Billy K. Wells, dean of the radio jokesmiths, may be heard on an automobile series shortly. Wells was a dialect comedian for years before turning to scripting . . . Toni Gaye (Miss New Orleans) is now vocalizing with Dave Schooler's band on WOR . . .

◆

Arthur Boran may join the Gus Edwards program on the coast . . . William Griffin, publisher of the *New York Enquirer,* will be heard in a special program over WOR today at 6:30 P. M. . . . Freddie Martin celebrates his first year on Mutual this week . . . "Home Made Rhythm," a new CBS series, begins tomorrow at 9 P. M., E.S.T. . . . Virginia Clark, of the "Romance of Helen Trent," planes to Omaha for a hurried visit with her parents . . . Stan Thompson, day supervisor of WBBM, CBS Chicago, birthdays Feb. 25 . . .

◆

Absent from the airwaves for three weeks, Nancy Hurdle, actress-wife of Director Lawrence M. Hurdle, has resumed her part in the "Betty and Bob" scripts . . . Kay Brinker, who played in the stage mystery melodrama "Night of January 16," has been added to the cast of the network serial "Modern Cinderella" . . . The "Magic Key" program this Sunday will feature Gina Cigna, Helen Gleason,Dennis King and Carlos Salvedo. . . .

◆

NBC will tender a dinner for New York's music critics tonight in the RCA dining room to introduce Viscount Hidemaro Konoye, noted Japanese conductor and younger brother of the President of the House of Japanese Peers, who is scheduled to make his air debut in America on the RCA "Magic Key" program this Sunday . . .

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DON C. GILLETTE, former managing editor of *The Film Daily,* is now filling a like post on *Radio Daily,* which marks its debut today. He succeeds William Pitts.

◆

Hollywood Chatter

HOLLYWOOD, Feb. 8.—John Conte appointed chief announcer at KHJ succeeding the late Bill Kuser . . . Marshall P. Tate joins the same station as salesman by appointment of Roger K. Huston, sales manager . . . Robert and Mrs. Montgomery attended a Don Lee television test conducted at the coast home of Harry R. Lubcke, television director of the network . . . Norris Goff, (Abner, of Lum and Abner) has leased a home in San Fernando Valley, next door to his friend, Don Ameche . . . Guest stars on Elza Shallert's Feb. 12 program will be Dolores Del Rio and her husband, Cedric Gibbons . . . Elmer Pederson, CBS sales manager, touring the Pacific Coast stations of the network . . . Humphrey Bogart and Anne Sheridan will be guest stars on the Feb. 19 "Hollywood Hotel" program. They will do "Black Legion". . . Block and Sully will be back in Jack Oakie's College for Camel over CBS Tuesday. Donald Novis will be guest singer on the same program and overtures are being made to Amherst College. . . . KFWB entertained the press at a dinner held at the Hollywood Cinnabar Restaurant with station executives and personel including Harry Maizlish, station manager, Bill Ray, Jean Armand, Ray Buffum, Wen Niles, Dan Addison, Fred Dodge and others attending. . . . Nick Angelo, who made the finals in the California Hour amateur program contest, spotted in the new NBC feature "Thrills." . . . Tommy Harris of the Moonglow program has bought himself a new home. . . . KEHE, local CBS station, has eliminated records on broadcasts with the exception of one early morning program. Live talent and in a few cases transcriptions from the Associated Music Publishers libraries make up the shows. . . .

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They Say in 'Frisco

SAN FRANCISCO, Feb. 8.—Pablo Ricardo named to succeed Joseph Hornik as orchestra conductor of the "Woman's Magazine of the Air," heard daily at 3 P. M., P.S.T., over NBC's coast Red . . . Paul Pendarvis, radio orchestra leader, is playing at a local hotel . . . Cornelia Burdick, who handles the title role in "Dr. Kate," Hal Burdick's new serial heard Thursdays over NBC's coast Blue, took time out to act as show commentator for the Spring Market Week exhibit. Cyrus Trobbe, for several years KYA music director, has left the Hearst station. Walter Rudolph, formerly music director with Columbia's KSFO when it was still KTAB, assumes Trobbe's post. . . . Ernie Smith, KYA commentator, acted as "em cee" for the Oakland President's Ball. . . . Buddy Moreno, singer with Griff Williams's band, is back from Hollywood after a screen test. . . . Don Steele, announcer, and H. P. Davis, technician, are new KYA staff members. . . . Andrew Love, NBC continuity editor, is passing on prisoners, not scripts, these days. He is on jury duty. . . .

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From the Quaker City

PHILADELPHIA, Feb. 8.—Clarice Mayer, KYW's woman reporter, and Dr. Joseph Garfield, local dentist, announce their engagement . . . Music of Emerson Gill added to WFIL'S dance parade, emanating from the Arcadia International Restaurant and fed to the Mutual system. . . . WIP gives Philadelphia its own "March of Time," Edward Wallace, WIP's dramatic director, scripting and producing a weekly "Philadelphia Parade of Events," dramatizing important local events of the week. . . . Rae Eleanor Ball, concert violinist, returns to the WCAU airlanes. . . . "Colored Kiddies Revue" from the stage of the Nixon-Grand, and carried for the past three years by WIP, moves to WDAS. . . . KYW's studio band, Jan Savitt's Top-Hatters, get the bid for the Princeton Junior Prom on Feb. 19. . . .

Chicago Group Gets Film, Radio Talent

Chicago, Feb. 8.—The Chicago Group Theatre, Inc., now starting its second season, has announced that such stage and screen stars as Franchot Tone, Grace George, Anna May Wong, Victor Jory, Conrad Nagel, Florence Reed, Rudy Vallee, Paul Whiteman and Ted Lewis are being lined up for stage appearances here this year.

The theatre group recently leased the Studebaker. Formerly housed in the Chicago Woman's theatre, the group found the response so great larger quarters were obtained.

Among the plays scheduled are: "Shanghai Gesture," "One Good Year," "Kind Lady," "Libel," "Success Story" and several others.

Arkansas Governor on Air

Little Rock, Feb. 8.—Gov. Carl E. Bailey has been offered and is using the facilities of KARK, local NBC outlet, for a series of "messages to the people" broadcast from his office. Twice recently the Governor has gone on the air without advance notice—once in the emergency created by the flood in Eastern Arkansas and again with a message relative to the "open gambling and disregard for law" in Hot Springs.

KARK sponsored the first statewide broadcast of an Arkansas Governor's inaugural by radio over 12 Arkansas stations and one Memphis station on Jan. 12.

Hill to Oklahoma City

Oklahoma City, Feb. 8.—Ivan Hill, formerly vice-president of the Walter Biddick Co., Pacific Coast radio station representatives, has joined the promotion department of the Oklahoma Publishing Co., operators of WKY, Oklahoma City; KLZ, Denver, and KVOR, their recently purchased CBS affiliate in Colorado Springs. Cy Taillon, commercial manager of KGHL, Billings, Mont., for several years, has just been added to the KLZ sales staff.

KJBS Completes Move

San Francisco, Feb. 8.—KJBS has completed its move from the old studio on Bush St. to new plant at 1470 Pine. The night of the move, KJBS's "Night Owl" program—from midnight to 6 A. M. of records—was shifted to KQW, San Jose unit of the Northern California Broadcasting chain which Ralph Brunton heads.

Entrance to the new KJBS building is through the sub-frame of the 250-foot antenna tower.

Allan Trench with WWSW

Pittsburgh, Feb. 8.—Allan Trench, former WCAE announcer who has been in England for the last year, has returned to Pittsburgh with his family to join WWSW as a time salesman. Trench is not devoting himself to the sales end exclusively however, doing some part-time announcing as well as a question-and-answer commercial for Yellow Cab.

Carter Turning Author

Philadelphia, Feb. 8.—Boake Carter, Philco news commentator, is readying a new book, "This Is Life," a collection of his outstanding broadcasts. Carter's air contract has been renewed, effective Feb. 22, for another year, making his fifth on the networks.

News from London on Canadian Network

Montreal, Feb. 8.—News pickups from London, New York and "any point in the world where it breaks" featured the ambitious air show on a coast-to-coast Canadian 34-station network which started Sunday. Sponsors are the Imperial Tobacco Co., Ltd. Burt Hall of Whitehall Broadcasting, Ltd. is handling the program. Hall returned from London Monday where he completed arrangements for the overseas portion of the broadcast.

The point is Montreal. From London, Vernon Bartlett, well-known BBC commentator and foreign affairs expert, gave comment on the European situation. L. S. B. Shapiro, New York columnist for the *Montreal Gazette,* talked on films and theatre from Manhattan, and a third overseas pickup was to be from wherever something is happening at any point on the globe.

The Montreal end of the 45-minute program consisted of a dramatic sketch, orchestra under the direction of Henri Miro and songs from a choir and quartet. Leo Lesieur is musical director. The weekly budget is roughly $10,000.

Discusses Emergency Broadcast

Little Rock, Feb. 8.—The Arkansas Amateur Radio Club today discussed formation of an emergency plan to be used in the event of another statewide flood disaster. The proposed plan would specify wavelengths, frequencies and operating program for all amateur broadcasters in cooperation with local police and airline radio sets.

WDRC Seeks a Booster

Hardford, Feb. 8.—WDRC, 5,000-watt, 1,330-kilocycle Hartford station, CBS outlet, has an application before the FCC for authority to locate a 250-watt booster transmitter in New Haven. With no Columbia outlet in the Bridgeport-New Haven section of the state, the booster, if approved, would be of considerable advantage in this direction.

Wax Papal Blessing

Des Moines, Feb. 8.—As an accommodation to late sleepers, WHO made an electrical transcription of the Pope's blessing, given for the 33d International Eucharistic Congress at Manila, that reached Des Moines at 7 A. M. and broadcast it at 3:30 P. M.

Hays, Klauber Conferring

Hollywood, Feb. 8.—E. K. Klauber, vice-president of CBS, is here from New York and is conferring with Will Hays on a radio-producer code.

Batten Urges Tolerance

Philadelphia, Feb. 8.—Need for humanity, friendship and tolerance in all industrial affairs was cited by H. A. Batten, president of N. W. Ayer & Son, Inc., at the unveiling of a portrait of the late Wilfred W. Fry at the offices of the company. Fry, who died last July, was the second president of the agency, succeeding F. Wayland Ayer, the founder, upon the latter's death in 1923.

FCC Turns Down WMAS

Springfield, Mass., Feb. 8.—WMAS' application for permission to switch to 560 kilocycles and increase its power has been refused.

Gladwyn Joins Yankee

Hartford, Feb. 8.—The Yankee network offices have added Graham Gladwyn, formerly with WTIC here and the Hammer advertising agency.

WBRY Seeks More Power

Waterbury, Feb. 8.—WBRY, Waterbury-New Haven's kilowatter, has applied to Washington for a daytime power increase to 5,000 watts.

Chet Santon with WBRY

Waterbury, Feb. 8.—Chet Santon has been added to the WBRY studio staff as announcer. His style is similar to that of Edwin C. Hill.

Job Hunters, Future Grooms Take Air in 'Frisco Programs

San Francisco, Feb. 8.—Two novel variations in "personalized" radio acts are blossoming here, one called "The Other Man" offering air interviews with anonymous job-hunters, and the other in which bona fide prospective bridegrooms tell the air audience how they "popped the question."

Dean Maddux, producer of the "Buddha" amateur shows for Marindell Milk, conducts the job-hunters' parade over KFRC every Friday. Numbers are used to identify those stating their qualifications for various jobs and prospective employers are asked to telephone the station if they think they can use the applicants. The 30-minute show is a sustaining feature.

As yet untitled, the KJBS feature is handled by J. Lester Malloy, who checks the marriage licenses column in the daily papers, then gets the couples to the studio for air interviews. Merchandise orders which may be used as down payments on engagement and wedding rings, or other jewelry, are given the interviewed pair by the sponsor, a local gem house.

Listener interest in the half-hour Saturday night show has been pronounced and KJBS will shortly conduct an audience contest to obtain a suitable name for it. The radio editors of the local papers—Bob Hall of the *Call,* Herb Caen of the *Chronicle,* Darrell Donnelly of the *Examiner* and Claude LaBelle of the *News*—will probably act as judges, with the sponsor providing a merchandise order prize for the winning title.

Another personal angle is currently being aired by the *Call-Bulletin,* local Hearst afternoon paper, over KPO every day with a "Radio Inquiring Reporter" handling shortwave pickup interviews with passersby at various business intersections.

WBNX, New York, currently airs a job hunters' program along the above lines.

N. H. Business Men Plan Radio C. of C.

New Haven, Feb. 8.—The Chamber of Commerce program finally gets started on WBRY Tuesday at 12:45 P. M. with Robert Lancraft, retail division executive, as principal speaker. The plan is to organize an actual Chamber of Commerce of the air, with membership cards and officers. All questions of listeners will be answered following a first discussion on the religion of the people of the city, and subsequent statistics on industries, births, deaths and other data.

Tucker Goes to WWSW

Pittsburgh, Feb. 8.—WWSW's new sports announcer is Joe Tucker, who is getting his first baptism of radio on the job, having previously been a buyer in a local department store. He has taken over the post left vacant by Jack Craddock's recent resignation to re-enter evangelistic work.

Tucker won the job over 200 applicants who had auditioned for station manager Frank Smith for several weeks.

Want Their Radio Clear

Wildwood, N. J., Feb. 8.—Designed to assist radio listeners in Wildwood, city commissioners have adopted an ordinance prohibiting preventable interference with radio reception. The measure pointed out that it is "unlawful for any person, firm or corporation to operate any machine or apparatus within the territorial jurisdiction of Wildwood if the operation causes reasonably preventable electrical interference with radio reception."

Columnist Gets Sponsor

Pittsburgh, Feb. 8.—Charles F. Danver, veteran columnist of the *Post-Gazette* who writes the daily "Pittsburghesque" feature, has been signed by the Yellow Cab Co. for a series of broadcasts over WCAE. Danver will air every Tuesday and Friday night for the next four weeks, doing a combination of gossip, news and descriptions about well-known landmarks of the town.

Switch to Iowa Barn Show

Des Moines, Feb. 8.—Bill Osborne and Bob Balentine, "Bill and Bob" over the National Farm and Home hour of WGN, Chicago, are here and will be heard over WHO every Saturday night in the Iowa Barn Dance Frolic program.

N. W. Vickery in New Spot

Philadelphia, Feb. 8.—Norman W. Vickery has moved to McKee, Albright & Ivey agency. He had been associated for a number of years with Calkins & Holden, and for the last three years has been with Donovan-Armstrong.

J. V. Callinan Joins WICC

New Haven, Feb. 8.—J. Vincent Calanan has been appointed WICC commercial representative here, following the resignation of Richard Ponsaing. Callanan has worked on the staffs of various newspapers.

Ripley Addresses Ad Men

Philadelphia, Feb. 8.—Poor Richard Club, composed of local ad men, had Robert L. Ripley as guest of honor at their weekly luncheon today. The session was aired locally by KYW.

Radio Acceptance

CLEVELAND PLAIN DEALER

ESTABLISHED AS THE EVENING PLAIN DEALER IN 1845 MORNING AND SUNDAY
EDITIONS FOUNDED IN 1885 BY L. E. HOLDEN

LARGEST MORNING AND SUNDAY CIRCULATION IN OHIO

B. P. BOLE, PRESIDENT JOHN S. McCARRENS, VICE PRES. & GEN'L MGR PAUL BELLAMY, EDITOR

January 12, 1937

Mr. Jack Banner,
Radio News Editor,
Motion Picture Daily,
Rockefeller Center,
New York, N. Y.

My dear Mr. Banner:

I have been receiving copies of Motion Picture Daily for some weeks now and I thought you might like to know that I feel you are giving your readers a fine compact service as far as radio news is concerned. I like especially the brief way in which you summarize your news items and I think there is considerable of value in your review of programs. We have too little reviewing done in this business.

Cordially yours,

Robert S. Stephan

Robert S. Stephan
Radio Editor

QP

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

"Champagne," "Legion" Top Philadelphia

Philadelphia, Feb. 8.—Outstanding in a generally spotty week were "Champagne Waltz" at the Boyd and "Black Legion" at the Stanton. The former grabbed a neat $17,000 and was held. Backed by a heavy campaign and extra advertising space, "Legion" took $9,500 and was also given a second week.

"Stolen Holiday" and the Fox stage show also clicked profitably with $16,500 on the week.

The rest of the town was off, "Career Woman" being yanked at the Karlton after five days and "Men are Not Gods" and "Three Smart Girls" winding up their second weeks under average.

First sustained cold weather of the winter set in and did its part to cut down night trade.

Total first run business was $78,600. Average is $79,250.

Estimated takings for the week ending Feb. 4:

"MEN ARE NOT GODS" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 6 days. **Gross:** $6,000. (Average, 7 days, $8,160)
"COLLEGE HOLIDAY" (Para.)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 7 days. **Gross:** $1,900. (Average, $2,400)
"CHAMPAGNE WALTZ" (Para.)
BOYD—(2,400), 40c-55c, 7 days. **Gross:** $17,000. (Average, $14,000)
"CRIMINAL LAWYER" (Radio)
EARLE — (2,000), 25c-40c-55c, 7 days. Stage: Roscoe Ates, Mells, Kirk and Howard, Reynolds and White, Oehman Twins, Doris Rhodes. **Gross:** $13,000. (Average, $14,000)
"STOLEN HOLIDAY" (F.N.)
FOX—(3,000), 40c-55c-65c, 7 days. Stage: Paul Draper: Liazeed Troupe, Buster Shaver with Olive and George. **Gross:** $16,500. (Average, $14,000)
"CAREER WOMAN" (20th-Fox)
KARLTON—(1,000), 25c-35c-40c, 5 days. **Gross:** $1,200. (Average, 7 days, $4,000)
"GOD'S COUNTRY AND THE WOMAN" (W.B.)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 7 days. **Gross:** $2,500. (Average, $4,000)
"THREE SMART GIRLS" (Univ.)
STANLEY—(3,700), 40c-55c, 7 days, 2nd week. **Gross:** $11,500. (Average, $14,000)
"BLACK LEGION" (W.B.)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $9,500. (Average, $7,000)

Asks Picture Permit

Bridgeport, Feb. 8. — The Lyric, burlesque house, has asked permission to operate films and vaudeville on Sundays. The management says the house must close unless the permit for films is granted. The house now is using amateur night and stage basketball games in addition to regular shows.

Cincy Paper Gives Bonus

Cincinnati, Feb. 8.—All employes of the *Cincinnati Post,* including members of the staff of WCPO, the daily's radio station located in Hotel Sinton, have been given an extra week's pay in recognition of extraordinary services rendered during the flood.

Pick Md. Nominators

Baltimore, Feb. 8.—The Nominating Committee of the M. P. T. O. of Maryland, Inc., of which Frank A. Hornig is president, has been appointed and includes Charles Nolte, chairman; Eugene B. McCurdy, Samuel Back, Meyer Leventhal and Oscar Coblentz.

"Love on Ice" With a Show Tops Seattle

Seattle, Feb. 8.—"Love on the Ice," with a Major Bowes girl unit at the Palomar, took top honors for the week, $6,100. This was $1,600 above par.

"More Than a Secretary" and "Woman in Distress" took a fair $6,700 at the Liberty and "One Way Passage," with "White Legion" went slightly over the line with $6,150 at the Orpheum, but business elsewhere was in the doldrums.

Total first run business was $43,700. Average is $42,500.

Estimated takings for the week ending Feb. 5:

"CAMILLE" (M-G-M)
BLUE MOUSE — (950), 25c-40c-55c, 7 days, 2nd week, extended run from Music Hall. **Gross:** $3,700. (Average, $4,000)
"CHAMPAGNE WALTZ" (Para.)
"SINNER TAKE ALL" (M-G-M)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $6,850. (Average, $7,000)
"MORE THAN A SECRETARY" (Col.)
"WOMAN IN DISTRESS" (Col.)
LIBERTY—(1,800), 15c-25c-30c-40c-55c, 9 days. **Gross:** $6,700. (Average, $5,000)
"ONE IN A MILLION" (20th-Fox)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 5th week, extended run from Orpheum and Music Hall. **Gross:** $4,200. (Average, $4,000)
"MAN OF AFFAIRS" (G.B.)
"NIGHT WAITRESS" (Radio)
MUSIC HALL—(2,275), 25c-30c-40c-55c, 7 days. **Gross:** $4,300. (Average, $6,000)
"ONE WAY PASSAGE" (W.B.)
"WHITE LEGION" (G.N.)
ORPHEUM—(2,450), 25c-30c-40c, 7 days. Vaudeville headed by Eddie Peabody. **Gross:** $6,150. (Average, $6,000)
"LOVE ON THE ICE"
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Major Bowes' All-Girl Unit on stage. **Gross:** $6,100. (Average, $4,500)
"WINTERSET" (Radio)
"WOMAN WISE" (20th-Fox)
PARAMOUNT — (3,050), 25c-30c-40c, 7 days. **Gross:** $5,700. (Average, $6,000)

'Champagne' Takes Lead in Providence

Providence, Feb. 8.—"Champagne Waltz" danced its way to $11,000 at the Strand on a dual with "Arizona Mahoney," topping par by $4,500.

Fay's caught a neat $7,300 with "Secret Valley" and the stage offering, "Palestine Shrine Frolic," over by $300. The Majestic had an average week at $7,000, featuring "God's Country and the Woman" and "Once a Doctor."

"Man of the People" and "Woman in Distress" brought in but $7,300 to Loew's State, under by $4,700.

Total first run business was $37,600. Average is $39,500.

Estimated takings for the week ending Feb. 4:

"CHAMPAGNE WALTZ" (Para.)
"ARIZONA MAHONEY" (Para.)
STRAND—(2,300), 15c-40c. 7 days. **Gross:** $11,000. (Average, $6,500)
"GOD'S COUNTRY AND THE WOMAN" (W.B.)
"ONCE A DOCTOR" (W.B.)
MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)
"MAN OF THE PEOPLE" (M-G-M)
"WOMAN IN DISTRESS" (Col.)
LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $7,300. (Average, $12,000)
"SECRET VALLEY" (20th-Fox)
FAY'S—(1,600), 15c-40c, 7 days. Stage: "Palestine Shrine Revue." **Gross:** $7,300. (Average, $7,000)
"MEN ARE NOT GODS" (U.A.)
"CRIMINAL LAWYER" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $5,000. (Average, $7,000)

Production Drops With 43 in Work

(*Continued from page* 1)

shorts. Fifty features and 12 shorts were in the cutting rooms.

The four features started were: "Song of the City" at M-G-M, "Special Orders" and "Steel" at Republic and "Smoke Tree Range" at Universal. Universal registered a gain in activity which has not been equaled in many months at that studio to tie Paramount and 20th Century-Fox for first place in studio activity. Each company had eight pictures in work.

Columbia had two features shooting, three preparing and nine editing. M-G-M had five, two and six; Paramount, eight, four and eight; Republic, two, one and three; Radio, four, two and five; Roach, zero and three; 20th Century-Fox, eight, three and four; Universal, eight, three and zero; Walter Wanger, zero, zero and one; Warners six, three and 11, and the independents, zero, three and zero.

In the short subject division Columbia had two in work, two preparing and two in the cutting rooms. M-G-M had three, one and six; Radio, zero, five and two; Roach, one, one and one, and Warners zero, zero and one.

Republic Will Start Unit Producing Plan

(*Continued from page* 1)

manager, and M. H. Lavenstein, attorney for Consolidated Film Industries.

The present nine producers will each supervise a production unit for Republic under the new plans, which provide for no change in the personnel at this time. Whether or not a production head will be named to succeed Levine has not been decided definitely, but indications are that a supervising board composed of the nine producers may be set up in the near future to head studio activities.

Jack Fier, who had been in charge of business management at the studio, resigned on Saturday and will be succeeded by E. H. Goldstein. Fier's future plans are indefinite.

Levine's Republic stock holdings were acquired by the company on his resignation, it was stated.

Contestants Shift In Republic Drive

In the third week of the Republic sales drive Cleveland, New York and Philadelphia are leading in that order in the eastern division, New Orleans, Atlanta and Charlotte head the southern division, Chicago, Milwaukee and Indianapolis head the central division, and San Francisco, Portland and Los Angeles are ahead in the western division.

Buffalo jumped from ninth to seventh during the week in the eastern division. Atlanta and Charlotte jumped from fifth and sixth to second and third in the southern division, St. Louis ousted Kansas City from fourth place in the Central division, and Portland replaced Los Angeles in second place in the western division.

Women on CEA Council

London, Jan. 29.—The C. E. A. council has its first woman member in Miss D. M. McIntosh, elected delegate by the Dundee section of the Scottish Branch.

"Lloyds" High In Detroit as Strike Hurts

Detroit, Feb. 8.—In spite of the fact that the General Motors strike is beginning to cut theatre attendance "Lloyds of London" reached $24,500, with the help of a stage show, at the Fox. This was $4,500 over normal.

"Champagne Waltz," also with a show, at the Michigan, took $22,500, up by $2,500. "After the Thin Man" held up to $12,700 in its third week at the United Artists. "Three Smart Girls," in its third week on a dual at the Adams, was good for $5,300.

Total first run business was $78,500. Average is $73,500.

Estimated takings for the week ending Feb. 4:

"THREE SMART GIRLS" (U)
(2nd week)
"MYSTERIOUS CROSSING" (Univ.)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $5,300. (Average, $5,000)
"LLOYDS OF LONDON" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Edgar Bergen, Art Frank, Sue Ryan, Ted Adair, Donald Green, Red Skelton, Alyce Serf, Vivian Peterson, Edna Stillwell. **Gross:** $24,500. (Average, $20,000)
"CHAMPAGNE WALTZ" (Para.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: 7 Loria Bros., Calgary Bros., Elinor Sherry, Sol Grauman Co., Cix Canestrellys. **Gross:** $22,500. (Average, $20,000)
"GOD'S COUNTRY AND THE WOMAN" (W. B.)
"FUGITIVE IN THE SKY" (W. B.)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $4,200. (Average, $5,000)
"AFTER THE THIN MAN" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days, 3rd week. **Gross:** $12,700. (Average, $10,000)
"THE BLACK LEGION" (W. B.)
MADISON—(2,000), 15c-65c, 7 days. **Gross:** $7,500. (Average, $10,000)
"CAPTAIN CALAMITY" (G. N.)
"WE'RE IN THE LEGION NOW" (G. N.)
DOWNTOWN—(2,950), 10c-35c, 7 days. **Gross:** $3,800. (Average, $3,500)

"Paris Girl" Gets Top Montreal Take

Montreal, Feb. 8. — "That Girl from Paris," heading a double at the Princess, caught the fancy of the French Canadian populace and grossed $8,500.

"Smart Blonde," with Olsen & Johnson, was good for $11,000 at Loew's, this being $500 above the line. "One In a Million," topping the two at the Palace, accounted for $10,500, while a second week of "The Plainsman" at the Capitol took $7,000 after garnering $12,000 during the first seven days.

The winter continued mild.

Total first run business was $41,000. Average is $43,000.

Estimated takings for the week ending Jan. 30:

"THE PLAINSMAN" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $7,000. (Average, $9,500)
"FORGET ME NOT" (British)
"TRAPPED IN THE ALPS" (British)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days. **Gross:** $4,000. (Average, $5,000)
"SMART BLONDE" (W.B.)
LOEW'S—(3,115), 25c-34c-40c-50c-60c, 7 days. Stage: Olsen & Johnson in "Fun Marches On." **Gross:** $11,000. (Average, $10,500)
"ONE IN A MILLION" (20th-Fox)
"CRACK-UP" (20th-Fox)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $10,500. (Average, $11,000)
"THAT GIRL FROM PARIS" (Radio)
"WANTED: JANE TURNER" (Radio)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $8,500. (Average, $7,000)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 34 NEW YORK, WEDNESDAY, FEBRUARY 10, 1937 TEN CENTS

FCC Studying Air Messages In Flood Area

Future Emergency Plans Purpose of Inquiry

By **BERTRAM F. LINZ**

WASHINGTON, Feb. 9.—Engineers of the Federal Communications Commission are now in the Ohio Valley flood area making a study of flood communications so that in the event of another similar emergency immediate steps may be taken in cooperation with broadcasting and other radio stations to set up a communications system independent of wires without delay.

No effort is to be made to organize an emergency network, since it cannot be foretold where the next disaster will hit. The information as to operation and needs of stations will be used so that the commission may be in a better position to give advice and aid in the development of a network such

(*Continued on page* 11)

More Radio—Pp.10-11-12

Cincinnati Theatre Power Is Restored

CINCINNATI, Feb 9. — Electric power, discontinued or curtailed since closing of power plants submerged by the flood nearly two weeks ago, has been restored in full, and all restrictions removed, thus permitting theatres to again illuminate their marquees, which, as a precautionary measure in power conservation, was forbidden since the houses reopened Thursday of last week. The interim period during partial restoration of power was marked by absence of street lighting, and darkened display windows in downtown stores, both of which hurt night theatre attendance.

Although located approximately 12 miles from the Ohio River, the Americus, 500-seat unit of Associated Theatres in suburban Northside, was the hardest hit among local theatres, a

(*Continued on page* 6)

Myron Selznick Ill; In an Oxygen Tent

LOS ANGELES, Feb. 9.—Myron Selznick, critically ill with pneumonia which developed from influenza, has been placed in an oxygen tent in Santa Monica Hospital.

While Selznick's condition is said to be grave, the hospital reported a slight improvement today.

Warner Stock Sales Halted After Statement on Issues

A statement by Warners at midday yesterday that no additional common stock of the company would be issued, contradicting reports which had been in circulation in Wall St. for two weeks, caused a buying flurry in the shares which forced suspension of trading in the issue for more than an hour on both the New York and San Francisco Stock Exchanges.

It had been reported that Warners would offer 950,000 additional shares of common for subscription at $12.50 a share in the ratio of one new for each four of old. The report caused the stock to sell off three points from its high of 18. The Warner statement that the negotiations with Hayden, Stone for issuance of the additional shares had been broken off, apparently caught many traders on the short side and the rush to cover resulted in a buying flurry that sent the stock up sharply and forced a halt in trading. When dealings in the issues were resumed after a little more than an hour, 20,000 shares were sold at 17, which

(*Continued on page* 8)

Detroit Has Best Year Since 1929

DETROIT, Feb. 9.—When the automotive industry is humming, Michigan exhibitors have no worries and, as Ford, Chrysler, Hudson and the other big plants soared to new records during 1936, the film industry in the state had its best year since 1929.

Not only the picture business, but almost every other line as well found 1936 a banner year, because of the activity in the motor world and, too, as these other business profited, theatres

(*Continued on page* 8)

Milwaukee Expects To Hold '36 Gains

MILWAUKEE, Feb. 9.—The business improvement which manifested itself in 1936 is expected to continue in 1937 for Wisconsin exhibitors.

Wisconsin factory employment increased .1 per cent between Oct. 15 and Nov. 15, 1936, according to reports by the state industrial commission.

This gain was contra-seasonal as in the 14-year period, 1922-1935, and average employment decline of 1.1 per

(*Continued on page* 8)

Para. Drive Bookings Hit Seven-Year High

Paramount's film rentals for January, the first month of the Adolph Zukor silver jubilee drive, established a seven-year high with a gain of more than 37 per cent over the same month last year, Neil Agnew, vice-president in charge of sales, said yesterday.

Agnew cited "The Plainsman" as the company's top-money picture of the season to date and, with current and future attractions of comparable value, he expressed confidence that the company's record business would be sustained.

Aylesworth to Get $200,000 from RKO

M. H. Aylesworth, who resigned as chairman of the board of RKO last week to join the Scripps-Howard newspaper syndicate, will be paid approximately $200,000 by RKO for his services in interesting the Atlas Corp. in investing in RKO. In its current financial breakdown, Atlas lists its RKO investment at $4,058,274.

Details of the Aylesworth settlement are now being worked out. In the meantime, Aylesworth is due to return from San Diego tomorrow.

Hammons Going West On Educational Plan

The plan of corporate simplification for Educational Pictures, Inc., which involves the dissolution of six subsidiaries, will be advanced by E. W. Hammons, president, during a two or three weeks' visit on the west coast this month. Hammons leaves for Hollywood on Friday, and will also work on new production plans for the company while there.

Educational stockholders at a special meeting in Wilmington, Monday, approved the company's plan of re-

(*Continued on page* 8)

Strike End Brightens Frisco Film Outlook

SAN FRANCISCO, Feb. 9.—Exhibitors here are hoping for better things now that the maritime strike has been settled after 100 days of idleness for 13,000 workers directly affected and an unnamed number of others thrown out of work unwillingly.

Exceptionally cold weather during the strike also hurt. On several occasions weekly grosses in the Market St. first runs fell as low as $59,000. Normal is about $75,000.

To the surprise of exhibitors down-

(*Continued on page* 12)

Warners Will Start Renting Accessories

Rebates to Be Given on Returned Materials

Warners-First National will inaugurate on April 4 an accessories' rental plan designed to encourage the return of posters and other advertising materials on all of the company's features and short subjects, Gradwell L. Sears, vice-president and general sales manager, said yesterday.

Paramount inaugurated a similar plan about two years ago. It was met by widespread opposition from poster rental exchanges who feared serious business losses, but has proved popular with a large number of exhibitors, according to officials of the company. Warners, thus, will be the second large distributor to adopt the plan.

The Warner plan will make specific credit allowances for all material returned to the company's exchanges within five days after the final playdate on any particular picture. A "maximum credit" scale will be developed and posted to cover the specific credits which will be allowed exhibitors for the return of accessories in "serviceable condition," while a special credit allowance scale will be devised to cover accessories returned in

(*Continued on page* 8)

Seek End of Austria Kontingent Increase

The United States minister to Austria is conducting negotiations with the Austrian Government at Vienna in an attempt to bring about a reduction or complete elimination of the 25 per cent increase in the Austrian kontingent regulations which became effective two days ago, it was learned here yesterday.

It was indicated that a decision by major companies relative to possible withdrawal from the Austrian market in the event the increase decree is not rescinded, will await the outcome of the negotiations under way between

(*Continued on page* 6)

Rathvon Quits Atlas To Form New Firm

N. Peter Rathvon, former vice-president of Atlas Corp., and a representative of that company in its investment activities in RKO, with other Atlas officials, has resigned as of last Jan. 1 to organize Rathvon & Co., Inc., private investment bankers and analysts. Associated with him is

(*Continued on page* 8)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Canada to End Duty On Educational Film

Ottawa, Feb. 9. — The Canadian Government is preparing to provide for free entry of films of an educational nature intended exclusively for use in primary and secondary schools. The plan involves the signing of a reciprocal agreement with other interested countries for interchange of appropriate films. At present the Dominion is conducting a survey into the present and prospective use of films in schools.

Balabans to Entertain

Barney Balaban, president of Paramount Pictures, Inc., and Mrs. Balaban, will entertain at a cocktail party for all members of the Paramount Pep Club prior to their annual informal dinner and dance which takes place at the Hotel Astor on the evening of Friday, Feb. 19.

WANTED
EXECUTIVE SECRETARY
Executive in Distribution Organization requires capable secretary. Write in detail stating qualifications, past experience and connections. To Box No. 950, MOTION PICTURE DAILY.

◂ Purely Personal ▸

CHARLES B. PAINE, Universal treasurer, and Samuel Machnovitch, his assistant, have returned from product conferences at the Universal studio. J. B. Grainger is remaining at the studio for several days longer.

●

F. J. Holleran, assistant vice-president and manager, and Harold Hatter, assistant manager of the Times Square Branch of the National City Bank, leave tomorrow for Hollywood on business for the bank.

●

Cyril Von Baumann, who recently returned from the Ecuadorean jungle where he made "White Gods," is en route to Monday, Texas, on a honeymoon. His bride is the former Helen E. Smith of the Texas town.

●

Jack Schlaifer, western division manager for United Artists, left yesterday for Detroit. After a few days there he will tour western exchanges to speed up the Schaefer sales drive.

●

Earl I. Sponable, chief technical engineer for 20th Century-Fox, arrived from the coast yesterday. F. L. Harley, managing director in England for the company, left for the coast.

●

Leona Dalrymple's story, "Blind Date," has been purchased by Monogram. The company has also acquired film rights to Josephine Bentham's "A Bride for Henry."

●

Louis Cohen, who left F. W. C. several years ago to go with RKO in New York, back in town visiting for the first time since he left.

●

Joseph Burke is new auditor at the local 20th Century-Fox exchange. Burke has just arrived here from New York.

●

Leon Goldberg of RKO sails on the *Santa Paula* for Hollywood Saturday. Mrs. Goldberg accompanies him.

●

Frank Gillmore, Actors Equity head, is back from a South American cruise.

●

J. A. Dundas has closed the Margo, Oceanside, after operating it for eight months.

●

H. J. Yates, who returned from the coast on Monday is at his home with a cold.

●

. . . London

Ruth Chatterton met the press at Mrs. Ad Schulberg's Park Lane flat.

William Collier, Jr., arrived on the *Berengaria*.

Harry Adley in a nursing home for observation.

Jack Barnstyn looking round Wardour St. Going on to Australia.

Jack Hayden of South African Theatres returned to Cape Town.

Balsdon Unchanged

Los Angeles, Feb. 9.—The condition of George Balsdon, National Theatres booker injured in an automobile accident, is still serious and unchanged, St. Joseph's Hospital reports.

Heywood-Wakefield Report Shows Gain

Boston, Feb. 9.—The annual report to stockholders of Heywood-Wakefield Co., issued as of Dec. 31 reveals that: "Net sales for the year exceeded by 38 per cent the volume of sales billed for the previous year. Operations resulted in a net profit of $548,177, [this comparing with $105,565 for the year 1935] after provision for all charges, including Federal taxes.

"The consolidated balance sheet shows a net working capital of $2,957,974, compared with $2,794,887 a year ago. Receivables and inventories increased $964,748 during the period to serve the demands of an expanding volume of business. The additional employment of working capital, combined with requirements for property expenditure and cash used for the extinguishment of preferred dividends in arrears, necessitated bank borrowings of $150,000 in cash, the amount outstanding at the close of the year.

"Capital expenditures during the year amounted to $283,600, the principal item representing construction of a boiler plant at the factory in Gardner, Mass. Miscellaneous adjustments, represented chiefly by the undepreciated value of plant and machinery abandoned during the year, amount to $32,320.

"Orders received since the beginning of the year are substantially in excess of those for the same period a year ago and the outlook in all departments of the business is encouraging."

The comparative balance sheet shows total current assets of $3,550,474.14 as compared to $2,951,117.12 during 1935. Total assets are $7,389,878.32 which compares with last year's figure of $6,660,676.16. Surplus as of Dec. 31 is given at $1,725,128.05.

Roxy Nets $97,726 In 27-Week Period

Howard S. Cullman, trustee for the Roxy, yesterday presented to U. S. District Court Judge Caffey a report for the 27 weeks beginning July 3 and ending Jan. 7 which shows a net profit, excluding depreciation and interest on funded indebtedness, of $97,726. The weekly average profit, the report states, has been $3,619.

The attendance total has been 2,267,079; daily average attendance, 11,995; average rental per picture, $6,826.

Admissions totalled $961,532; operating expenses, $445,274, plus $329,389 as other operating expenses, making the total $774,664. Film rentals totalled $195,174.

Women Will Attend Zukor Dinner Here

Both men and women are to be admitted to the Adolph Zukor Silver Jubilee dinner to be held at the Waldorf-Astoria March 27, it has been decided by the committee in charge. William Brandt, chairman, says the request for admission of women was general.

Paramount theatre partners from all parts of the country are expected.

Arnold to Wallingford

Wallingford, Conn., Feb. 9. — H. Arnold, formerly Publix manager in Rhode Island, will take over management of the Strand, Wallingford.

Loew's Game Awards To Be Made Tonight

One award of $1,500 and two of $1,000 each will be the object of Loew's large scale Bank Night which began yesterday and continues through today. The awards will be determined at 8:20 P. M. at the Metropolitan in Brooklyn, with the results to be telephoned immediately to the 55 Loew houses which are participating.

All Loew houses in the five New York boroughs are included, with the exception of the 72nd St., 83rd St., Mayfair, State, Ziegfeld and Lexington, in Manhattan, and all New Jersey and Westchester theatres. In all, 13 houses are not participating. All patrons signing as they enter the theatres throughout yesterday and today will be eligible for the three prizes. It was explained it is not necessary for patrons to be present in the theatres. Winners will be informed by mail of the result if they are not present. Managers of the 55 houses will announce the results from the stages.

Loew's will repeat the awards next week with the same amount involved, and may possibly extend it to a third week, it was learned yesterday.

Connecticut Hearing April 5

Windsor Locks, Conn., Feb. 9.—The appeal of David Magliora of the Rialto here from the conviction and fine in Town Court here on a charge of operating Bank Night on a proxy basis, has been set for hearing on April 5 in Superior Court at Hartford. Frank Healy will represent Magliora.

Gilbert Friedman Dead

Gilbert Friedman, veteran exhibitor, died at his home in Yonkers yesterday following a long illness. He was 61. A son, Harold Friedman, operator of the Terrace, Yonkers, survives. Funeral arrangements have not been set.

Earle Griggs Passes

Atlanta, Feb. 9.—Earle Griggs, southern division exploitation representative for United Artists, is dead at his home here. He was formerly one of the south's leading sports writers.

Rites for Mrs. Donner

Funeral services for Mrs. Adelaide Donner, mother of Vyvyan Donner, fashion editor of Movietone News, who died Sunday, were held last night at Campbell's Funeral Church.

Samuel Shipman Dies

Samuel Shipman, 53, playwright, who authored "Behind Red Lights" as well as some outstanding successes of an earlier day, died yesterday at the Hotel Alamac.

Ask Moyne to CEA Party

London, Feb. 2. — Lord Moyne, chairman of the committee which made the report on Films Act revision, and Dr. Burgin, Parliamentary secretary to the Board of Trade, have been invited to the annual banquet of the C. E. A. on March 9.

New Tax Bill in Albany

Albany, Feb. 9.—A bill introduced in the Assembly by Bernard J. Moran, Brooklyn Democrat, asks a tax of one mill per foot upon every original motion picture film or copy thereof.

LAURELS FOR LEO!

"Camille", 4th Week, Capitol, N. Y.

The big Capitol Theatre on Broadway seats 5200 paying guests!

When you can get a picture that holds over 4 weeks at the Capitol you've got a *great* picture.

When you can get *two pictures in a row* that hold over 4 weeks each you're dealing with a *great producing outfit!*

With pardonable pride M-G-M announces the 4th big week of "Camille" following 4 merry weeks of "After The Thin Man."

GRETA GARBO
loves
ROBERT TAYLOR
in "CAMILLE"
with Lionel Barrymore, Elizabeth Allan, Jessie Ralph, Henry Daniell, Leonore Ulric, Laura Hope Crews
Directed by
George Cukor

WILLIAM POWELL
and MYRNA LOY
"AFTER THE THIN MAN"
with James Stewart, Elissa Landi, Joseph Calleia, Jessie Ralph, Alan Marshall, Teddy Hart.
From the story by
Dashiell Hammett
A W. S. Van Dyke
Production
Produced by
Hunt
Stromberg

Of course those smiling faces on Film Row are the boys with M-G-M contracts!

"Alone" with Scandals Big In Cleveland

CLEVELAND, Feb. 9.—With business up all along the line, the RKO Palace drew the biggest gross with $25,000 with "Woman Alone" on the screen and George White's Scandals starring Helen Morgan on the stage. This was $10,000 over average.

"Criminal Lawyer" at the Allen with $7,500 was $2,500 better than par. "The Plainsman," in a second week downtown at Loew's Stillman following a good week at the State, grossed $7,500. Average is $6,000.

"Black Legion" at Warners' Hippodrome was $500 over the $10,000 par. "Beloved Enemy" was $1,000 under the $15,000 average at Loew's State.

The weather was uncertain—rain part of the week, clear and cold the rest of the week. "On Your Toes" with the original New York cast was the legitimate attraction at the Hanna. Red Cross benefits and the drive for flood relief funds cut into business.

Total first run business was $64,500. Average is $51,000.

Estimated takings for the week ending Feb. 5:

"CRIMINAL LAWYER" (Univ.)

ALLEN — (3,300), 30c-35c-42c, 7 days. **Gross:** $7,500. (Average, $5,000)

"BELOVED ENEMY" (U.A.)

LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $14,000. (Average, $15,000)

"THE PLAINSMAN" (Para.)

LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days, 2nd week. **Gross:** $7,500. (Average, $6,000)

"THE WOMAN ALONE" (G.B.)

RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: George White Scandals with Helen Morgan. **Gross:** $25,000. (Average, $15,000)

"BLACK LEGION" (W.B.)

WARNERS' HIPPODROME — (3,800), 30c-35c-42c, 7 days. **Gross:** $10,500. (Average, $10,000)

First Maxwell Films Set for GB Theatre

LONDON, Feb. 9.—An indication of the influence exercised by John Maxwell, head of Associated British Pictures in the Gaumont British setup is seen in the revelation that "The Dominant Sex," A.B.P. feature, will play the New Gallery, large G.B. house in the West End.

Following "The Dominant Sex," will be another A.B.P. film, "Aren't Men Beasts." These two are the first films from the Maxwell company to top the bill at the G.B. theatre.

Gordon Joins LeRoy

HOLLYWOOD, Feb. 9.—Max Gordon, Broadway producer, has joined Mervyn LeRoy to assist him in the production of a musical which will feature Ethel Merman, Fernand Gravet and perhaps Fannie Brice.

Sonja to Be American

PITTSBURGH, Feb. 9.—Sonja Henie stated here today that she will take out her first papers for American citizenship. The skating star plans to make her home in California.

Blaisdell Named Editor

HOLLYWOOD, Feb. 9.—George Blaisdell has been named to succeed Charles J. VerHalen as editor of *"Cinematographer,"* ASC organ.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"John Meade's Woman"

(Schulberg-Paramount)

HOLLYWOOD, Feb. 9.—By virtue of a tense dramatic story and capable performances and direction, this picture possesses a punch which should give it wide audience appeal. The story primarily concerns a series of retributions.

Edward Arnold, a lumber king, seeks revenge on Gail Patrick, a socialite who wants to marry him for his wealth. Jilting her at the altar, Arnold marries Francine Larrimore, a farm girl. Learning the true reason for the marriage, Miss Larrimore seeks vengeance in turn. Arnold meanwhile has made himself vulnerable by deserting his lumber business to gobble farm mortgages. As the farmers are organized by Miss Larrimore to fight Arnold, a final retribution comes in the form of a dust storm which serves to bring Arnold and Miss Larrimore together.

The direction of Richard Wallace makes the most of the sharp drama inherent in the story, which is lightened by well-timed comedy. Miss Larrimore establishes herself here as a definite screen possibility. Her voice has a peculiarly attractive tone which becomes more interesting as her performance continues. Arnold accounts for another powerful characterization and good performances in the support are turned in by George Bancroft, John Trent, Aileen Pringle, Sidney Blackmer, Willard Robertson and Jonathan Hale. Herman Mankiewicz and Vincent Lawrence did an excellent writing job from the original of John Bright and Robert Tasker.

Production Code Seal No. 2,905. Running time, 85 minutes. "G."

Looking 'Em Over

"They Wanted to Marry"

(Radio)

A well-turned, laugh-provoking comedy. It is the familiar girl-meets-boy material set in newspaper, advertising and society surroundings. There are new twists though and the film should satisfactorily measure up to an entertaining B feature.

Gordon Jones, as the crack photographer on his paper, is assigned to cover a swanky wedding. His initiative and intrusion causes him to meet Betty Furness. Romance develops and Miss Furness becomes Jones' assistant in charge of his negative-delivering pigeon, Emily. The story introduces serio-comic situations in which the pair have misunderstandings and reunions, interrupted by short periods in jail for disrupting the peace. Cleverly the film ends when Jones is ultimately vindicated for alleged candid-camera prowess.

The supporting cast includes E. E. Clive, who is hilarious as the butler; Henry Kolker, the embarrassingly photographed father; Charles Wilson, Patsy Lee Parsons, Frank M. Thomas, William Benedict and Diana Gibson. Lew Landers directed. The story was concocted by Paul Yawitz and Ethel Borden.

Production Code Seal No. 2,815. Running time, 65 minutes. "G."

(Additional Reviews on Page 6)

Open Technicolor Plant

LONDON, Feb. 2.—British Technicolor's plant at Harmondsworth, which has been operating for a week or two, has been formally opened. Erected from American plans, it consists of a factory block and an administrative building. Two floor construction is carried through most of the plant. Air conditioning is a feature. The yearly capacity is stated to be 24,000,000 feet of color processed positive.

Mrs. Johnson to Explore

HOLLYWOOD, Feb. 9.—Mrs. Martin Johnson, widow of the late explorer, will head an exploration expedition to the Belgian Congo following her recovery from the injuries which she suffered in the plane crash which caused her husband's death.

To Ask Color Releases

LOS ANGELES, Feb. 9.—The I.T.O of Southern California has sent a bulletin to members advising them to secure releases in writing from exchanges selling color prints, pending the outcome of the suit between Tricolor Corp. and Technicolor. The suit, filed some months ago, comes up for hearing in March. Meanwhile, I.T.O feels that responsibility for any infringement should rest with distributors.

Stokowski to Universal

HOLLYWOOD, Feb. 9.—Universal has signed Leopold Stokowski to direct the symphony orchestra, and to be in complete charge of all music on "100 Men and a Girl," which will star Deanna Durbin.

Short Subjects

"Torture Money"

(M-G-M)

A vividly done number of the "Crime Does Not Pay" line. Dealing with the accident racket, it is a gripping exposè of the methods and horrible tactics of this manner of extortion from insurance companies. Framing painful accidents, the group is finally apprehended by a reporter who inveigles himself into their confidence and sets the trap which results in the roundup. The piece is realistically acted and packs a punch. Production Code Seal No. 2,899. Running time, 20 mins. "G."

"Picturesque South Africa"

(Fitzpatrick-M-G-M)

Beautifully photographed scenes in Technicolor of the Cape of Good Hope, Capetown, Durban and Victoria Falls in Rhodesia. With usual good taste, it is another fine item. Needless to mention, audiences will favorably accept. Production Code Seal No. 01,074. Running time, 9 mins. "G."

"A Girl's Best Years"

(M-G-M)

A serio-comic, but mostly comic, little piece concerning the troubled loves of a playwright. They invariably land him in court. He engages a court reporter to ward off the women but she only falls in love with him herself. It is tunefully and gayly done in the sophisticated manner. Production Code Seal No. 2,816. Running time, 19 mins. "G."

American Films Up To 64% in Denmark

WASHINGTON, Feb. 9.—The relative position of American films in Denmark improved during 1936 as compared with the preceding year, according to a transmitted report to the U. S. Dept. of Commerce from its Copenhagen office.

During the first nine months of 1936 a total of 229 features was released, of which 147, or 64 per cent, were American. During the corresponding period of 1935, total releases numbered 285, of which 147, or 59 per cent, were American, the report states.

German films accounted for 18 per cent in the first nine months of 1936, against 14 per cent in the corresponding 1935 period, while the ratio of British releases declined from 10 to five per cent.

Six feature films were released by three Danish producers in 1936, compared with 10 in 1935. No information is available regarding production plans of the Danish studios in 1937, it is pointed out. The industry has petitioned the Government for relief from the amusement tax of 40 per cent of box-office receipts, but no action has been taken.

Cameramen Plan Dance

Film, radio and stage stars will contribute their talents for the entertainment end of the eighth annual ball of the Press Photographers' Ass'n of N. Y., which will be held at the Commodore on April 9, the organization's dance committee stated yesterday.

Any VITAPHONE Release Schedule Shows You Why......FEBRUARY

IS A SHORT MONTH!

FEB. 6th

JOE PALOOKA in
"KICK ME AGAIN" with
Robert Norton · Shemp Howard
'Broadway Brevities' Series

•

"PORKY'S ROAD RACE"
'Looney Tune' Cartoon Series

FEB. 13th

GEORGIE PRICE in
"CAPT. BLUE BLOOD"
'Broadway Brevities' Series

•

PICTORIAL REVUE NO. 6

•

HAL LEROY in
"SWING FOR SALE"
'Broadway Brevities' Series

"WHALE HO"
'Vitaphone Novelty' Series

FEB. 20th

"UNDER SOUTHERN STARS" All In Technicolor
with Fred Lawrence · Jane Bryan
Fritz Leiber · Wayne Morris
'Broadway Brevities' Series

•

CAB CALLOWAY & HIS ORCHESTRA in
"HI DE HO"
'Melody Master' Series

FEB. 27th

E. M. Newman's
"LAND OF THE MIDNIGHT SUN"
'Colortour Adventures' Series

"I ONLY HAVE EYES FOR YOU"
A 'Merrie Melody' Cartoon
In Gorgeous New Technicolor

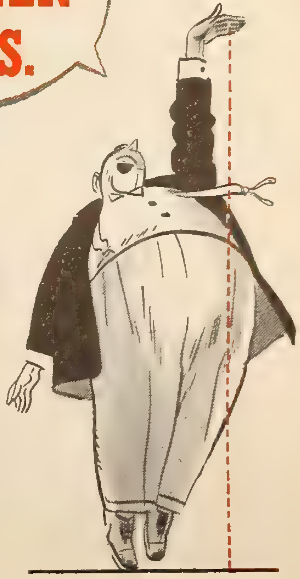
IT'S A
BIG MONTH
FOR
WARNER BROS.

FEB. 6th
KAY FRANCIS in
STOLEN HOLIDAY
with IAN HUNTER
CLAUDE RAINS

FEB. 13th
THE GREAT O'MALLEY
with PAT O'BRIEN
HUMPHREY BOGART

FEB. 20th
ERROL FLYNN and
ANITA LOUISE in
GREEN LIGHT

FEB. 27th
PENROD AND SAM
with BILLY MAUCH
(Little 'Anthony Adverse')



Cincinnati Theatre Power Is Restored

(*Continued from page* 1)

post-flood survey reveals. Water from overflowing streams in the vicinity stood 25 feet deep near the screen, and submerged the balcony to a depth of several feet. It was considerably over the marquee. F. W. Huss, Jr., circuit head, succeeded in saving about half the seats at the beginning of the flood. Remodeling of the house was completed only a few weeks ago at a cost of $12,000.

The Highland, unit of Associated Theatres, at Ft. Thomas, Ky., across the river from here, out of the path of the flood, but dark because of lack of current, was used for joint daylight church services during the height of the emergency. Eight hundred persons attended the initial service, at which $490 was collected for Red Cross relief. Contributions ranged from one cent to $50.

Cleveland Nets $1,000

CLEVELAND, Feb. 9. — A total of $1,000 was turned over to the Red Cross for flood relief by Nat Holt, Great Lakes RKO division manager and chairman of the gala fund special midnight show at the RKO Palace. This was the entire proceeds of the affair, everything having been contributed by artists, technicians and theatre owners. RKO, Loew's, Warners and the Cleveland Motion Picture Exhibitors Ass'n joined in the affair. Tickets sold for $1 all over the house.

Two Kentucky Houses Open

ASHLAND, Ky., Feb. 9.—Two of the four active houses here closed by the flood have reopened. The Paramount, operated by Boyd Theatres, Inc., and the Capitol, a Dick Martin operation, have been relighted. The Grand, another Martin unit, and the Lyric, independent, still are dark, but probably will be reopened soon.

Brooklyn Show Net $2,500

The flood relief benefit show at the Fox Brooklyn resulted in a total of $2,500 for the Red Cross. Warners, Paramount and Michael Bros., assisted in the effort. Ticket sales brought $1,783, over $500 was received through WMCA and $217 in direct contribution. The Brooklyn local of the I.A.T.S.E. contributed an additional $100.

Oklahoma Gives $35,000

OKLAHOMA CITY, Feb 9. — Oklahoma County's contribution to aid eastern flood victims reached $35,000. The fund was increased by $500 from the Criterion Saturday night benefit preview. After advertising and film rental costs were deducted, the preview had $250 for the flood. The Criterion then matched this amount with a second $250.

Portland Theatres Collect

PORTLAND, ORE., Feb 9.—Slides with appeals for help for the flood sufferers were shown on all theatre screens and the contributions turned over to the Red Cross. Most active in the campaign were Hamrick-Evergreen houses, and those of J. J. Parker. Large bowls in all lobbies were the "banks" for collections.

Drop Colorado Tax Plan

DENVER, Feb 9. — The bill to tax admissions 20 per cent, introduced in the Colorado legislature, has been withdrawn.

Overseas Previews

"The Dominant Sex"

(*Associated British*)

LONDON, Feb. 2.—As workmanlike a picture as has recently come from Elstree. The wit of dialogue of a brilliant stage original is retained, there is an outstanding piece of acting by Diana Churchill and it has been cleverly and speedily directed by Herbert Brenon. Also the theme of sex conflict, treated neither too lightly nor too ponderously, is popular.

It is the story of a young married couple, of whom the feminine member is an example of that type of managing woman who wheedles, cajoles and tricks her husband into the business career she thinks best for him and, concealing the double-cross by a camouflage of self-sacrifice and a skillful exploitation of her sex, approaching motherhood and the rest, makes a gilded wage slave out of an independent inventor. Her success is more convincing than his revolt, which, nevertheless, comes as a useful final sop to masculine self-respect. Parallel is the story of another couple in whose case feminine dominance leads to infidelity and tragedy.

It looks like a woman's picture, although, and perhaps because, it pictures woman so unflatteringly. There are good exploitation possibilities, for both sexes. Phillips Holmes, Carol Goodner and Romney Brent all are excellent, but it is Miss Churchill's picture—and the author's, Michael Egan, and director's.

Running time, 82 minutes. "A."

"The Threat"

(*Gaumont British*)

LONDON, Feb. 2.—This may have as its primary or secondary purpose the boosting of the British Army, but it is nonetheless good, snappy entertainment. It was produced here under the title "O.H.M.S." ("On His Majesty's Service"). The tentative release title in the United States is "The Threat."

It is box-office material with the comedy note stressed, but with excellent military atmosphere, a bit of fighting and a good finish.

Wallace Ford and the British Army co-star. Ford is an American thug, mistaken for a Canadian by an English girl on his arrival in London on a bolt from a New York murder charge. He enlists because the girl's father is in that line of business and because the man he is believed to be came over to join the army. Thereafter it is a story of his adventures in barracks, enlivened by plenty of straight military displays by as smart a collection of boys in khaki as the war office could find for G. B. The war comes in China and Ford makes his heroic exit because the other man (John Mills) had to marry the girl (Anna Lee), but it's the story of the raw soldier's adventures, against authentic army backgrounds, that makes it.

Running time, 80 minutes. "G."

"Dreaming Lips"

(*Trafalgar-United Artists*)

LONDON, Feb. 2.—The German film with this title made Elisabeth Bergner screen-famous. Max Schach, the producer of the present version, undoubtedly shows sound artistic judgment in making it practically a transcript of the original, which was a big success, and is still, in art and foreign language theatres. The point for exhibitors is to what extent Miss Bergner's exquisite acting will appeal to popular audiences and whether the story, slight and yet grimly tragic, will be truly appreciated by a public used to coarser, but more solid fare.

It is a study of the whimsical, capricious and delightful girl-wife of an orchestra leader, who falls passionately in love with a famous violinist, her husband's friend. When the girl is about to tell her husband the truth, he falls seriously ill. She nurses him at the expense of her own health and, when the violinist returns from an American tour and renews his appeals, the fight between her love for him and her knowledge that her husband absolutely depends upon her leads her to despair and suicide.

The bare bones of the story can give no idea of the delightful blend of wistful charm and deep feeling which Bergner gives to her part. The film is 90 per cent Bergner, but Raymond Massey as the violinist and Romney Brent as the husband are admirable supports. Technically, the production shows an advance over the German film. The sound is admirable and a full orchestral rendering of a Beethoven symphony is offered to the musical.

Bergner's name, and her brilliant and moving performance, should make it a certainty in specialized big city theatres. For the ordinary run of houses it is a problem which should be solved by personal viewing.

Running time, 90 minute. "A." ALLAN

[*"Dreaming Lips" was covered briefly by cable Feb.* 3.]

Academy Group Acts On Film "Framing"

HOLLYWOOD, Feb. 9. — Recognizing an apparent confusion and lack of a standard procedure in both studio and theatre projection rooms in the "framing" of pictures, the Academy Research Council has appointed a committee of cameramen, technicians and theatre projectionists, under the chairmanship of Grover Laube of 20th Century-Fox, to investigate the possibilities for standardizing the method of framing in the camera and projector aperture.

In addition, the council has approved a report submitted by John Hilliard, chairman of the Committee on Standardization of Theatre Sound Projection Equipment Characteristics, containing a proposed standard electrical characteristic for theatres, which will be published and distributed.

A report submitted by the Screen Illumination Committee, under the chairmanship of John Aalberg, containing recommendations that the council inaugurate a nationwide survey to measure the illumination of screens in theatres has been approved.

Three for Cinematography

HOLLYWOOD, Feb. 9.—"Anthony Adverse," "The General Died at Dawn" and "The Gorgeous Hussy" have been nominated for the Academy cinematography award, it was stated today by Ray June, chairman.

Seek End to Austria Kontingent Increase

(*Continued from page* 1)

the Austrian Government and the U. S. minister. It was pointed out that all American companies are affected by the increase, whether they maintain their own branches in Austria or release their product through independent distributors there. The action of the U. S. minister at Vienna followed conferences conducted by distributors in New York and Paris on the situation.

Wall Street

Paramount Best Board Gain

	High	Low	Close	Net Change
Columbia	38¼	36½	37½	+ ⅞
Consolidated	5¼	5⅛	5⅛	.....
Eastman Kodak	174	173½	173½	— ½
Eastman, pfd.	161	161	161	.....
Gen. T. Equip.	32¼	31¾	31¾	—1
Loew's, Inc.	79	77½	78	+ ½
Paramount	27¾	26⅝	27⅜	+ ⅝
Paramount 1 pfd.	193¼	187¼	193	+6¼
Paramount 2 pfd.	25	24⅛	24⅝	+ ¼
Pathe Film	10¼	9⅜	9¾	+ ⅜
RKO	9⅛	8½	8⅞	+ ⅛
20th Century-Fox.	36⅞	36⅛	36½	+ ¼
20th Century, pfd.	45½	45	45½	+1¼
Warner Bros.	17⅝	15	17	+2
Warner, pfd.	68	68	68	+ ⅛

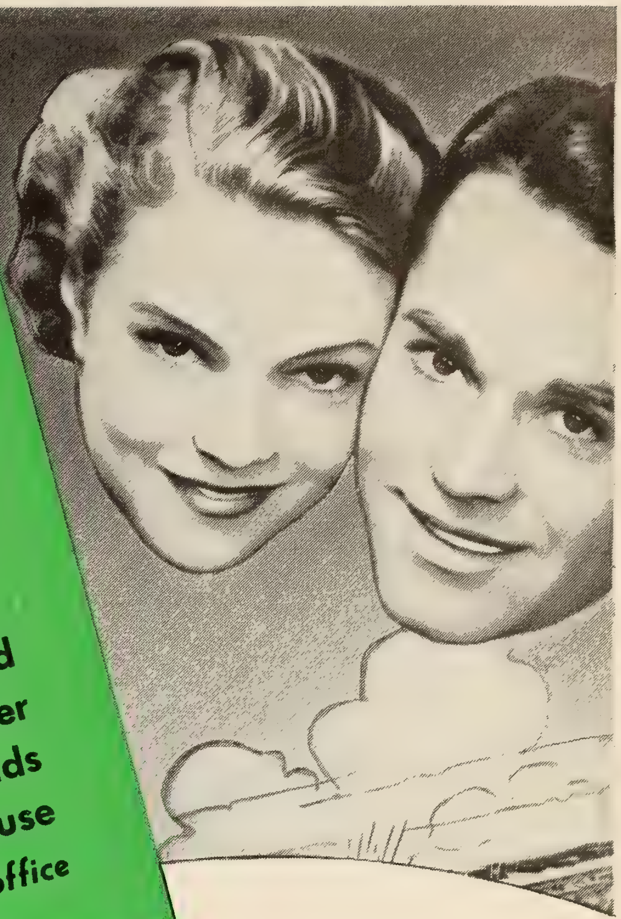
Fractional Gains on Curb

	High	Low	Close	Net Change
Grand National	3⅞	3⅝	3¾	+ ⅛
Sentry Safety	15/16	15/16	15/16	—1/16
Sonotone	2⅛	2	2⅛	.....
Technicolor	21½	21⅛	21⅜	+ ¼
Trans-Lux	4½	4⅜	4½	+ ⅛
Universal Pict.	16¾	16¾	16¾	— ¼

Bonds Fluctuate Slightly

	High	Low	Close	Net Change
Loew's 3½s '46	100¾	100¾	100¾	.....
Paramount Pict. 6s '55	100⅞	100¾	100⅞	+ ⅛
RKO 6s '41 pp.	120½	120	120½	+ ½
Warner Bros. 6s '39 wd	99½	98¾	99	— ½

(Quotations at close of Feb. 9)



"A money-maker! Many touching and tender scenes. Annabella endears herself to the audience. John McCormack's presence is a thrill!" —*Daily Variety*

"A strong offering! Exploitation angles aplenty for a profitable box-office build-up. Annabella will cause a sensation!" —*Hollywood Reporter*

"Technicolor has never been used to better advantage or with greater success. Unusual story theme holds interest. Audiences sure to enthuse over Annabella!" —*Box-office*

ANNABELLA
HENRY FONDA
LESLIE BANKS

in

"WINGS OF THE MORNING"

IN NATURAL TECHNICOLOR

with

STEWART ROME • HARRY TATE
IRENE VANBRUGH • STEVE DONOGHUE

PRESENTING THE WORLD-FAMOUS TENOR

JOHN McCORMACK

Produced by Robert T. Kane • Directed by Harold Schuster • From stories by Donn Byrne
Colour direction by Natalie Kalmus

A 20th Century-Fox Film Release

Produced by New World Pictures Limited

Warners Will Start Renting Accessories

(*Continued from page* 1)

damaged or unserviceable condition, Sears states.

"It is the intention of the company," he said, "to maintain a most liberal policy with respect to such material returned in damaged condition."

The following accessories are included under the plan, one, three and six sheets; 8x10 stills; 11x14 and 22x28 lobby display cards; 14x36 insert cards; 40x60 and 30x40 photogelatines; 14x17 colored lobby display cards, and 8x10 and 11x14 colored-gloss prints. These units will be billed at prices to be listed later and the credits made against such billings on the return of the material, the company states.

Warners-F. N. give as one of the main reasons for the substitution of the accessories rental plan for the present method of outright sales of material, the company's desire "to insure the use of the most effective selling angles on its product through maximium distribution of the right type of accessory." The company points out that this can be accomplished through the lower costs involved in the new accessories' distribution plan, which should permit the exhibitor to obtain a larger supply of accessories.

New personnel will be added to all Warner-F. N. exchanges throughout the country to handle the new service. From now until April 4, when the plan becomes effective, the new personnel will be trained in the requirements of the new work by the company's advertising sales department.

Sears states that the plan results from two months of field investigation and a 95 per cent favorable reaction to the plan thus far.

Detroit Has Best Business Since 1929

(*Continued from page* 1)

found themselves the recipients of increased patronage.

Circuit and first run officials agree that grosses were up from 25 to 35 per cent over 1935 and subsequent run showmen report a similar increase. The year ended with only one house dark and that will be reopened shortly.

More new houses were built in this area and other parts of the state during 1936 than for several years and the same was true of remodeling. Equipment houses report definite increases in business during the past year. Optimism still prevails among exhibitors, despite the General Motors strike, and they are of the belief that the excellent product turned out by Hollywood last year will be continued this year.

Many at Denver Party

DENVER, Feb 9.—More than 200 attended the annual party and banquet of operators local No. 230 and stage employes' Union No. 7. Guests included state and city officials, city councilmen, heads of the fire and police department, judges, owners and managers of local theatres, veteran members of both unions and heads of the musicians' union.

Amusing, Diverting Play Is Filmable After Alterations

By PLAYBOY

It's like reaching into a grab bag. You can't tell what might come up. Usually the wrong number, but occasionally, like last night for instance, a happier one.

This luckier-than-most draw was a bright and entertaining comedy by Mark Reed, titled "Yes, My Darling Daughter" and it kept a first night audience at the Playhouse decidedly amused throughout its three acts. Here was an infrequent combination of excellence in cast with worth in play and there, you must recognize, were the necessaries. From Lucile Watson, the author-mother of renown; Charles Bryant, the banker-husband; Violet Heming, as the onetime and somewhat scarlet sister-in-law; and Peggy Conklin, the intelligent and free-minded daughter, to Nicholas Joy, Miss Watson's onetime lover, and Boyd Crawford, Miss Conklin's lover, the players were refreshing and most competent. Led, by all odds, by Miss Watson and Miss Conklin.

Freedom for All But Daughter

This all has to do with the strong-minded, repression-proof daughter of a mother who rose from free thinking and suffrage in and around Greenwich Village to a high peak in the literary world. Miss Watson always, it seems, was for freedom and less and less inhibitions. When Miss Conklin, the daughter, goes off for the weekend with Crawford who has chucked architecture for razor blades in Belgium, the maternal instinct endeavors to cloak its one-daughter brood with protection, plus advice. Follows an extremely effective and humorous scene where the girl reverses tables and upbraids mother for seeking to impose the very hamperings which her lifetime of writing and propagandizing had endeavored to break down.

Of course, Miss Conklin goes off on her weekend with the boy and, of course, Bryant storms in true paternal fashion with exactly nil in results. Monday comes and returns the couple. Prepared to excoriate Crawford for his lack of orthodoxy, a funny twist, well turned out, has the boy upbraid the family for advance knowledge of the love tryst without a try at thwarting it. In the final curtain, Miss Conklin lands a newspaper job in Paris and marriage, slightly late without champing at the bit, is indicated.

Adaptable to Films

The plot convolutions would indicate broad streak in off-color. Actually and in strict conventional mould, those streaks, we suppose, are there. Yet the playwright has spun such a light and frothy aura around his situations that the consequences are vastly amusing without approaching the offensive.

Hollywood should be interested in this play. It would require changes, but those changes can be effected without smudging out the comedy, yet allowing the offering to conform with the tenets of the Production Code Administration.

Heads N. S. S. Branch

NEW HAVEN, Feb. 9.—Jay McFarland is in charge of the National Screen Service and Accessories here.

Milwaukee Expects To Hold '36 Gains

(*Continued from page* 1)

cent was shown, while payrolls fell 2.7 per cent, the commission said.

The commission declared that factory employment in November was 9.9 per cent greater last November than in 1935; 21.9 per cent above November, 1934, and 61.2 per cent in excess of November, 1932. Payrolls were 22.3 per cent larger than in 1935; 54 per cent above 1934 and 142.7 per cent greater than November, 1932.

Increases in job indices in Wisconsin during the past year have been reflected in business gains for exhibitors ranging from 10 to 20 per cent. Continued improvement in business anticipated for 1937 is expected to be reffected in improved grosses for the current year.

Warner Stock Sales Halted by Statement

(*Continued from page* 1)

was the closing price for the day and represented a gain of two points over the opening quotation.

It was believed that during the suspension of trading in the shares efforts were made to have large stockholders supply stock in order to prevent a runaway market. On the San Francisco Exchange the stock ran up to 18¾ before trading was halted.

Hayden, Stone officials declined to comment, other than to say that the negotiations for the new issue had been broken off by Warners and that, therefore, any statement to be made should come from that quarter. Warner officials said the company had "nothing to say."

Allied Program Out In Printed Pamphlet

WASHINGTON, Feb. 9.—Allied States current bulletin to members which sets forth the organization's Federal and state legislative aims has been printed in pamphlet form here and is being given wide distribution. Appended to the pamphlet are the names of members of the Senate Committee on Interstate Commerce, the House Committee on Interstate and Foreign Commerce, and the Senate and House Patents Committees.

Sympathizers are urged to communicate with the committee members in behalf of the Allied-indorsed legislation.

Rathvon Quits Atlas To Form New Co.

(*Continued from page* 1)

Matthew Robinson, also a former Atlas executive and one of the company's advisers on RKO matters.

It is understood that the new Rathvon firm, in which Atlas is said to have no capital interest, will continue to serve Atlas in the reorganization of RKO. About 18 months ago, Rathvon's name was mentioned in connection with Atlas' choice for the presidency of RKO and as a member of the company's new board.

Hammons Going West On Educational Plan

(*Continued from page* 1)

capitalization, which made possible the secondary plan for corporate simplification. The financial reorganization plan eliminates accrued dividends on the 18,000 shares of Educational preferred stock outstanding and provides for 150,000 shares of new $100 par cumulative convertible preferred and 150,000 shares of new common.

Vitaphone Enters Suit

Judge Robert T. Patterson signed an order yesterday bringing in the Vitaphone Corp. and Vitagraph, Inc., as additional defendants in an action brought by Mary McFadden, executrix of the estate of Elmer Ellsworth McFadden, who was known professionally as Edward Esmond, against Warners and First National.

The complaint asked for $15,000 damages charging infringement of the title "Girl Trouble," claiming that Esmond wrote a play bearing this title and that the defendants produced a picture with this title without permission of Esmond. An examination before trial held in California revealed that Vitaphone and Vitagraph produced and distributed the picture rather than Warner Bros. and First National.

Two Cases Dismissed

The following actions were dismissed yesterday by Judge John C. Knox, because of failure to prosecute:

Action brought in 1932 by L. F. Harris, executor of estate of Ida H. Harris, on behalf of bondholders against Paramount Publix Corp., Chase National Bank, as trustee of Paramount Publix 6% Sinking Fund Gold Bonds, charging reckless misconduct and gross negligence on the part of Chase National and claiming that Chase disregarded rights of bondholders in failing to give Paramount written notice of its default.

Action brought by Ross S. Jennings on behalf of bondholders of the Urban M. P. Industries, Inc., against the Urban M. P. Industries, Inc., Photo Color Corp., National Theatres, Inc., Bray Pictures and others. It was claimed that in 1923 Urban in order to buy up all their outstanding negotiable coupons mortgaged their company to the amount of $1,000,000 and then transferred all property to the Lawyers Title and Trust Co. as trustees.

Bombing Case Opened

MINEOLA, Feb. 9.—Prosecutor Martin W. Littleton today opened his case against six men charged with setting off tear gas bombs in three Nassau County theatres in connection with labor disputes. The prosecutor said the theatres were bombed a few nights after officials of the theatre employes union had made contacts with the theatre managers in an effort to persuade them to hire union stage hands.

The defendants were indicted on charges of setting off bombs, damaging property, coercion and attempted extortion.

Montaigne Loses Pathe Suit

A jury decided yesterday in favor of Pathe News and Courtland Smith in the suit brought against them by Arthur G. Montaigne.

The case was a breach of contract action and was tried before U. S. District Judge John W. Clancy.

THE MAGIC OF MIAMI IS CALLING YOU!

Here's your big chance to visit Miami at probably less cost and more profit than you ever believed possible.

LESS COST because savings up to more than 50% in hotel rates have been arranged at the Roney Plaza, Casa Loma and the Miami Biltmore Hotels.

MORE PROFIT because many matters of vital importance to your commercial welfare will be discussed at the important business sessions.

A great chance to work . . . A great chance to play . . . COME!

For information and reservations address Convention Manager, Miami Biltmore Hotel Coral Gables, Florida.

M·P·T·O·A

NATIONAL CONVENTION
MIAMI BILTMORE HOTEL
MARCH 16-17-18, 1937

NBC to Hold Up Expansion, Declares Lohr

HOLLYWOOD, Feb. 9.—Expansion plans for NBC's Hollywood activities will be held in abeyance pending a decision to purchase additional sites for new studios, Lenox R. Lohr, NBC president, said today. It had been reported that the contemplated expansion program would double the company's present Hollywood facilities.

The report was described by Lohr as "illogical." He denied that there was any significance attached to his arrival here with William S. Paley, CBS head. Lohr said, however, that meetings had been held here with Will H. Hays and other film executives in connection with a proposed code for the regulation of radio appearances of film stars on hours which are competitive with theatres.

The problems confronting radio and film officials are not thoroughly understood, he said, but advanced the belief that mutually agreeable plans could be devised at meetings which are planned for the future.

Lohr said that he had not been informed that radio interests planned to send representatives to the M.P.T.O.A. convention at Miami in March to hear and probably answer any exhibitor protests against radio competition which may arise.

Calls Television Progress Economic

First New York, then Chicago and now Hollywood is increasingly important as a radio center, he said. The present trend is toward better radio ideas and not increased wages for talent, although talent salaries are up and current line rates are lower, Lohr said. Commenting on television, he said that the advance of this medium was an economic rather than a technical problem. The big question confronting executives, he said, is "Can television be networked?" The answer, Lohr stated, is technically "Yes," but the economic problem must be considered.

NBC is currently planning to build a television relay station between New York and Philadelphia. Television will not end sound broadcasting, he asserted, and indicated that it held no serious competitive problem for films.

Lohr goes to San Diego on Wednesday and from there to Phoenix and other chain points on an inspection tour en route to New York.

Lohr, Hays, Gilman Confer

HOLLYWOOD, Feb. 9.—Lenox R. Lohr, president of NBC, and Don Gilman met with Will H. Hays at luncheon today following a press meeting. While details are lacking, it is understood that several film producers also participated.

Kirberry, Reisers Shift

Ralph Kirberry and Al and Lee Reiser move from WJZ to WEAF Feb. 17, and thereafter will have three periods, instead of two, a week. The program at present is heard Mondays and Fridays at 7:45 P. M. The new schedule will be Mondays, Wednesdays and Fridays at 12:30 P. M. The program is sponsored by Lipton's Tea Co.

Lift Ban on Airing Of Texas Ball Games

OKLAHOMA CITY, Feb. 9.—All restrictions against broadcasts of Texas League baseball games were lifted at the annual league session held in Tulsa. The league refused an offer of $25,000 of General Mills Co. for exclusive broadcasting rights in the league. The matter was left to each club to do as it pleases.

There will be no broadcast of the Oklahoma City Indians' home games. Road games will be broadcast. The local club has signed a contract with General Mills to put the games played away from home on the air.

The station which will carry these games has not been selected. They were broadcast by KFXR last year but other local stations are bidding for the baseball rights this summer. Most of the teams in the league will broadcast all road games and some of them will put the home contests on the air also. The Texas league is comprised of ball clubs of Oklahoma City, Tulsa, Dallas, Fort Worth, Houston, Beaumont, Galveston and San Antonio.

Jack Votion Joining NBC Artist Service

HOLLYWOOD, Feb. 9.—Jack Votion, formerly head of the Paramount talent department, today joined NBC Artists' Service as associate to Dena Harshbarger.

"Castles" Finds Sponsor

"Castles of Romance," long a sustainer on WJZ, takes unto itself a sponsor, Harvey Whipple, Inc., beginning March 16 and continuing for eight weeks. The Willard Myers agency, New York handled the deal.

"Castles of Romance" features Alice Remsen, George Griffin, and Al & Lee Reiser. Time and station will remain the same, WJZ, Tuesdays, at 6:35 P. M., E.S.T.

LaValle Moved Up

CLEVELAND, Feb. 9.—Gene LaValle has been named dramatic director of WJAY-WHK. He has established himself on the air in the character roles of "Old Pop," Uncle Rudolph.

Allan Jenkins, recently sent to Columbus as a member of the WHKC staff, has returned to Cleveland as announcer for WHK.

Hershfield Seeks Laughs

Radio listeners who think they are funny will be given their chance by Harry Hershfield in a new series of programs entitled "Hershfield's Laugh Parade" beginning on WMCA Friday, Feb. 19, from 7:30 to 8 P. M. Prizes will be awarded.

Big Chance Lost

Whoever he is, wherever he is, there's an audition waiting for him.

He answered questions offered by Art Wallberg, WPRO (Providence) "man in the street" broadcaster. Among other things, he said, he had ambitions of becoming a radio announcer. Station staff members listening in liked his voice and agreed that a studio audition for the tyro was in order. But nobody knows who he is. He walked away before the sign-off.

CBS Receives First Work of Song Group

CBS has received the first work completed by a member of the Columbia Composers Commission appointed last fall by William S. Paley, CBS president, to write music specifically for the microphone. The composition, "Lenox Avenue," is by William Grant Still, who is now in Hollywood writing and arranging music for films. The work will be performed by the CBS Symphony Orchestra some time this summer.

Other members of the Composers Commission are Aaron Copland, Louis Gruenberg, Howard Hanson, Roy Harris and Walter Piston. Their compositions will be submitted to CBS during the spring months.

KGFG Building Own Home

OKLAHOMA CITY, Feb. 9.—KGFG will begin construction of its $25,000 plant at 1800 W. Main St. as soon as a permit is obtained from the city building department, Manager J. R. Wetzel states.

A one story frame studio will be erected. Towers 204 feet high will be built south of the studio between Grand and California Aves. The station now has studios in the Perrine Bldg. and its towers are atop Faith Tabernacle.

Tibbett, Jepson to Sing

Lawrence Tibbett and Helen Jepson will sing at the testimonial dinner to James A. Farley at the Mayflower Hotel, Washington, Feb. 15. The affair will be broadcast over the combined CBS, NBC and Mutual networks beginning at 10 P. M., E.S.T.

Bob Berger, in charge of the technical details for the broadcast, left for the capital last night. James E. Sauter, who is handling the musical details for the broadcast, leaves for Washington Saturday.

His Best a Mere Whinny

Oklahoma City, Feb. 9.—What is believed to be one of the first "personal appearances" of a horse on a radio program was witnessed in the studios of WKY here.

The horse was "Champion," the film mount on which Gene Autry gallops through his western film thrillers. Autry was the guest of Johnny Marvin, veteran radio singer, who is fulfilling an extended sponsored engagement at WKY. Autry decided that since "Champion" is co-starred in his pictures, he was entitled to equal prominence on the air. By using a freight elevator, the animal was brought to the WKY studios on the fifth floor of the Skirvin Tower Hotel. His sole contribution to the program was a wistful whinny when his master held out a lump of sugar.

WQXR Raises Rates From $150 to $250

WQXR, New York's only high fidelity station, has made its first increase in rates, which go into effect Feb. 15. The new rate card shows that the basic hour rate for evening time has been increased from $150 to $250, while the cost of shorter periods has been increased proportionately. There is no change in the schedule of contract and frequency discounts.

Among the advertisers recently signed for programs at WQXR are Dictograph Products, M. Lehman, Inc., Raymond and Raymond, Lebenthal & Co., Filmarte Theatre, Carbona Products, Headington Corp., and Random House. Martinson's Coffee also has just signed a 52-week renewal.

KSO Power Increased

DES MOINES, Feb. 9.—KSO has increased its daytime power from 1,000 to 2,500 watts. KSO is one of three stations linked by leased phones to form the Iowa Network. The others are KRNT, Des Moines, and WMT, Waterloo and Cedar Rapids, Ia.

Court Show Gets Audience

HOLLYWOOD, Feb. 9.—The public attended the "Court of the People" program today in KHJ's auditorium. The program features actual cases from court records and the jury was selected from the audience. True Boardman scripted the feature.

Will Use College Shows

COLUMBUS, Feb. 9.—"Varsity Show," a musical, and "Seven-thirty or Eight," a play by Robert Hughes, of the Ohio State University student body, will be aired from 10 to 10:30 tonight, Friday, over the NBC-Blue, fed through WCOL. The pickup will be made from the University stadium.

NBC signs Emily Weyman

PHILADELPHIA, Feb. 9.—Emily Weyman is the latest local radio entertainer to be recognized in New York. The daughter of the head of a local music house that bears that name, Miss Weyman has been signed by NBC for a net series.

Now It's By Telephone

HOLLYWOOD, Feb 9.—KECA will start a new radio feature a week from Tuesday called "The Man on the Telephone." The procedure consists of calling names in the telephone book at random and asking a series of questions with the conversation picked up by the studio microphone and rebroadcast. The program runs for 15 minutes.

Eddie Holden to Chicago

HOLLYWOOD, Feb. 9.—Eddie Holden, who does the Frank Wantanabe sketches dealing with a Japanese house boy for NBC, went to Chicago Thursday where he will make his permanent headquarters.

Holden will continue with his broadcasts five days a week from the NBC Chicago studios starting Feb. 15.

Willis, WIP Production Man

PHILADELPHIA, Feb. 9.—WIP moves up Lynn Willis, announcer, to production post. Alan Williams, former production director, will devote all his time to announcing. John Facenda is a new addition to the station's announcing staff.

FCC Studying Air Messages In Flood Area

(*Continued from page* 1)

as the voluntary chain which was of inestimable value along the Ohio.

During the recent flood, the commission maintained a 24-hour watch in Washington so that any station desiring to undertake flood service and operate outside the confines of its license could obtain approval without delay. This cutting of the red tape was of tremendous assistance in getting rescue work and communications organized in the Louisville area.

In the event of a disaster, the commission immediately lifts any regulations which would handicap rescue and relief work, on the ground that with wires down radio becomes of paramount importance as a means of communication and should not suffer interference or delay. Accordingly, in the event of another disaster, the commission will counsel and aid stations in developing networks or other machinery for handling communications.

Newspaper and Radio Test Mystery Serial

OMAHA, Feb. 9.—A unique experiment in presentation of a mystery serial, "Murder on Schedule," which started Jan. 18 and will be concluded Monday, after 13 chapters, is being conducted on a co-operative basis by KOIL and the *Omaha Bee-News*.

The play, by Bernard Fenner, night police reporter for the newspaper, and John Henry, general manager of KOIL's parent company, the Central States Broadcasting Co., is being presented at 10:15 P.M. Mondays, Wednesdays and Fridays by the KOIL Dramatic Players under direction of Arthur Faust. On the same days, the chapter presented on the program is printed in both morning and evening editions of the *Bee-News*.

On every day of the presentation, eight clues are scattered through the newspaper's want ad sections. From these clues the listeners and readers are to prepare a solution to the mystery and enter it in a contest, first prize for which is $100 cash. Twenty other prizes of 10-volume sets of mystery stories also are offered.

Fenner formerly was in radio work here and at Topeka, as an announcer and script writer. Prior to that he was film critic for the *Bee-News*.

Promotion Manager Bill Wiseman is in charge of the contest.

Lord Incapacitated

Bearing out a prediction made in these columns several days ago, Phil Lord, author and star of "We, the People" and "Gang Busters," leaves shortly for a rest at a sanitarium because of poor health.

Col. H. Norman Schwartzkopf, former head of the New Jersey State Police, will take over Lord's duties for four weeks on "Gang Busters" starting Mar. 3.

Radio Personals

C. E. MIDGELEY, radio time buyer at Batten, Barton, Durstine & Osborn is now the pappy of a baby boy . . . Paul Ash opened at the French Casino last night . . . Bill Jenkins, manager of the trade news division at Young & Rubicam, leaves his post this Monday for three weeks for a cutting up session with the medicos . . . Manya Roberti, sister of Lyda, will guest appear on Fred Allen's session Feb. 17 . . . Jackie Coogan and Mitzi Green have been set for "Showboat" Feb. 18 . . .

◆

What happens when a boy from a quartet meets a girl from a trio? He marries her! Which is a way of telling that Bob Simmons, of radio's "Revelers" and Patti Pickens, of the Pickens sisters, have taken the plunge . . . Jack Curran, ex of the agencies and radio magazines, is now the coordinator of radio activities for the WPA . . . Arlene Harris, the "Human Chatterbox" of the Ford "Watch the Fun Go By" program, begins a week's engagement at the Earle Theatre, Philadelphia, this Friday . . .

◆

Bruce Robertson arrived in New York yesterday from Chicago to take over his new duties as local representative for *Broadcasting* . . . The "Captain Diamond" network series is the latest program to feature guest stars. Cameron King has been set for next Sunday on this series . . . Lee Hassell of the "Barn Dance" girl trio and Gene Donovan, pianist, will vow to love, honor and obey on St. Valentine's Day . . . Stars who celebrate their birthdays on St. Valentine's Day are Jessica Dragonette, Jack Benny, and Peggy Allenby . . .

◆

Alex Gray, one time screen actor, will guest appear on Ed Wynn's program Feb. 20 . . . WOR's "Morning Matinee" Feb. 18 will feature Ozzie Nelson, Ernest Truex and Dian Gayler. The latter is now appearing in "Frederika" . . . Maida Severn, heard on WINS, leaves this afternoon for a trip to the West Indies . . . "Chic" Lindsey, novelty singer, has been signed for two years by the CBS Artists Bureau . . . Loretta Lee opens at the Paramount Theatre, Los Angeles, Feb. 18 . . . WNEW joins the networks and WHN and WMCA in carrying the Red Cross benefit show from the Radio City Music Hall tomorrow . . .

◆

Jesse Owens, colored Olympic flash, arrives in New York today to begin rehearsals with an orchestra recruited by Consolidated Radio . . . Jimmy Melton, now in Florida, will return to New York for a guest appearance on the "Saturday Night Party" Feb. 13. The broadcast will mark Jimmy's first air appearance in a long time . . . Jean Hersholt will tell of his experiences with the quintuplets on the "Shell Show" Feb. 13 . . . Mrs. Al Goodman is seriously ill in a hospital . . . Jan Peerce is planning a concert tour of eastern cities . . . Bernice Claire has consented to remain on "Waltz Time" another week in order to give Mary Eastman time to get back to New York and pinch hit for her. Bernice will leave for a Florida rest Feb. 19.

Odd Fan Mail

PHILADELPHIA, Feb. 9.—Radio is making for strange bedfellows for Dr. Jeremiah P. Shalloo, professor of criminology at the University of Pennsylvania. Broadcasting a series of talks on adult delinquency and trends in prison welfare over WIP, Dr. Shalloo receives fan mail from some of the best cells in some of the best prisons. Signatures are all with either their gangland monicker or prison number. But all are unanimous in telling the professor that "we think you've got something there."

◆

Leslie Howard, now offering "Hamlet" to Californians, will appear with Eddie Cantor on the latter's program this Sunday . . . Ilka Chase, Willie Morris and George Rosely will guest appear on the Hammerstein "Music Hall" Feb. 16 . . . Dave Gothard, leading man on the "Helen Trent" series, leaves for Hollywood, with rumors afloat that he will return a married man . . . Howard Memmott, WPRO (Providence) program director, is now the father of a boy . . . Challenging the statement of Jose Iturbi in respect to the limitation of women's ability, NBC will present a special show, "But Women Have Brains!" tonight at 10 P. M., E.S.T. on the Blue. Participating will be Yolanda Mero-Irion, Helen Jerome, Eugen Boissevain and Dorothy Thompson . . .

◆

Jack Pearl's wife, Winnie, lost an $8,000 diamond bracelet after last Monday's "Baron Munchausen" broadcast. Last night John Bell, page supervisor, found the bracelet under a radiator outside her husband's dressing room. He received a reward of $50.

O'Keefe to Take on Nash-Lafayette Show

Walter O'Keefe, who left his last regular radio series, "Saturday Night Party," because of script dissatisfaction, will take over the Nash-Lafayette "Speedshow" shortly, it was learned from a reliable source yesterday. Floyd Gibbons is the present feature on the program.

The deal for O'Keefe's services on the series will probably be effected within the next fortnight or so.

"Radio Revue" Renewed

The "1937 Radio Revue," sponsored by Feenamint on the coast-to-coast Mutual network, has been renewed for additional 13 week period, effective as of next Sunday. William Esty & Co. is the agency. The program was formerly known as the National Amateur Hour, and has been a network feature at CBS and Mutual for several years.

DeLys on Full Assignment

GoGo DeLys, who has made several guest appearances with Stoopnagle & Budd of late, has been signed to appear regularly on the series. Young & Rubicam is the agency for the program.

Extras on Radio in New Coast Program

HOLLYWOOD, Feb. 9.—Talent from the extra ranks will go on the air over KFI in a half-hour program next Friday, inaugurating the show as a weekly feature.

Francis X. Bushman will be master of ceremonies with the extras appearing in three and four minute bits taken from actual screen working scripts. Archdale Jones is the producer.

"Radio Clinic" Is Revived

"Radio Clinic," the program of medical information which was cancelled by WBNX before it even got started, has been revised and presented to the medical profession for ratification. The new formula provides for the elimination of actual patients and their substitution by a dramatic cast. The cases will be drawn from medical records, and doctors in the studio will prescribe for the ailments.

In the opinion of competent observers, however, it is unlikely that the medical profession will ratify the program.

Two "Sonny Boys" in Studio

Davy Holt, six years old, played "Sonny Boy" in Al Jolson's reenactment of the drama "Sonny Boy" on the air last night. In the studio sat another lad. He was 15-year-old Davie Lee, the original "Sonny Boy" of Jolson's famous picture.

52-Week Renewal

"Carnation Contented" hour, sponsored by the Carnation Milk Co. and heard Mondays from 10 to 10:30 P. M., E.S.T. on the NBC-Red, has had its options picked up for 52 weeks, cancellable after each 13-week stanza. Erwin, Wasey & Co. of Chicago is the agency.

Seeks 250-Watt Booster

HARTFORD, Feb. 9.—WDRC has applied to F. C. C. for a 250-watt booster transmitter in the Bridgeport-New Haven area.

Strahl Goes to Sacramento

DES MOINES, Feb. 9. — George Strahl, for the past year enginer at KSO, has resigned to join the McClatchy newspaper organization at Sacramento.

Texas Editor Joins Radio

TYLER, Tex., Feb. 9. — Craddock Goins, editorial writer for the *Tyler Courier-Times* and the *Morning Telegraph*, has resigned to enter radio work here. Goins will conduct a daily "Chauncey Speer" radio feature.

A Maxim Memorial

Hartford, Feb. 9.—A Hiram Percy Maxim Memorial has been established in the form of an annual award to the amateur under 21 who makes the greatest contribution to amateur radio for the year, by Mrs. John G. Lee and Hiram Hamilton Maxim. The late Hiram Maxim was founder of the American Radio Relay League, national amateur radio organization.

Radio

CBS Lines Up Big Coverage On Coronation

By cable from London yesterday, Caeser Saerchinger, CBS representative in Europe, informed the home office in New York of the broadcast details already set for the coronation of King George VI on May 12.

According to Saerchinger, 30 remote control pickup points will be utilized alone along the line of the procession from Buckingham Palace to Westminster Abbey. Other pickup points will be at Constitution Hill, Whitehall Cenotaph, and Trafalgar.

Saerchinger has also arranged for microphone appearances of a host of British notables, who will speak exclusively for CBS during the course of the coronation. The speakers include Commander Stephan King-Hall, Sir Joshua Stamp, the Marquis of Donegall, Sir Frederick Whyte, Dr. Harold Laski, Viscount Cecil of Chelwood, Lord Strabolgi, chairman of the Radio Ass'n of Great Britain, Ellen C. Wilkelson, Labor Member of Parliament, the Duchess of Athol, and Hector Bolitho, official biographer of King George VI.

The ceremonies will be broadcast by CBS beginning at 5:15 A. M. and continuing until some time past 11 A. M., E.S.T. NBC, Mutual and various non-network stations desiring the Coronation coverage will of course broadcast during the same hours.

Paul White, special events head at CBS, and Bob Trout, announcer, will leave for London early in May.

Abandon Televising Of Abbey Coronation

London, Feb. 2.—Plans to televise the coronation ceremony in Westminster Abbey have been abandoned, the Abbey authorities refusing permission after months of negotiation with the BBC.

The necessity of the television transmitter being inconveniently close to the leading actors in the ceremony is understood to have been the deciding factor. Newsreel companies will be granted permission to film the Abbey ceremony, but television "viewers" will have to be content with scenes of the processions to and from the Abbey.

FCC Licenses Three New Small Stations

Washington, Feb. 9.—The F.C.C. today licensed three new 100-watt stations at Kilgore, Tex.; Mason City, Ia.; and Jefferson City, Mo., and increased the day power of Stations KWSC, Pullman, Wash., to 5,000 watts; KFRU, Columbia, Mo., to 1,000 watts, and KSO, Des Moines, to 2,500 watts.

Stations WCBA and WSAN, Allentown, Pa., were authorized to use 500 watts, sharing time.

Colgate Sends Reply On Gibbons Program

Cincinnati, Feb. 9.—"I was most disturbed by your telegram criticizing Floyd Gibbons' broadcast from Cincinnati on Jan. 28," said S. Bayard Colgate, president of Colgate-Palmolive-Peet Co., sponsors of "True Adventures," in a telegram to Morris Edwards, executive vice-president of the Chamber of Commerce here. "I have carefully checked the facts in the script, and while there may have been some over-dramatization, Gibbons and the men who helped produce the show apparently made every possible effort to report actually what they saw and heard. They checked their facts with the sheriff's office, fire department, police, newspaper reporters and coast guard, and as far as I can determine, it is the general feeling that the Gibbons dramatization of the flood situation was much less colored than other broadcasts emanating from radio stations in the flooded area.

"Above all, Gibbons intended to pay tribute to the superb spirit of the Cincinnati people and to the cool efficient handling of the emergency by the local authorities. Gibbons is much distressed, as am I, that any of your citizens should have any adverse criticism of what was intended as a sincere tribute to the people in the flooded area."

A copy of the telegram also was sent to the Cincinnati Retail Merchants' Ass'n, which also protested the substance of the Gibbons broadcast.

WIP Adds Accounts; Has Seven Renewals

Philadelphia, Feb. 9.—WIP sales books add two new accounts and renewals keep seven others going. Newcomers are Fitch Investment Service, placed direct, taking daily five-minute shots for a year, and Varady of Vienna, face powder, placed direct, with three five-minute periods daily for 13 weeks.

Renewals are Keasbey & Mattison, headache remedy, daily participation in Homemakers' Club for 13 weeks, through Geare-Marston Agency; Mackie-Henkels Co., iodine jelly, daily participation in Homemakers' Club for an indefinite period, through Feigenbaum Agency; Shuman Bros., department store, daily quarter-hour news periods for one year, through Julian Pollock, Inc.; Adams Clothes, daily 10-minute sport shots for indefinite period, through Feigenbaum Agency; Crawford's Furriers, three quarter hours weekly of musical transcriptions for indefinite period, placed direct; P. B. White & Co., tailors, daily quarter hour periods for indefinite period, through Feigenbaum Agency and starting Feb. 22, for 20 weeks, Sam the Tailor taking three spot announcements weekly, placed through Gallagher & Muir, Inc.

Arno Arriga Named Director

Arno Arriga has been appointed musical director of WBNX, New York.

Arriga's background includes appearances at the Metropolitan Opera, and direction of orchestras on WJZ and WEAF.

U. A. and Odeon Plan Immediate Releases

London, Feb. 2.—United Artists and the Odeon circuit are planning an extension of the practice of immediate release, which has already been experimented with in the case of specific U.A. pictures in Odeon houses.

A possibility is that, when the Odeon in Leicester Square is completed and becomes the main U.A. show window in London, U.A. may release immediately to all or a percentage of the other Odeon theatres, which will soon number 200.

Contradicting press stories of a complete adoption of the practice of immediate release by U.A., officials of the company emphasize that any steps taken will be experimental, although definitely designed to assist in the progressive shortening of the present release schedule.

Immediate release has been given by Gaumont-British to certain of its own films in some of its own theatres and the tendency in the British trade is to make general release more fluid, although quite recently the standard period was six months after trade show. Many films are now available three months or less after West End presentation.

Wardour in New Deal

London, Feb 9.—A contract has been prepared calling for the distribution by Wardour Films of the product of British National. It is expected six features will be handled annually. The first production will be "Interval for Romance."

Strike End Brightens Frisco Film Outlok

(Continued from page 1)

town subsequent runs charging 15 cents were more severly hurt than were the suburbans with scales running up to 30 cents..

The Chamber of Commerce estimates that more than $350,000 per day in wages will go back into circulation again.

Colorado Strike Ended

Colorado Springs, Feb. 9. — The operators' strike at the local theatres lasting eight weeks, ended when they went back to work at $84 a booth—the union to decide whether two or three men will divide the hours, or if a swing man will be used between theatres so that each man will work six days a week.

Technicians Protest London Salary Cuts

London, Feb. 2.—A committee representing the Ass'n of Cine-Technicians at a conference with Alexander Korda declared they believed the recent salary cuts instituted by London Films were unjustified, and that the cost of production could not justly be blamed on technicians' salaries. D. B. Cunynghame, production manager, was present at the meeting.

Korda replied that he had followed the principle that all grades should share in the general economy move and that he regarded all the cuts as merely temporary. He promised to consider any specific cases of hardship.

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VOL. 41. NO. 35 NEW YORK, THURSDAY, FEBRUARY 11, 1937 TEN CENTS

Deals Signed Ending Long Union Fight

Contract Forerunner of Operator Peace

The final agreements between Local 306 and the Allied Union on the one hand, and the definitive 10-year agreement between 306 and the I. T. O. A., were signed in the early hours of yesterday morning. They will become effective on Monday. Both deals were signed at the same time.

Permanent peace in the long troublesome operator situation here are expected to follow the conclusion of the settlement, it was indicated.

The agreements, which ended many weeks of negotiation, instigated by the survey board appointed by Mayor LaGuardia to end the multiple union situation in New York, were concluded in the office of Harry Brandt, president of the I. T. O. A.

Representatives of all three parties involved, the two unions, the independent exhibitor organizations and their

(*Continued on page* 12)

Levine's Successor Decision Is Delayed

No decision will be made for the time being on whether or not a successor to Nat Levine will be named to head Republic production, H. J. Yates said yesterday on returning to his office after an illness of several days.

It was pointed out that Levine is remaining with Republic until about the end of March to supervise the completion of pictures now in work and that no immediate action on a successor is necessary.

It is known that Republic will adopt a unit production system in the near future and there is a possibility that the company's nine producers may form a production council which would direct studio activities in lieu of naming a successor to Levine. However, this possibility, too, will not be decided until later.

Wanger May Move Producing from U.A.

HOLLYWOOD, Feb. 10.—Walter Wanger may move his production personnel from United Artists to another studio but continue to release through United Artists as a result of a dispute between the producer and the studio regarding production costs, it was learned here today. Wanger is reported to have claimed that his present production costs are 33 per

(*Continued on page* 6)

RKO Forces to Hold Four Studio Meets Annually on Film Trends

Four pow-wows a year in Hollywood to discuss changes in trends and thus in production schedules will be held by RKO executives if plans discussed following meeting recently completed on the coast hold.

The recent get-together is understood to have brought about considerably more understanding than has prevailed in various divisions of the RKO family heretofore. Several properties, originally appearing on the studio program, for instance, were scrapped at the behest of the theatre department. The suggestion of quarterly sessions at which would be present again all of the studio's producers sprang from the producers themselves and a declared desire to maintain a closer touch with their market.

Continued Sabath Probe is Expected

By CLARENCE LINZ

WASHINGTON, Feb. 10.—Continuation of the Sabath investigation of reorganizations will meet with opposition when the legislation is brought up in the House of Representatives, but is expected to be secured without great difficulty, it was learned here today.

The continuing resolution was favorably reported yesterday by the Rules Committee and may be brought

(*Continued on page* 6)

Chicago Game Trials Postponed to Today

CHICAGO, Feb. 10.—Trial of the 239 Bank Night suits, brought by the city against 114 theatre corporations and 125 managers, charging violation of a city ordinance against giving away money, prizes, etc., was postponed until tomorrow.

The cases against B & K will be first on the docket, it is reported.

Poster Renters Will Fight Warner Move

"Members of the National Poster Service A'ssn will counteract Warners' move to rent posters and other advertising displays," a director of the organization said yesterday.

"We will do the same with Warners as we did with Paramount when it inaugurated the plan last year," the source stated. "Paramount has not hurt our business and neither will Warners."

Next month, members of the inde-

(*Continued on page* 6)

Schwerin Resigns as Interstate Manager

Charles Schwerin, general manager for Interstate Checking Service since the company was organized about a year ago, has resigned. No successor has been appointed and indications are the post will not be filled. Postal Telegraph, which assumes the physical details and transmission of re-

(*Continued on page* 6)

"I Don't Belong"—Gypsy

Chicago, Feb. 10.—"He's right. I don't belong in pictures," said Gypsy Rose Lee, "strip-tease" burlesque player, who is now appearing here in the "Ziegfeld Follies," referring to recent editorials by Red Kann, editor of *Motion Picture Daily*, to the effect that a "strip-tease artist" has no place in pictures. Miss Lee, among the guests at a press party, astonished the group with her remarks.

"But," continued Miss Lee, "I like the way they treat you around film studios. There's someone to powder your nose, get you a glass of water, help you with your wardrobe and do other countless favors. In the theatre you have to do everything yourself and you get bossed around besides."

Miss Lee said she had gained her knowledge of picture making while screen tests were being made of her in New York, prior to leaving for Chicago. She said it was so much fun and the pay was too tempting to refuse, so therefore she had signed a contract with 20th Century-Fox, although she knew that pictures were not the place for a "strip-tease artist."

RKO's Offer For Orpheum Is Accepted

Referee Favors $700,000 Cash Proposal

RKO's offer to acquire clear title to the assets of Orpheum Circuit for $700,000 cash and subordination of its own claims of approximately $3,450,000 against Orpheum was approved by Federal Referee Oscar W. Ehrhorn in a decision handed down yesterday.

The decision rejected the offer of $2,000,000 cash for the circuit's assets which had been made by Hudson County Warehouses, Inc., on behalf of a committee of preferred stockholders of Orpheum whose membership includes Martin Beck, Asher Levy, Harry Borns and others. Referee Ehrhorn's decision was based on the acceptance of the RKO offer by a majority of the Orpheum creditors represented at a meeting held on Feb. 2 to receive and consider the offers.

Referee Ehrhorn's decision also denied the petition of the preferred stockholders' committee for orders directing Marcus Heiman, trustee in bankruptcy for Orpheum, to intervene in the RKO reorganization proceedings, to file objections to the RKO reorganization plan on the grounds that it

(*Continued on page* 6)

SEC Starts Probe of Warner Stock Sales

The Securities and Exchange Commission yesterday undertook a study of the circumstances surrounding the suspension of trading in Warner stock on the New York and San Francisco exchanges on Tuesday. No indication of any irregularity was uncovered as a result of yesterday's investigation, it was reported.

FCC Authorizes Two New Radio Stations

WASHINGTON, Feb. 10.—The construction of two new broadcasting stations was authorized today by the F.C.C. One will be at Saginaw, Mich., and the other at Santa Barbara, Cal. Both will have power of 500 watts.

The commission denied six other applications for new stations. On one a construction permit had been granted. It was to have been assigned to the Los Angeles Central Labor Council.

More Radio—Pp. 10-11

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Roxy Gifts $13,273.58

Contributions received from patrons of the Roxy for 13 days for flood relief victims totaled $13,273.58. Howard S. Cullman, trustee, has sent the money to the Red Cross. The Music Hall tonight will hold a benefit show which is expected to net the Red Cross $15,000.

Eastman Sets Dividend

Eastman Kodak Co., yesterday declared a quarterly dividend of $1.50 per share on the common stock, comparing with previous quarterly payments of $1.25. The current dividend is payable April 2 to stockholders of record March 5.

Selznick Little Improved

Los Angeles, Feb. 10.—The condition of Myron Selznick, gravely ill of pneumonia in Santa Monica Hospital, was reported today as being slightly improved.

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EXECUTIVE SECRETARY
Executive in Distribution Organization requires capable secretary. Write in detail stating qualifications, past experience and connections. To Box No. 950, MOTION PICTURE DAILY.

Cohan Does A Grand Job In A Creaky, Pollyanna Vehicle

By PLAYBOY

The perilous crossing last night from the Morosco to this critical typewriter included a bit of speculation about "Fulton of Oak Falls" and what it would have been without George M. Cohan. The thought was disturbing enough to make us reflectively walk against three red lights, an uncommonly foolish practice in the bylanes off Times Square.

For Cohan, "in his own way of telling the story of Parker Fennelly's 'Fulton of Oak Falls'"—courtesy of the handbill—breathes life and warmth and homely touches where a runner-up, any runner-up, might have dropped honest sentimentality for pathos. Certainly the play itself is a creaking, decrepit and decidedly minor effort of the sweetness and light formula and as a job of playwrighting is about as streamlined as Henry Ford's original Model-T.

Cohan All the Way

The importance about it and in it, however, is Cohan. He is the Cohan which Broadway knows—the same funnily slouched walk, the old-time grimaces, the infectious laugh and, while you don't actually see it in his latest play, it is easy indeed to envisage his lines dripping out of the side of his mouth.

He had company among his actors last night, as well. There was Rita Johnson, attractive and infectious blonde who carries Cohan back to his quarter century-old memories and gives him a new and pleasant batch to replace those which time was dimming. Jessamine Newcombe, as his somewhat impatient wife, was expressive, too, and Gilberta Faust, as the crochety old mother-in-law, an excellent character bit. Francesca Lenni, the daughter who goes off on an illicit week-end with Robert Light and drops it for legitimacy and ultimate marriage, was satisfactory while Brandon Peters, as minister and neighbor, fitted in well in long and comradely scenes with the star.

It is all Pollyanna. Here is Cohan, innocently basking in the obvious adoration of a summer crush; it gives him lift to continue his Oak Falls duties as bank cashier, impeccable family man and good neighbor with no harm touching any of the principals. There, his daughter, unduly restrained by her mother and breaking out in a rash that spends itself when home training and a sense of propriety catch hold and in time. Throughout, there is Cohan's confidence that right always will prevail.

The evening was historically important as events in the New York theatre go. It marked a resumption of an old and honored partnership after a lapse of many years. Again it was "Cohan and Harris present," but the regret of the night was they had not presented some thing more notable.

If Hollywood is listening, on the other hand, it will be interested in learning that "Fulton of Oak Falls" is filmable if anyone will essay the story of a middle-aged man, is cleaner than a hound's tooth and also shy on bite.

To Change Old Barn

Hollywood, Feb. 10.—The old Lasky barn is about to undergo alterations, according to Dick Kline, Paramount studio physical instructor.

The barn, in which Cecil B. De Mille made "The Squaw Man," has been used for some years as the studio gymnasium. A large sun deck, additional locker rooms and showers are among the improvements planned.

"Camille" Gross Is $41,000 in 2nd Week

"Camille" tallied $41,000 in its second week at the Capitol and will probably finish its third week tonight with approximately $10,000 less. After dating in "The Last of Mrs. Cheyney," "Maytime" and "Romeo and Juliet" to follow "Camille," a decision has finally been made for the first named picture to open Feb. 18.

At the Astor, Loew's other Broadway house, "The Good Earth" garnered $17,573 for the first five days. Loew's has the theatre on a short term lease, which most likely will be extended as the picture continues.

"Champagne Waltz" at the Paramount with Fred Waring and his Pennsylvanians took in about $48,000 in the first week. "You Only Live Once" at the Rivoli ended the first seven days with $26,500.

The Strand wound up its first week with "Stolen Holiday" with about $18,000. Tomorrow, "The Green Light" opens.

"Great Guy" took in about $9,500 in the fifth week at the Criterion. Harry Charnas has decided to hold the James Cagney film a seventh week. "Sinner Take All" at the Rialto got approximately $7,500.

The Roxy tonight will close the three-week run of "Three Smart Girls." In its last week, the picture probably will do about $35,000. The Music Hall last night ended a first week of "On the Avenue" with close to $88,000. Jessie Matthews in "Head Over Heels in Love" and Herman Timberg on the stage are the opening attractions at the Roxy tomorrow.

Coast Jobs Ramsaye School Talk Subject

Remaining away from Hollywood and becoming important in some of the arts upon which the screen draws for talent is the surest way to get a job there, Terry Ramsaye, editor of *Motion Picture Herald*, told a student group in a course conducted by Prof. A. B. Cohen at Hunter College.

"When the picture makers are looking for somebody to do a job they do not search the crowd hammering at the studio gates, but rather look across the world to find some one so competent that he is already recognized and employed," Ramsaye said. "There is no time, no patience to experiment. The time for Hollywood is always now, not yesterday, not tomorrow, but now," he concluded.

Burnside Testimony Ordered by Referee

Referee John E. Joyce signed an order yesterday authorizing the Irving Trust Co., as trustee of the estate of Charles E. Dillingham, to proceed in the Southern District of California to examine R. H. Burnside concerning the conduct and property of the bankruptcy.

The trustee claims that Burnside's attorney informed him on Jan. 15, 1937, that Burnside had sent all the manuscripts, plays and contracts to Frank Furlong of Hartford, Conn., who is the executor of the estate and that they were sent without permission and in violation of his demands.

Order Hippodrome Appeal

Judge Robert T. Patterson signed an order yesterday allowing the Hippodrome Bldg. Co. to make an appeal in the U. S. Circuit Court of Appeals from an order signed on Jan. 17, which confirmed the report of Special Master Thomas D. Thatcher. This report reduced the claim of the Hippodrome Co. against RKO from $451,166.39 to $88,666.39. Hippodrome maintains that its claim should be allowed in its entirety.

Talk New Recording At Meeting of Erpi

New recording methods, advancements in technical development and new roadshow equipment for the showing of 35 mm. non-theatrical material were discussed yesterday in the course of the three-day semi-annual conference of Erpi district superintendents and district managers at the home office. The meeting is under the direction of G. L. Carrington, operating manager. The men will leave for their respective sales territories tomorrow.

Present were: S. W. Johnson, Obie Hunt, A. Fiore, W. W. Simons, A. J. Rademacher, W. S. Weatherspoon, J. A. Cameron, P. Jones, B. L. Turner, A. S. Lyman, J. L. Patton and A. A. Ward.

Gore Funeral on Coast

Los Angeles, Feb. 10.—Funeral services were held here today at the Groman Mortuary for Charles Gore, 62, veteran theatre operator, who died yesterday. Burial took place in Peace Cemetery. The deceased is survived by his widow, Dora; two brothers, Mike and Abe; three sons and a daughter.

Mrs. Smith Gets Estate

Hollywood, Feb. 10.—The will of the late Wallace Smith, film writer, has been filed for probate. The petition declared the estate would exceed $10,000. An unofficial estimate was approximately $150,000. The will bequeathed the entire estate to the author's widow, Mrs. Ethel Smith.

Frank Paul Passes

Carlinsville, Ill., Feb. 10.—Frank Paul, 76, former manager of the Marvel, died after a lingering illness. He retired from active duties because of ill health. Surviving are his widow and a son, Norman.

Shipman Rites Today

Funeral services for Samuel Shipman, playright, who died Tuesday, will be held at 1:30 P. M. this afternoon at the Universal Funeral Chapel.

Look for the Big Red Letters on the Box

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'GREEN LIGHT'
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IAN HUNTER
CLAUDE RAINS
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SEARS DRIVE IS ON!

“Thin Man” in 2 Spots Leads Boston’s Take

Boston, Feb. 10.—“After the Thin Man” grossed $8,000 over average at the Loew’s Orpheum this week, taking $20,000 in a week of mild weather. The same program also did well at Loew’s State with $18,500, over par by $7,500.

“Champagne Waltz” at the Metropolitan, with Ray Noble and his orchestra on the stage, drew $28,000 at the Metropolitan. Average is $22,000.

Sonja Henie did a two-day engagement at the Boston Garden to a full house on both nights, while her film “One in a Million,” playing second run with “Man of Affairs,” grossed $9,000 at the Paramount, over the line by $2,000. The same program drew $6,000 at the Fenway, above average by $1,500.

Total first run business was $98,500. Average is $88,500.

Estimated takings for the week ending Feb. 4:

“ONE IN A MILLION” (20th-Fox)
(2nd Run)
“MAN OF AFFAIRS” (G.B.)

FENWAY — (1,392), 30c-50c, 7 days. **Gross:** $6,000. (Average, $4,500)

“RAINBOW ON THE RIVER” (Radio)

RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $12,000. (Average, $12,000)

“AFTER THE THIN MAN” (M-G-M)

LOEW’S ORPHEUM—(2,970), 25c-45c-65c, 7 days. **Gross:** $20,000. (Average, $12,000)

“AFTER THE THIN MAN” (M-G-M)

LOEW’S STATE—(3,537), 25c-45c-65c, 7 days. **Gross:** $18,500. (Average, $11,000)

“CHAMPAGNE WALTZ” (M-G-M)

METROPOLITAN—(4,322), 35c-55c-75c, 7 days. Stage: Ray Noble and his orchestra. **Gross:** $28,000. (Average, $22,000)

“ONE IN A MILLION” (20th-Fox)
(2nd Run)
“MAN OF AFFAIRS” (G.B.)

PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $9,000. (Average, $7,000)

“FLYING HOSTESS” (Univ.)

RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: Mardi Gras. **Gross:** $20,000. (Average, $20,000)

“Thin Man” Pulls $3,000 at Spokane

Spokane, Feb. 10.—Short weeks at the Fox and State held total grosses down last week. “After the Thin Man” at the State stood only five days in the second week and took $3,000, about $200 over par.

“Banjo on My Knee” and “Fugitive in the Sky” grossed $4,000 on a dual at the Fox, about $200 over par. “Great Guy” and “The Plot Thickens” were good at the Orpheum for $2,600 in five days, $200 above par.

Total first run business for the week was $11,140. Average is $10,600.

Estimated takings:

Week Ending Feb. 4:

“BANJO ON MY KNEE” (20th-Fox)
“FUGITIVE IN THE SKY” (W.B.)

FOX—(2,300), 25c-40c, 5 days. **Gross:** $4,000. (Average, $3,800)

“AFTER THE THIN MAN” (M-G-M)

STATE—(1,000), 30c-40c, 5 days, 2nd week. **Gross:** $3,000. (Average, $2,800)

“GREAT GUY” (G.N.)
“THE PLOT THICKENS” (Radio)

ORPHEUM—(1,300), 20c-30c, 5 days. **Gross:** $2.600. (Average, $2,400)

“WHITE LEGION” (G. N.)
“HIDEAWAY GIRL” (Para.)

ORPHEUM—(1,300), 20c-30c, 3 days. **Gross:** $900. (Average, $1,000)

“HEART OF THE WEST” (Para.)

EMPRESS—(300), 25c-40c, 3 days. Stage show. **Gross:** $650. (Average, $600)

“Secretary” Gets $15,900 At St. Louis

St. Louis, Feb. 10.—More Than a Secretary” with a fair stage show at the Ambassador proved the best draw of a dull week. It ended with $15,900, or about $1,900 above average but somewhat below what the house has been doing recently.

“Great Guy” and “Crack-Up” at the Fox slipped through with an average week of $13,000.

At Loew’s “Beloved Enemy” and “Mad Holiday” had a fair week with $13,000, which was about $1,000 below house average.

Total first run business was $58,400. Average is $59,000.

Estimated takings for the week ending Jan. 28:

“MORE THAN A SECRETARY” (Col.)

AMBASSADOR — (3,018), 25c-40c-55c, 7 days. Stage: specialty acts. **Gross:** $15,900. (Average, $14,000)

“GREAT GUY” (G.N.)
“CRACK-UP” (20th-Fox)

FOX—(5,038) 25c-35c-55c, 7 days. **Gross:** $13,000. (Average, $13,000)

“BELOVED ENEMY” (U.A.)
“MAD HOLIDAY” (M-G-M)

LOEW’S — (3,162), 25c-35c-55c, 7 days. **Gross:** $13,000. (Average, $14,000)

“WE WHO ARE ABOUT TO DIE” (Radio)
“GOLD DIGGERS OF 1937” (F.N.)

MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $10,500. (Average, $11,000)

“BANJO ON MY KNEE” (20th-Fox)

ST. LOUIS — (4,000), 25c-40c, 6 days. **Gross:** $6,000. (Average, $7,000)

“Champagne” Only Grosser in Omaha

Omaha, Feb. 10.—“Champagne Waltz,” on a dual with “Under Cover of Night,” was the only attraction to stir up box-office activity during a week marked by sleet and freezing weather. The take at the Omaha was $7,100, over normal by $1,600.

The Orpheum broke even with average, $7,200, for “Mind Your Own Business” and “Sinner Take All.”

“The Plough and the Stars” and “They Wanted to Marry” at the Brandeis slipped $100 under average.

Total first run business was $18,200. Average is $16,700.

Estimated takings:

Week Ending Feb. 2:

“CHAMPAGNE WALTZ” (Para.)
“UNDER COVER OF NIGHT” (M-G-M)

OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $7,100. (Average, $5,500)

Week Ending Feb. 3:

“PLOUGH AND THE STARS” (Radio)
“THEY WANTED TO MARRY” (Radio)

BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $3,900. (Average, $4,000)

Week Ending Feb. 4:

“MIND YOUR OWN BUSINESS” (Para.)
“SINNER TAKE ALL” (M-G-M)

ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $7,200. (Average, $7,200)

Clark Made a Director

Hollywood, Feb. 10.—Charles Clark, veteran cameraman, has been made a director by M-G-M. He will direct “Pigskin Champions,” a Pete Smith specialty. The short features the Green Bay Packers, national professional football champions.

David Miller originally was to handle the films, but was stricken with influenza.

“Million” on Dual $9,800, Portland

Portland, Feb. 10.—“One in a Million,” with “Counterfeit Lady,” scored heavily at the Paramount with a gross of $9,800, over average by $4,800.

“Three Smart Girls” and “Mad Holiday” were held for a good third week at the Broadway annexing $7,200, over par by $2,200.

“Winterset,” plus “More Than a Secretary,” at the Orpheum drew $8,900, over house average by $3,900.

Total first run business was $39,400. Average is $24,700.

Estimated takings for the week ending Feb. 6:

“THREE SMART GIRLS” (Univ.)
“MAD HOLIDAY” (M-G-M)

BROADWAY—(1,912), 30c-35c-40c, 7 days, 3rd week. **Gross:** $7,200. (Average, $5,000)

“THEODORA GOES WILD” (Col.)
“CAN THIS BE DIXIE?” (20th-Fox)

BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 6th downtown week. **Gross:** $2,500. (Average, $1,700)

“MAN OF AFFAIRS” (G. B.)
“GENERAL SPANKY” (M-G-M)

MAYFAIR—(1,700), 30c-35c-40c, 7 days. **Gross:** $4,000. (Average, $3,000)

“WINTERSET” (Radio)
“MORE THAN A SECRETARY” (Col.)

ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $8,900. (Average, $5,000)

“ONE IN A MILLION” (20th-Fox)
“COUNTERFEIT LADY” (Col.)

PARAMOUNT—(3,008), 30c-35c-40c, 7 days. **Gross:** $9,800. (Average, $5,000)

“STOLEN HOLIDAY” (W. B.)

UNITED ARTIST—(945), 30c-35c-40c, 7 day, 2nd week. **Gross:** $7,000. (Average, $5,000)

“Smart Girls” Is Houston’s Leader

Houston, Feb. 10—.“Three Smart Girls” led the field with $10,000 for seven days, this being $3,000 to the good at the Majestic.

“Champagne Waltz” also was in the money with a take of $9,200 at the Metropolitan where average is $7,000.

“A Man of the People” took a licking at Loew’s State, $3,800 as compared to a $7,000 average week. Three films, “Charlie Chan at the Opera,” “Easy to Take” and “Come Closer,” Folks,” and Bank Night brought a par week of $5,000 to the Kirby.

The weather continued wet and cold. A mild but city-wide flu epidemic cut in on grosses.

Total first run business was $28,000. Average is $29,000.

Estimated takings for the week ending Feb. 4:

“CHARLIE CHAN AT THE OPERA” (20th-Fox)

KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

“EASY TO TAKE” (Para.)

KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,200. (Average, 7 days, $5,000)

“COME CLOSER, FOLKS” (Col.)

KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $1,800. (Average, 7 days, $5,000)

“A MAN OF THE PEOPLE” (M-G-M)

LOEW’S STATE—(2,750), 25c-50c, 7 days. **Gross:** $3,800. (Average, $7,000)

“THREE SMART GIRLS” (Univ.)

MAJESTIC — (2,250), 25c-50c, 7 days. **Gross:** $10,000. (Average, $7,000)

“CHAMPAGNE WALTZ” (Para.)

METROPOLITAN — (2,600), 25c-50c, 7 days. **Gross:** $9,200. (Average, $7,000)

Boys Want G-Men Films

A preference for pictures dealing with G-Men has been registered by a poll of 10,000 boys conducted by the Children’s Aid Society. Mystery films took second place, followed in order by: Pictures featuring a child star, musicals, gangster films and, finally, war pictures.

“Plainsmen” Pittsburgh’s Hit, $20,000

Pittsburgh, Feb. 10.—With the tension of the flood scare eased and the weather turning clear-business took a healthy spurt. “The Plainsman” at the Penn jumped into a phenomenal $20,000 and the picture was held a second week at the Warner.

At the Stanley, “Black Legion” hit around $12,000, which was good. At the Warner, which has gradually advanced its average gross in the last few months, “Make Way for a Lady” and “Mad Holiday” garnered $5,800. “Great Guy” started off in excellent fashion at the Alvin, but had competition from “The Plainsman” and “Black Legion” and fell off to just a fair $7,000.

Total first run business was $48,000. Average is $37,000.

Estimated takings for the week ending Feb. 4:

“GREAT GUY” (G.N.)

ALVIN—(2,000), 25c-40c, 7 days. **Gross:** $7,000. (Average, $5,500)

“ACCUSED” (U.A.)
“CRACK UP” (20th-Fox)

FULTON—(1,750), 25c-40c, 7 days. **Gross:** $3,200. (Average, $4,500)

“THE PLAINSMAN” (Para.)

PENN—(3,300), 25c-50c, 7 days. **Gross:** $20,000. (Average, $11,000)

“BLACK LEGION” (W.B.)

STANLEY — (3,600), 25c-50c, 7 days. **Gross:** $12,000. (Average, $11,000)

“MAKE WAY FOR A LADY” (Radio)
“MAD HOLIDAY” (M-G-M)

WARNER — (2,000), 25c-40c, 7 days. **Gross:** $5,800. (Average, $5,000)

“Girl from Paris” $5,800, New Haven

New Haven, Feb. 10.—“That Girl from Paris” and “Criminal Lawyer” took $5,800 at the Roger Sherman, above par by $1,100.

Moved from the Poli to the College, at the higher Poli admissions, the second week of “One in a Million” and “Crack-Up” grossed $3,600, over the usual by $800. The Poli, with “Beloved Enemy” and “The Longest Night,” stayed at the $7,000 average.

Bad Sunday weather and a cold snap during the week had unfavorable effects, as did the two-night sellout of the Arena Ice Follies.

Total first run business was $21,300. Average is $19,400.

Estimated takings for the week ending Feb. 5:

“ONE IN A MILLION” (20th-Fox)
“CRACK-UP” (20th-Fox)

COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $3.600. (Average, $2,800)

“CHAMPAGNE WALTZ” (Para.)
“LOVE LETTERS OF A STAR” (Univ.)

PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $4.900. (Average, $4.900)

“BELOVED ENEMY” (U.A.)
“THE LONGEST NIGHT” (M-G-M)

POLI—(3,040), 35c-50c, 7 days. **Gross:** $7,000. (Average, $7.000)

“THAT GIRL FROM PARIS” (Radio)
“CRIMINAL LAWYER” (Radio)

ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $5,800. (Average, $4,700)

Warners Charge Libel

London, Feb. 3.—Warners and First National Film Distributors have issued a writ alleging libel by the Women’s Guild of Empire in a letter regarding “The Charge of the Light Brigade” addressed to the British Board of Film Censors.

"ON THE AVENUE" TAXES RADIO CITY MUSIC HALL'S 6,200-SEAT CAPACITY DESPITE NEW YORK'S FIRST BLIZZARD

(doing the biggest single day of any 20th hit since "Cavalcade")

Audiences, trade press and newspapers join in an avalanche of applause!

TRADE PAPERS: *Daily Variety:* "A cinch heavy money draw. One of the top-notch offerings of the season. Presents a combination for showmen to embrace with open arms!" *Hollywood Reporter:* "Names, song hits, real story, gorgeous production to send it marching to box office victories!" *Film Curb:* "Sure is in the bag. Entertainment plus and no mistake. Theatre owners ought to cash in in a big way!" *Showman's Trade Review:* "Cast, title and story combine to make it a B. O. sensation. Terrific whirl of hit tunes by Irving Berlin." *Motion Picture Daily:* "Should prove a treat for any kind of an audience."

N. Y. NEWSPAPERS: *World-Telegram:* "Tops of its kind. The most lilting songs Irving Berlin ever composed." *Post:* "Can't miss! Bound to hit your taste. Songs highly contagious!" *American:* "Mad, merry, melodious entertainment. The most ingratiating words and music Irving Berlin ever wrote!" *Mirror:* "Hit movie! Amusement without let-down from opening scene to hilarious closing." *Journal:* "More pretentious than 'Sing, Baby, Sing' and 'Pigskin Parade'. Delightful song numbers smartly worked into the action." *News:* "Full of fun, lively music! Catchy songs due for immediate popularity!"

MAGAZINES, TOO! *Red Book* and *Modern Screen* (combined circulation over 1,750,000) name it the picture of the month!

AND IT WOULD DO YOUR HEART GOOD to hear the laughter and cheers from the crowd of 6,200 (*plus standees*)!

DICK POWELL and MADELEINE CARROLL in IRVING BERLIN'S "ON THE AVENUE" with ALICE FAYE, RITZ BROTHERS and GEORGE BARBIER, Alan Mowbray, Cora Witherspoon, Stepin Fetchit, Sig Rumann. Directed by Roy Del Ruth. Associate Producer Gene Markey. Screen play by Gene Markey and William Conselman. Music and Lyrics by Irving Berlin. Dances staged by Seymour Felix.
Darryl F. Zanuck in charge of Production.

20th CENTURY FOX
THE KEYSTONE
OF YOUR FUTURE

Oh, yes! IT'S HELD FOR A 2nd WEEK!

"Waltz" High In Dull Week On the Coast

Los Angeles, Feb. 10.—"Champagne Waltz," with Rube Wolf and a stage show, went $3,500 above average to $21,500 at the Paramount for the best showing of the week.

"Men Are Not Gods" pulled $5,325 at the 4 Star. This was above par by $2,075 to the good.

Grosses elsewhere were weak all along the line. "The Good Earth" was only $300 up on a take of $17,300 at the Carthay Circle. The only other spot to get into the profit column was Loew's State with "You Only Live Once" and "Dangerous Number," The $14,043 take was just $43 over average.

Total first run business was $93,581. Average is $107,950.

Estimated takings for the week ending Feb. 10:

"THE GOOD EARTH" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 2nd week. **Gross:** $17,300. (Average, $17,000)

"YOU ONLY LIVE ONCE" (U.A.)
"DANGEROUS NUMBER" (M-G-M)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $10,113. (Average, $12,500)

"MEN ARE NOT GODS" (U.A.)
4 STAR—(900), 30c-55c, 7 days. **Gross:** $5,325. (Average, $3,250)

"THE YELLOW CRUISE" (French)
GRAND INTERNAT'L—(750), 35c-40c, 3 days. **Gross:** $1,200. (Average, $1,200)

"WHITE HUNTER" (20th-Fox)
"WE'RE ON THE JURY" (Radio)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $7,000. (Average, $8,000)

"YOU ONLY LIVE ONCE" (U.A.)
"DANGEROUS NUMBER" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $14,043. (Average, $14,000)

"WHITE HUNTER" (20th-Fox)
"WE'RE ON THE JURY" (Radio)
PANTAGES — (3,000), 30c-65c, 7 days. **Gross:** $5,900. (Average, $8,000)

"CHAMPAGNE WALTZ" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Rube Wolf and orchestra, F. & M. revue. **Gross:** $21,500. (Average, $18,000)

"SING ME A LOVE SONG" (F.N.)
"ONCE A DOCTOR" (F.N.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days. **Gross:** $11,200. (Average, $14,000)

"SING ME A LOVE SONG" (F.N.)
"ONCE A DOCTOR" (F.N.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days. **Gross:** $10,000. (Average, $12,000)

"Cinderella" Dual Oklahoma City Top

Oklahoma City, Feb. 10.—"Mr. Cinderella," with "Viennese Vanities" on the stage of the Liberty, made the best showing of a dull week here by getting $2,400 in four days.

"The Jungle Princess" was the only other first run to go over normal. It took $2,500 at the Capitol.

Total first run business was $13,000. Average is $14,000.

Estimated takings for the week ending Feb. 6:

"RAINBOW ON THE RIVER" (Radio)
CRITERION—(1,700), 10c-35c-55c, 7 days. **Gross:** $3,800. (Average, $5,000)

"CHARGE OF THE LIGHT BRIGADE" (W. B.)
MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $3,500. (Average, $4,000)

"THE JUNGLE PRINCESS" (Para.)
CAPITOL—(1,200), 10c-25c-40c, 7 days. **Gross:** $2,500 (Average, $2,000)

"MR. CINDERELLA" (M-G-M)
LIBERTY—(1,500), 10c-25c-40c, 4 days. Stage: "Viennese Vanities." **Gross:** $2,400. (Average, for week, $3,000)

"WANTED: JANE TURNER" (Radio)
"CHAMPAGNE CHARLIE" (Para.)
LIBERTY—(1,500), 10c-25c-35c, 3 days. **Gross:** $800. (Average, for week, $3,000)

Out Hollywood Way

Hollywood, Feb. 10. — Sigmund Romberg assigned by Nat Finston to write special score for Harry Rapf production, "They Gave Him a Gun," M-G-M.

Larry Crabbe gets new term contract at Paramount. . . . Paramount leases direct telephone wire to "I Met Him in Paris" company at Sun Valley, Idaho. . . . Universal loans Judith Barrett to M-G-M for "The Old Soak". . . . Jerome Kern working on music for "High, Wide and Handsome," Paramount. . . . "Think Fast, Mr. Moto" starts Thursday at 20th Century-Fox. . . . "Mazurka" starts Feb. 26 and "The Story of Emile Zola" gets underway March 1, Warners. . . . Columbia lifts option on Producer Everett Riskin for one year. . . . Radio holds Parkyakarkas and Edward Stevenson, the latter costume designer.

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Casting—Scott Kolk in "Wildcatter," Walter Pidegon and Mary Philips in "As Good as Married," Universal. . . . 20th Century-Fox castings include DeWitt Jennings, John Carradine, Douglas Fowley, Willard Robertson and Alan Dinehart in "This Is My Affair," Paul Stanton in "Midnight Taxi," Jack Pennick, Bunny Beatty and Lionel Brahan in "Wee Willie Winkie," Thomas Beck in "Think Fast, Mr. Moto," and Morgan Wallace in "Charlie Chan at the Olympics". . . . Julia Thayer and Hoot Gibson in "Painted Stallion," Rolfe Sedan replaces Wedgewood Nowell in "Steel," and Louise Henry goes into "Hit Parade," all at Republic.

Alan Mowbray in "Topper," Hal Roach. . . . Arthur Byron in "The Prisoner of Zenda," Selznick International. . . . George Cowl and Elizabeth Williams in "A Day at the Races" and Forrester Harvey in "Night Must Fall," M-G-M. . . . Milli Monti in "The Man in Evening Clothes," Major Pictures. . . . Anne Nagel in "Hobo and the Heiress," Warners.

✚

Directors — Robert Z. Leonard, home with the flu, directing preparations for "The Firefly" by telephone, M-G-M. . . . Reginald Barker to direct "Circus Queen," General Pictures. . . . Sidney Lanfield takes over direction of "Wake Up and Live" from David Butler, who is ill, 20th Century-Fox. . . . James Tinling to direct Jones Family comedy for 20th Century-Fox.

✚

Story Buys — Universal acquires "Scoop," an original by Vee Terrys Pearlman and Joseph Fulling Fishman. . . . Columbia acquires "The Flood" by Leonard Lee and "'Twas the Night Before Christmas," by Paul Gallico. . . . "Tom and Jerry," an original by Stanley Garvey, acquired by Radio. . . .

✚

Writers—Irwin Shaw assigned to "Vivacious Lady," Radio. . . . Carl Harbaugh to collaborate with Ray Doyle on screen treatment of "Night Edition," General. . . . Edward Anthony signed by Republic.

Poster Renters Will Fight Warner Move

(Continued from page 1)

pendent poster renting companies throughout the country will hold a three-day convention here to discuss the latest distributor move. National Poster has its own process company, known as Associated Displays, which manufactures advertising material for all productions.

That Warners had contemplated renting its advertising was first reported in Motion Picture Daily as far back as May 18, 1936. At that time, an executive of the company said Warners was not ready to adopt the plan. The poster renters have been aware of Warners latest move, but do not plan to take action until the convention.

Balsdon "Unchanged"

Los Angeles, Feb. 10.—Bulletins from St. Joseph's Hospital, Stockton, report as unchanged the condition of George Balsdon, National Theatres booker injured recently in an automobile accident. Sumner Gambee and Nick Turner, less seriously hurt in the same crash, are also reported as unchanged.

Bert Stearn Is Ill

Pittsburgh, Feb. 10.—Suffering a relapse here after a recent attack of the flu, Bert Stearn, district sales manager for United Artists, was removed to the Montefiore Hospital. His condition is not serious.

Wanger May Move Producing from U.A.

(Continued from page 1)

cent higher than they would be elsewhere.

Danny Thomas today resigned as Wanger's director of publicity and was succeeded by Alex Gottlieb, who arrived recently from New York, accompanied by Hal Horne.

Schwerin Resigns as Interstate Manager

(Continued from page 1)

ports, will take over Schwerin's duties as well.

Schwerin returned from Chicago over the weekend after entering his son at Northwestern. He said he has several things on tap and will announce plans shortly.

I.T.O. to Meet Monthly

Hollywood, Feb. 10.—The I. T. O. of Southern California held a board of directors meeting Monday at which it was decided to hold a general membership meeting each month.

The first will be a luncheon at the Elks' Club on Feb. 15.

Plan Illinois House

Pekin, Ill., Feb. 10.—Bennett Theatres, Inc., has been formed here by L. J. Bennett, to build a 1,250-seat house. Great State owns a half interest in the theatre.

RKO's Offer For Orpheum Is Accepted

(Continued from page 1)

discriminates against Orpheum and to file a petition for the reorganization of Orpheum under Section 77-B of the bankruptcy laws.

RKO's offer for the Orpheum assets was made through its wholly owned subsidiary, Stadium Theatres Corp., to which the claims of both RKO and Keith-Albee-Orpheum against Orpheum Circuit, were assigned in 1933. Exclusive of Stadium's claims, there are $2,128,357 of claims of other Orpheum creditors outstanding. Of the latter, $1,110,000 is held by the Omaha Orpheum bondholders, who voted on Feb. 2 to accept the Stadium offer.

The Orpheum assets include properties in Chicago, Champaign, Ill.; Des Moines, St. Paul, Los Angeles, San Francisco, Kansas City and elsewhere. They were appraised recently at $2,772,714.

Indications are that acceptance of the Stadium bid will have to be confirmed by Federal Judge William Bondy. When finally approved, it will provide approximately 30 cents on the dollar for Orpheum creditors, exclusive of Stadium, in a liquidation of Orpheum Circuit. Orpheum stockholders would not participate in such a liquidation.

Continued Sabath Probe is Expected

(Continued from page 1)

up on the floor of the House tomorrow, although opponents have asked that they be given more time for its consideration. If it is not called up tomorrow it will go over until next week, since the House will meet for only a short time on Friday and then adjourn over the weekend.

To Build at Red Bank

Morris H. Jacks, who operates the Strand, Red Bank, N. J., yesterday purchased a site at E. Front St., adjoining the Globe Hotel in Red Bank, for the erection of a new 1,350-seater.

Jacks has a deal on with Montgomery Ward to take over the Strand and convert it into a commercial structure. As soon as this contract is set, work will get started on the theatre to replace the Strand.

Max Gordon Starts

Hollywood, Feb. 10.—Max Gordon, New York stage producer signed as executive assistant to Samuel J. Briskin, assumed his new post here today. He will work with Mervyn LeRoy on a musical as yet untitled.

Gordon will continue to produce for the New York stage, dividing his time between Manhattan and Hollywood.

A Full Time Policy

Pittsburgh, Feb. 10.—Improved business conditions over the tri-state area have led Warners to place the Prince in Ambridge, Pa., the Ritz in New Kensington and the Grand in Greensburg on full-time operation again from weekend operation only.

MAID OF SALEM

BOSTON .."'Maid of Salem' at the Paramount-Fenway Theatres beats record highs of 'Big Broadcast', 'College Holiday', 'The Plainsman'."

MIAMI..."'Maid of Salem' breaks all existing records, Sheridan Theatre here."

DETROIT..."'Maid of Salem' is more than timely, it is timeless." —Ralph Holmes, Times.

"Exciting screen fare." —James Pooler, Free Press.

CHICAGO..."'Maid of Salem' has movie-making mastery displayed in 'Mutiny on the Bounty' and 'Cavalcade'." —Clarke Rodenbach, Daily News.

NEW YORK..."'Maid of Salem' certain to be on best ten list for 1937." —Literary Digest.

Frank Lloyd's "MAID OF SALEM" *with* **Claudette Colbert, Fred MacMurray,** Harvey Stephens, Gale Sondergaard, Louise Dresser, Edward Ellis, Virginia Weidler, Bonita Granville • • • A Paramount Picture

Paramount Pictures

Houses Reopening in St. Louis Territory

St. Louis, Feb. 10.—Theatres in this area, which have been closed by the flood, either because of actual physical damage or inability to obtain films, are reopening. Houses in Cairo, Ill., and Harrisburg, Ill., and in New Madrid and East Prairie, are among those which are resuming operation.

W. A. Collins, owner of the house in Metropolis, Ill., who was forced to close when high water cut off his supply of film, will reopen his house with a benefit show for flood relief. Many Kentucky theatres, likewise, are preparing for early reopening. At the height of the flood, about 50 houses in 35 towns served by St. Louis exchanges were closed, but only about 20 were actually under water. The total damage to theatre property is expected to be less than $100,000. Little structural damage was suffered.

St. Louis Raises $44,000

St. Louis, Feb. 10.—Mayor Bernard F. Dickman's seven-hour flood benefit show at the Municipal Auditorium brought in $12,000, which was donated to the American Red Cross.

The F. & M. theatres, including the St. Louis Amusement Co., string of 24 neighborhood houses, have raised more than $12,000 for the flood sufferers.

C. D. Hill of Columbia, chairman of the film relief committee here, today gave the Red Cross a check for $20,048.20, representing collections in 90 local houses. The total from this area is expected to reach $60,000 when other houses' collections are in. The original goal was $50,000.

Renovate RKO Theatres

Cincinnati, Feb. 10.—During the last few days of enforced idleness of local theatres, due to curtailment of electric power, the RKO downtown and suburbans were thoroughly renovated, cleaned, and in some places repainted, to insure the utmost hygienic conditions.

Nelson Eddy, booked for a concert here tonight, requested postponement until March 31, "when the spirit of the community is freer to enjoy a concert." The date was changed accordingly.

Urge Equipment Inspection

Evansville, Ind., Feb. 10.—Warning has been issued to theatre owners in the flood district by the National Talking Picture Equipment Co., that no attempt should be made to operate equipment until it has been inspected.

Warners Reopen House

Pittsburgh, Feb. 10.—Warners reopened the Smoot in Parkersburg, W. Va., which was under water during the flood, after a shutdown of two weeks. The circuit's other house there, however, is still undergoing repairs and will not be ready to resume operations for a few days yet.

Hartford Show Nets $1,200

Hartford, Feb. 10.—Final returns on the flood benefit conducted at the State with all the theatres in Hartford cooperating showed a total of $1,200 raised.

Goldberg Reopens Exchange

Cincinnati, Feb. 10.—Lee L. Goldberg, head of the Big Feature Rights Exchanges, has reopened the company's exchange in Louisville. According to Goldberg, two employes, Joseph Frank and his wife, who were cashier and bookkeeper, respectively, are still unaccounted for.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Arizona Mahoney"

(Paramount)

Hollywood, Feb. 10.—Maybe this was an experiment. If so, it probably will never be emulated. The idea is an attempt to tie a circus story on to a Zane Grey yarn and feature Joe Cook. The result is what might be termed a comedy-melodrama inferior in both entertainment and commercial worth. In its western phases there is enough shooting and killing for a half-dozen such features. Two reels would accommodate the comedy.

As rival cattle-rustlers Larry Crabbe and John Miljan go through conventional horse-opera antics. Cook's circus, which includes Robert Cummings, a nitwit, one elephant and a duck, hits the town. This outfit accounts for some pleasant fun. Crabbe holds up a stage coach to bring melodrama and romance via June Martel into the picture. It is all quite involved with Cummings getting more attention from the girl than Crabbe. Finally the stage is set for a big battle which Cook breaks up by bringing the cannon from his human cannonball act into action to rout Miljan's forces, much to Crabbe's disappointment. Cummings wins the girl, but nobody seems to care.

It is one of those films nobody should be enthusiastic about having chalked up on the record. It hardly can be expected to command respect from any audience. Robert Yost and Stuart Anthony did the screenplay. James Hogan directed.

Production Code Seal No. 2,826. Running time, 60 minutes. "G."

Overseas Previews

"Dark Journey"

(London Films-United Artists)

London, Feb. 3.—The original feature of this spy melodrama is the reproduction of a fight between a German submarine and a "Q" boat, or mystery ship, one of those camouflaged tramps which, apparently disabled and deserted, threw down false sides and unmasked deadly guns just when the "U" boat walked up to its apparently easy prey.

It is a vivid episode, realistic even to the use of dilapidated shore clothes by the naval crew of the decoy, and it fits well into the story, in which the leading figures are an Allied spy (female) and a German ditto (male), the former of whom is about to be conveyed by the latter as a prisoner to the "U" boat when it walks into the "Q" trap. The German it is who becomes prisoner, with the consolation that his rival spy will be waiting to wed him at the end of the war.

Vivien Leigh is the girl and Conrad Veidt, the man; the first is a relatively new British studio discovery, and a real one. She is pretty, has fine gifts of facial expression, repose, personality. Veidt has a more genuine part than for many films. The story that brings them together is a good one of the espionage activities of both sides in the neutral territory of Scandinavia. That the girl is a member of the German secret service, but actually working for the Allies, and that the man, nominally a deserter and a *flaneur,* is head of the German service, lends the romantic spice to a yarn convincingly rich in episodes of secret signalling, sudden death, and in picturesque characterization. Episodically it is so rich that it would play silent. There is nothing in the dialogue to frighten off American exhibitors, who should find it an exceptionally actionful and efficient piece of work from England.

Running time, 80 minutes. "G." Allan

Wehrenberg Holds Benefit

Ferguson, Mo., Feb. 10.—The local Lions Club sponsored a benefit picture show at Fred Wehrenberg's Savoy for flood relief.

Mrs. Haarmann Gaining

Omaha, Feb. 10.—Mrs. William Haarmann, wife of the Paramount booker here, is recuperating following an operation.

Arranges Roach Tieups

Grace Rosenfeld, eastern representative for Hal Roach, has completed three tieups.

An arrangement has been completed with H. G. Roebuck Publishing Co. of Baltimore on Our Gang combination coloring book and crayon sets. "Spanky" MacFarland writing sets will be manufactured by Western Tablet & Stationery Co. of St. Joseph, Mo. An Our Gang fun kit will be distributed by the Morton Salt Co. as a result of a deal effected with American Advertising & Research Co. of Chicago.

Propose 50% Cut in Portland Paramount

Portland, Feb. 10.—Bonded indebtedness of the Portland Paramount Corp., including the 3,000 seat Paramount, would be cut in half under the reorganization plan recommended by Roy F. Shields, special master.

The report has been filed with Federal court and must come up before Federal Judge Fee before approval.

Bondholders would receive half the face value of their bonds of the reorganized concern and the remainder in prior preferred stock. The corporation which owns the Paramount and the New Healthman Hotel and a lease on the property on which they are located, now has an outstanding total of $1,136,000 in mortgage leasehold gold bonds.

Vatican Issues New Screen Publication

The Vatican has begun publication of a new magazine, called *Primi Piani* (*First Steps*), which is devoted in large measure to the screen. Examination of the initial issue, received in New York, shows four-fifths of the contents occupied with screen news, handsomely printed and well arranged. Numerous photographs are used, with credit lines to M-G-M, Paramount, 20th Century-Fox, Warners and Columbia. The drama and radio also are represented.

The aim of the publication, issued as a semi-monthly supplement to *L'Illustrazione Vaticana,* the Vatican organ, is to enlist the support of all Catholics in bringing about high spiritual and moral values in screen product.

Hanff-Metzger Gets Para. Account Again

Hanff-Metzger, Inc., advertising agency, after May 1, will again handle the Paramount advertising account, it was learned yesterday. The advertising firm will also occupy offices in the Paramount Bldg.

Wall Street

Paramount Issues Off ⅝ to 9 Points

	High	Low	Close	Net Change
Columbia	39¼	37	38⅝	+1⅛
Columbia, pfd.	44½	44	44½	— ⅜
Consolidated	5⅛	5	5	— ⅛
Consolidated, pfd.	17	17	17	.....
Eastman Kodak	174	173½	174	+ ½
Eastman, pfd.	161	161	161	.....
Gen. T. Equip.	32	31⅜	32	+ ¼
Loew's, Inc.	78	77½	77½	— ½
Paramount	27⅝	26¼	26⅜	—1
Paramount 1 pfd.	193	184	184	—9
Paramount 2 pfd.	25	23⅝	23⅞	— ⅝
Pathe Film	9¾	9¼	9¼	— ½
RKO	9⅛	8⅝	8⅝	— ¼
20th Century-Fox	36⅞	35¾	35¾	— ¾
20th Century, pfd.	45½	45½	45½	.....
Universal, pfd.	105	104	105	.....
Warner Bros.	17¼	16⅜	16⅜	— ⅝

Little Curb Change

	High	Low	Close	Net Change
Grand National	3⅞	3½	3¾	.....
Sentry Safety	1	⅞	1	+1/16
Sonotone	2⅛	2⅛	2⅛	.....
Technicolor	21⅛	21	21	— ⅜
Trans-Lux	4½	4¼	4⅜	.....

Bonds Show Gains

	High	Low	Close	Net Change
Paramount B'way 3s '55	75	75	75	+ ½
Paramount Pict. 6s '55	102½	101	102½	+1⅝
Warner Bros. 6s '39 wd	99½	99¼	99⅜	+ ⅜

(Quotations at close of Feb. 10)

USED IN NINE OF
"1936's BEST TEN"

ALL but one of the ten pictures chosen in the *Film Daily's* 1936 critics' poll were made on Eastman Super X Panchromatic Negative. Unquestionably this famous film contributes substantially to the artistry and entertainment value of every production in which it is used. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*
PANCHROMATIC NEGATIVE

◂ Radio Personals ▸

PAUL ADLER of the J. P. Mueller Co. back at his desk after a Havana jaunt. . . . Ben Grauer is the added starter to the NBC vaudeville unit in Philadelphia this week. . . . Abe Lyman's band joins the Mutual dance parade units tonight. . . . Jack Benny and Mary Livingstone will be the fourth husband and wife team to appear in the Lux "Radio Theatre" when they play the leads in "Brewster's Millions" this Monday. The others were Jolson-Keeler, Crawford-Tone, Blondell-Powell. . . . Sidney Lenz, bridge authority, makes a return appearance on the Heinz "Magazine of the Air" Feb. 19. . . .

✚

Sam Taylor, former Hollywood commentator for Mutual, who returned here because of the death of his father, entrains back to the coast this week. . . . Marge Morrow, assistant casting director at CBC, is recovering nicely in the hospital after a major operation. . . . Grant Mitchell and Prince Hubert Von Lowenstein will be Bide Dudley's air guests on WOR Friday. . . . Bill Sharkey, dance maestro, gets a WMCA wire. . . . Gertrude Lawrence will guest star on the Shaefer beer program on WOR this Sunday. . . .

✚

M. A. Hollingshead, vice-president in charge of radio at Campbell-Ewald in New York, has left on a month's vacation trip in Florida . . . Additionally at Campbell-Ewald, Mildred Langer has been appointed assistant to Charles F. Stevens, publicity head . . . George Givot and Cliff Edwards have been signed as guests on the Jack Oakie program Feb. 16 . . . The postponed "My Maryland" will be offered on the Palmolive "Beauty Box" series Feb. 17 by Jessica Dragonette . . .

✚

The Martinez Bros., four Mexican guitarists and vocalists, are now in New York to begin a series on the NBC Blue. They were signed by John Royal while the latter was visiting Mexico City during his recent Pan-American jaunt . . . Joyce Carey, now appearing in the Noel Coward cycle, will guest appear on the *Theatre Guide* program at WINS today . . . Marion Martin and Virginia Valley, will be guest stars on Jack Eigen's "Broadway Newsreel" Monday, Feb. 15, on WMCA. . .

✚

Hollywood Conversation

HOLLYWOOD, Feb. 10.—Cliff Edwards and George Givot will be guests on the Hollywood Hotel program Thursday. . . . L. H. Bowman, Columbia's western division engineer, to San Francisco with E. K. Cohan, who has a similar job with the chain in the east. . . . Roswell Rogers, former continuity editor of KMTR now on the KNX writing staff. . . . Marion Claire, NBC soprano, considering offers from five major studios. . . . J. E. Doyle, radio editor of Hearst's *American Weekly*, visiting here. . . . Elmer D. Peterson, national sales manager for KNX, north on a business trip. . . . Milton Watson and Vera Van guest stars on the "Singtime" program sponsored by Fox West Coast over the Mutual-Don Lee network. . . . Richard Joy to the announcing staff at KNX.

New Shows on the Air

Gladys Swarthout Returns

Gladys Swarthout returned to the air last night as the star of a new musical series sponsored by the Ice Industry of America. Despite the glamor of the Swarthout name and presence the program proved to be just another 30-minute spot on the airways.

Swarthout's voice last night seemed at rather less than its best, particularly when she sang the spiritless "Knowest Thou the Land" and "In the Silver of the Night". Oddly enough, the program brightened when Swarthout offered some lighter numbers, particularly "Paradise in Waltz Time," a song from her recent film success, "Champagne Waltz." This was excellent.

Swarthout's husband, Frank Chapman, baritone, is co-featured and gives a serviceable account of himself. Robert Armbruster's band handles orchestral portions of the entertainment suavely.

The program is heard each Wednesday at 10.30 P.M., E.S.T., on the NBC-Red network.

"Do You Want to Write?"

Definitely worthwhile and at the same time lively and interesting is the new NBC-Blue network feature "Do You Want to Write?" which made its debut as a sustainer yesterday afternoon at 3 o'clock. Novelist Margaret Widdemer is in charge.

The opening broadcast consisted of a round table discussion of story methods employed by famous authors. Participants were Ralph Thompson, book critic of the New York *Times*; Robert Nathan, author of "One More Spring"; Stephan Vincent Benet, "John Brown's Body"; Eleanor Blake, "Seed Time in Harvest," and Jacob Wilk, story editor of Warner Bros.

Nothing is as rare in radio as a publisher-sponsor. The reason for this, state the publishers, is that no program ideas capable of benefitting the publishing industry have been submitted to them. With the advent of "Do You Want to Write?" an excuse such as this no longer will hold water.

This is a day of sponsor-participation. Our advice to the publishing industry therefore, is to toss some money into a kitty and sponsor "Do You Want to Write?" collectively. If it does nothing more than earn the good-will of the army of folk who want to write, it will more than pay for itself.

BANNER

CBS January Sales Totalled $2,360,730

Time sales for the month of January, 1937, at CBS were $2,360,730, an increase of 24.2 per cent over the gross of January, 1936. Last year's gross for January was $1,901,023.

The Mutual Network's comparative figures for January, 1937, and January, 1936, revealed in these columns a week ago, are repeated for purposes of comparison. They are: January, 1937, $187,362; January, 1936, $166,266.

NBC figures for January, 1937, have not yet been compiled.

Radio Should "Plug" Films — Lightman

MEMPHIS, Feb. 10.—Where a radio program which employs film players "constantly plugs" a good picture, the publicity thus attained more than offsets any harm that might be done as a result of the appearance of film players on that program, in the opinion of M. A. Lightman, head of Malco Theatres, Inc. However, where the players appear with no reference to pictures, there is no value to the industry, Lightman declared.

The stars are sufficiently well known without radio publicity, he said, and the theatre's gain is only through the advertising of a picture or song from a film. In the last analysis, the value of radio to the screen depends on what use is made of it, Lightman declared. He urged cooperation by the screen with radio for the greatest benefit to both.

Crawford Joins WPRO

PROVIDENCE, Feb. 10. — Vernon Crawford is the newest addition to the announcing and production staff of WPRO. For the past four years Crawford has been connected with WMAS, the Columbia outlet in Springfield, Mass.

Crawford is the fourth new member of the WPRO staff since the first of the year, when the station became the basic Columbia Broadcasting System outlet in Providence.

WGBF Joins NBC Networks

EVANSVILLE, Ind., Feb. 10.—WGBF, ont of the Clarence Leich stations, has joined the NBC. Leich, a former executive of the Affiliated Broadcasting Co., also operates WBOW, Terre Haute, which recently went on the NBC network.

Sign Hoey for Games

BOSTON, Feb. 10.—Fred Hoey has been re-signed to broadcast baseball games over the Colonial network for Socony Vacuum and General Mills, following numerous letters of protest when it was announced that he would not be re-engaged.

Hoey has also been signed for the fourth consecutive year by Kentucky Club Smoking Tobacco to present resumes of scores at 6:15 P.M., E.S.T. He will be on the air six times a week instead of three, as was the case last year.

Philadelphians Traveling

PHILADELPHIA, Feb. 10.—Business and pleasure are taking local radio executives out of the city. Albert A. Cormier, WIP vice-president, has returned from Chicago. Donald Wothycomb, WFIL general manager, has left for the Windy City. Dr. Leon Levy, WCAU president, has gone to Palm Beach. Ike Levy, CBS director, recently returned from a sojourn in sunny climes.

To Air Philadelphia Show

PHILADELPHIA, Feb. 10.—Opening the Philadelphia National Homes Show on Feb. 13 will be aired by WFIL. Pickup will be made on speeches by Mrs. Franklin D. Roosevelt, Mayor LaGuardia of New York and Mayor Wilson.

Naval Officer Files Suit on Air Sketch

The Knickerbocker Broadcasting Co. is named defendant in a $50,000 damage suit filed in N. Y. Supreme Court by T. Benson Hoy, a former ensign in the U. S. Navy Reserve, and now a commercial aviator. Co-defendant with Knickerbocker is Koppers Gas & Coke Co.

They are charged with having violated the civil rights law in presenting a sketch on Aug. 18, 1935, which allegedly "depicted a certain event" in the plaintiff's life. Hoy charges that the sketch was offered for advertising purposes and that it presented him in a "foolish, unnatural and undignified manner" which tended to hold him up to public ridicule and contempt.

Before Justice Lloyd Church today the plaintiff will ask permission to examine Donald Flamm, president of Knickerbocker, as to whether permission was granted to present the sketch by the plaintiff. The defendants have filed a general denial to the charges, but have admitted that they presented a sketch showing an event in the plaintiff's life.

Ramona "Sold Down River," She States

Ramona is upset—so upset that she is suing in N. Y. Supreme Court to have her contract with Paul Whiteman and the Artists' Management Bureau voided on the ground that it lacks mutuality.

In her affidavit she says: "Whiteman has exploited me and has practically sold me down the river as if I were a slave or some inanimate cattle, subject to all his whims, desires and wishes."

She contends the contract gives the defendants privileges denied her. One of these privileges is the defendants' right to terminate the contract on 30 days' notice. She also protests that the contract, which runs four years from March 1, 1934, denies her the right to make any professional appearances not authorized by the defendants.

Gruber Joins WHO

DES MOINES, Feb. 10.—Chester J. Gruber, nationally known over the CBS network as "Poush-em-up Tony Cabooch," has joined the staff of WHO here.

WHO gave two variety programs featuring local artists for flood relief fund. Over $15,000 was contributed during the week and turned over to the Red Cross.

G. B. Offers Transcriptions

G. B. Pictures have cut 15-minute radio transcriptions from the new Jessie Matthews' musical, "Head Over Heels in Love," and are offering them gratis to stations throughout the country. The transcriptions contain sequences from the picture, and singing and dancing bits.

Start Fathers' Programs

HOUSTON, Feb. 10.—A program for fathers has been announced for KTRH in which talks on child guidance will be given by women leaders. The series will be for 15 minutes each week for 12 weeks.

Sammons to KOIL-KFAB

OMAHA, Feb. 10.—Frank Sammons has joined the staff of KOIL-KFAB here as an announcer. He formerly was with WILL of Evanston, Ill.

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

MOTION PICTURE
DAILY

Alert,
Intelligent
and
Faithful
Service to
the Industry
in All
Branches

VOL. 41. NO. 36 NEW YORK, FRIDAY, FEBRUARY 12, 1937 TEN CENTS

B&K is Fined For Drawings In 32 Spots

Appeal to Test Validity Of Chicago Ordinance

CHICAGO, Feb. 11.—Municipal Judge Sonsteby today found 14 B. & K. corporations operating 32 theatres guilty of violating a city ordinance prohibiting chance games, such as Bank Night and other prize drawings, and fined each theatre $15. The defendant theatres included such de luxe houses as the Tivoli, Granada, Uptown and Will Rogers.

B. & K. moved immediately to obtain a new trial and a hearing of the motion was set for May **3** in order to permit the Illinois Supreme Court to pass upon the constitutionality of the city ordinance in the meantime.

The guilty verdict came after Attorneys Edmund Adcock and Edward Blackman, representing the defendants, and Corporation Counsel Barnet Hodes, representing the city, had signed stipulations in which it

(*Continued on page* 2)

Bank Night Starts New Omaha Matinees

OMAHA, Feb. 11.—Nine neighborhood houses, for the first time, have started matinees to accommodate Bank Night crowds. The rest of the neighborhoods are opening an hour earlier, while the four downtown houses have added another complete show.

Two reasons are given for the matinees. First the exhibitors' desire to spread Bank Night crowds and stop criticism by police and fire officials of overcrowding at the evening drawings. Second, City Attorney Seymour Smith has ruled the registering of patrons attending matinees, thus making them eligible for the drawings in the evening, is legal.

Paramount Signs for Six More Hopalongs

HOLLYWOOD, Feb. 10.—Paramount has closed a deal with Producer Harry Sherman for six more Hopalong Cassidy pictures to be made from Clarence Mulford's stories, with Bill Boyd starred.

Sherman will produce these six in addition to three which remain to be completed under his present deal. These are: "The Hills of Old Wyoming," now on location at Kernville; "Cottonwood Gulch," and "Rustler's Valley."

Sherman will complete this series

(*Continued on page* 8)

Philco Shows Its 441-Line Television

Officials Claim 10 Miles As Signal Strength

PHILADELPHIA, Feb. 11.—Philco Radio and Television Corp. fulfilled the promise made six months ago when they announced to a private press gathering that their transmitting and receiving television equipment would be dismantled and rebuilt to operate as a 441-line system. Scanning pictures by 354 lines were the highest previously used and this afternoon, Feb. 11, before the same gathering, Philco demonstrated its improved line system at Germantown.

A program, lasting almost an hour, was transmitted from Philco's visual broadcasting station, W3XE, engineers having designed equipment responding to an unusually wide band of modulating frequencies, the maximum being about 4.5 mc. Although the demonstration was given at a distance of only three miles from the Philco plant, officials claim that their signal strength is ten miles.

More Radio—Pp. 10-12

The showing was not designed to

(*Continued on page* 10)

Atlas Disposes of Technicolor Shares

Atlas Corp. has disposed of its holdings in Technicolor, which were acquired last March in conjunction with Lehman Bros. and John Hertz, a Lehman partner and Paramount director, it was revealed by a spokesman for

(*Continued on page* 8)

Coast Flu Epidemic Hits More Players

HOLLYWOOD, Feb. 11.—The influenza epidemic, which abated last week, has returned, claiming a new batch of victims. Latest to be stricken are Lionel Barrymore, Freddie Bartholomew and Jean Harlow. Production of three M-G-M pictures has been held up because of the illness of these players. The pictures are "Skidding," "Captains Courageous" and "Personal Property."

New Debenture Issue For Para. Reported

A new issue of three per cent debentures convertible into common stock was reported in financial circles yesterday to be under consideration by Paramount in connection with its plans for replacing its $25,000,000 of outstanding six per cent sinking fund debentures, due in 1955.

The new securities would be exchanged for the present debentures on a bond for bond basis, according to the reports, and would be convertible into common at about $25 a share, with future earnings prospects regarded as being attractive enough to encourage conversion.

Paramount officials declined to com-

(*Continued on page* 8)

Globe to Columbia For "Lost Horizon"

Columbia has taken a lease on the Globe on Broadway for the duration of the run of "Lost Horizon," which will open at the house on March 3 on a two-a-day, reserved seat basis. The house will be closed for about a week before the opening, during which it will be renovated for the showing.

"Lost Horizon" will be roadshown in key cities following the New York engagement. Dates already have been set for San Francisco, Miami, Pittsburgh, Chicago, Los Angeles, Boston, Detroit and Philadelphia.

Screen, Radio and Stage Combine in Huge Benefit

Screen, radio and stage combined forces last night and early this morning to contribute $60,000 for relief of flood victims at a special benefit held at the Music Hall. The money will be turned over to the Red Cross today.

Loew's, 20th Century-Fox, RKO, Paramount, Warners, Columbia, U. A., and the March of Time purchased blocks of tickets totaling $5,500. The balance of $30,000 was contributed by the public and persons identified with the amusement industry. Wrigley's sponsored the entire show and paid $30,000 for the privilege, and so augmented the fund.

With tickets priced from $1 to $10, the entire house was sold out long before the show went on at 12:30 o'clock this morning. All union help, the Music Hall house staff and talent contributed their services gratis.

Approximately 117 NBC Blue and Red network stations were offered the show. There also were about 25 Mutual stations. About 100 CBS stations also were offered the broadcast. The event, while not the largest cover-

(*Continued on page* 12)

Kent Going to Australia for Theatre Deal

Will Leave on August 12 With Hutchinson

SYDNEY, Feb. 11.—With the proposed 20-year joint operation deal between Hoyts and Union Theatres in status quo and no action having materialized by Feb. 9, the deadline date, it was learned today that Sidney R. Kent, president of 20th Century-Fox, and Walter J. Hutchinson, foreign head for the company, will sail on the *Mariposa* from California on Aug. 12 for conferences here with Stanley S. Crick, chairman and managing director of Hoyts, and Charles Munroe, a managing director of the same circuit.

Crick and Munroe have been discussing the 20-year offer with Stuart Doyle, managing director of Union Theatres, since Hutchinson left here a few months ago. They have been unable to strike a deal with the result further talks have been suspended until Kent and Hutchinson arrive here.

In the event the two circuits cannot get together, Hoyts with 100 of

(*Continued on page* 8)

Ohio Bill Calls for Divorce of Theatres

COLUMBUS, O., Feb. 11.—A bill which calls for the separation of distribution from exhibition has been introduced into the Ohio legislature, under the sponsorship of the I.T.O. of Ohio. Other measures introduced which affect the industry include one which would make Bank Night illegal and its use a misdemeanor punishable by fine or imprisonment or both; provisions for a projectionist for very machine, with a minimum of two in a booth; requiring an asbestos or steel curtain in all houses seating more than 300; and another requiring a

(*Continued on page* 8)

Depinet Opens RKO Chicago Sales Meet

CHICAGO, Feb. 11.—Ned E. Depinet, vice-president in charge of distribution of RKO, opened the company sales meeting here today at the Drake Hotel with an outline of product now in production and that which is ready for release.

The meeting of branch managers also considered plans for concluding the current season's sales campaign. Various other heads of departments also spoke at today's session. Tomorrow will be devoted to individual conferences with branch managers.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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ROME: Viale Gorizia; Vittorio Malpassuti, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaca, Representative.
VIENNA: Neustiftgasse, 55, Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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To Set Orpheum Order

Referee Oscar W. Ehrhorn yesterday set Feb. 18 for the signing of an order directing the trustees of Orpheum Circuit to accept RKO's bid for clear title to Orpheum's assets in accordance with his decision handed down on Wednesday, which favored acceptance of the bid. RKO's offer is $700,000 cash and subordination or withdrawal of claims against Orpheum aggregating about $3,450,000. The assets were appraised recently at $2,772,000.

Selznick Still in Tent

HOLLYWOOD, Feb. 11.—Myron Selznick, confined to Santa Monica Hospital with a severe case of pneumonia, was reported today as being slightly better but still in an oxygen tent. Anti-pneumonia serum was flown from New York and administered last night by Dr. Adolph Kosky.

Columbia Club to Dance

Columbia Club will hold its annual dinner and dance at the Waldorf tomorrow night.

Joseph Kovacs Passes

BRIDGEPORT, Feb. 11.—Joseph Kovacs, 61, for many years owner of the Bostwick, is dead.

Treachery by Authors Worse Than Benedict Arnold's Act

By PLAYBOY

Jo Eisinger and Stephen Van Gluck last night set out to explain away the treachery of Benedict Arnold.

They would have you believe that he knew, step by step, of the machinations of his wife, Peggy Shippen; of her Tory spots and those of her father and of Major Andre. They ask you further to accept that it was through the very sister who sought to protect his name and honor that Arnold's pre-conceived connivings with the British failed and stamped him as traitor in the eyes of Revolutionary America and all history books thereafter when, as a matter of fact, it was not anything of the kind.

Effect Is Flat

This is what Messrs., the Authors set out to do. What, actually, they accomplished was a singularly undramatic piece, interlarded neither with overtones nor undertones or any other kind of tones. Pretty much all in one key, "A Point of Honor," temporary occupant of the Fulton, is uninterestingly written and acted in the identic mood by Wilfrid Lawson, a good actor when given a chance to act, as Arnold; Florence Reed, with virtually little to do except appear forbidding as the sister; Lillian Emerson as the wife and Alexander F. Frank as the Tory Shippen whose bombast and acting style reminded of the daguerreotype age.

All through the night, John Andre did a sort of Winchell by poking around inside the American lines where he didn't belong. He even used the name of John Anderson to get himself by. Even that won't help with the *Evening Journal's* critic.

Irving Hoffman was lurking around the rear of the orchestra, convenient to the exits. Up came Anderson—the *Journal's* Anderson, mind you. "Is it over?," asked Hoffman.

"Thoroughly," replied Anderson.

Coast Painters Ask $2 Daily Wage Raise

HOLLYWOOD, Feb. 11.—A demand that a $2 daily wage scale boost be included in the studio basic agreement has been filed with Pat Casey by Painters' Local No. 644.

Casey says nothing can be done here and that action will have to await the revision of the agreement in New York in March.

Casey says a local report that the painters have threatened to strike is "pure rot."

Friends Visit Balsdon

LOS ANGELES, Feb. 11. — George Balsdon, confined to St. Joseph's Hospital, Stockton, as a result of an automobile crash in which he was seriously injured, was visited today by Spyros Skouras, Dick Dickson, Al Hansen and Thornton Sargent.

Holton Scouting

Joseph Holton, assistant to Joe Pincus, who is head of 20th Century-Fox's eastern talent department, is off to Chicago on a talent survey. Holton will take in other midwestern cities before his return to New York.

Hifalutin'

Boston, Feb. 11.—Frank Lydon, vice-president of Allied in New England and suburban Boston operator, had some fun in compiling his most recent film guide.

"Frequent our February Festival of Fine Features," Lydon urges. "Our First and Final effort is to Furnish a Feast of Fascinating Film Favorites in Famous stories Fabricated with Fidelity and Finesse by Filmdom's Foremost Factors in the production Field. Having Fashioned our Faculties to this Fundamental Function, we Further the Flow of Fine Feature Films Fitting to our Firmly Founded and Friendly Following with our February Festival."

Reade's Asbury Park Leases Win Approval

ATLANTIC CITY, Feb. 11.—The terms on which Walter Reade leases the three municipally-owned amusement piers at Asbury Park were upheld here today by Supreme Court Justice Joseph B. Perskie.

Reade has a 20-year lease on the Paramount at $55,000 a year, with 14 years to go. Asbury Park recently reduced the rental to $40,000. It also gave Reade a new five-year contract on both the Convention Hall and Casino, the rental being 20 per cent of the gross receipts.

James D. Carpenter of Jersey City, attorney for the Hudson County National Bank, as administrator of an estate, attacked the two deals. Ward Kramer, counsel for Asbury Park, argued that operation of the Convention Hall and Casino last year cost the city a $15,800 deficit.

Takes Two Jobs

HOLLYWOOD, Feb. 11.—Max Gordon has filled in his current Hollywood stay nicely. Beginning Monday, he joins Samuel J. Briskin at RKO as an adviser, but only until April 1. Two weeks after that he joins Mervyn LeRoy to advise further, this time on a musical which that director plans. On June 15 Gordon returns to New York. All of this, he states, will in no wise interfere with his own plans for the Max Gordon Plays and Pictures Co., in which Harry M. Goetz is his partner.

Columbia Sets Dividend

The Columbia board of directors has declared a quarterly dividend of 25 cents per share on the common stock, payable April 1 to stockholders and voting trust certificate holders of record on March 18.

Half Day Today

Home office employes of the various film companies will call it a day at 1 P. M. today, in most cases, and enjoy a two and a half day holiday until Monday morning.

B&K is Fined For Drawings In 32 Spots

(*Continued from page 1*)

was agreed that if witnesses were called they would testify to facts indicating that the defendant theatres conducted and maintained a distribution of money by chance.

The theatres' attorneys are pinning their hopes for a final outcome of the cases on an injunction against the city through which they will seek to restrain the police from interfering with prize night drawings, it was learned.

Arguments on this matter will come up before the State Supreme Court at Springfield on Wednesday. The rest of the Bank Night suits here will be heard next Thursday.

It is understood here that the city authorities are not deeply interested in the outcome of the other actions, in view of the fact that the group of B. & K. houses were convicted.

Bank Night is out of Chicago definitely, it was indicated reliably in some quarters. The pending suits, it is said, probably will have little bearing locally, but are expected to be of importance outside of the city and in other parts of the state.

Kuykendall, Myers Speak in Richmond

RICHMOND, Va., Feb. 11.—A large and enthusiastic assemblage which greeted the opening of the M.P.T.O. of Virginia here today heard addresses delivered by Lieutenant Governor Price, Ed Kuykendall, president of M.P.T.O.A., and Abram F. Myers. Morton G. Thalheimer, head of the local unit, sounded a call for the building of more modern theatres and the remodeling of old ones.

Officers elected for the coming year are: William S. Wilder, president; Charles A. Somma, vice-president; Sam Bendheim, treasurer, and Harold Woods, secretary.

Birmingham Houses Close to 1929 Peak

BIRMINGHAM, Feb. 11.—Birmingham theatre attendance, both downtown and suburban, is soaring to near the 1928-29 levels, but exhibitors say they have no intention of raising prices.

Downtown patronage held up surprisingly well even during the depression low in 1933, mainly because establishment of NRA hours gave workers more leisure time.

In the suburbs, however, of 10 suburban houses whose doors are now open, only four operated during the depression's worst months. In the past year, film houses in outlying districts have made rapid gains. Patronage is running 59 to 75 per cent better.

Seattle Seeking Names

SEATTLE, Feb. 11.—With two local first runs competing there is a mad scramble for vaudeville names by Hamrick-Evergreen's Orpheum and John Danz's Palomar.

Eddie Peabody was the king-pin attraction recently at the Orpheum. Next week, the Palomar will counter with Duke Ellington and his band.

"Lloyds" Gets $7,000; Tops Kansas City

Kansas City, Feb. 11.—"Lloyds of London" was a $7,000 draw at the Fox Uptown, $3,000 better than average, and the house held it for a second seven days.

Other first runs felt the effects of the continued cold and the influenza epidemic. "One in a Million" proved a real winter picture its second week, and brought the Newman $7,400, $400 better than normal. "Champagne Waltz" missed $8,000 average at the Mainstreet by $300. The Tower took $6,500, $500 under, with "Join the Marines," and "You Only Live Once" and "Under Cover of Night" plodded to a poor $7,900, $3,600 shy of normal.

Total first run business was $37,500. Average is $37,500.

Estimated takings:

Week Ending Feb. 4:

"CHAMPAGNE WALTZ" (Para.)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $7,700. (Average, $8,000)

"YOU ONLY LIVE ONCE" (U.A.)
"UNDER COVER OF NIGHT" (M-G-M)
MIDLAND — (4,000), 25c-40c, 7 days. **Gross:** $7,900. (Average, $11,500)

"ONE IN A MILLION" (20th-Fox)
NEWMAN—(1,900), 25c-40c, 7 days, 2nd week. **Gross:** $7,400. (Average, $7,000)

"JOIN THE MARINES" (Republic)
TOWER—(2,200), 25c-35c, 7 days. Stage: Croel & Allan; Paul Duke; Allen & Kent Foursome. **Gross:** $6,500. (Average, $7,000)

"LLOYD'S OF LONDON" (20th-Fox)
UPTOWN — (2,000), 25c-40c, 7 days. **Gross:** $7,000. (Average, $4,000)

"Champagne" Takes Indianapolis Lead

Indianapolis, Feb. 11.—"Champagne Waltz" was a smash hit at the Circle, where $8,000 was taken, $4,000 to the good. "A Doctor's Diary" was dualled with it.

The lyric cashed in on "Woman Wise" to the tune of $9,800, which was $2,800 into the black. "Your Hit Parade," an elaborate vaudeville bill, was on the boards. "God's Country and the Woman" did tidy business at the Apollo, grossing $5,000. Average is $4,000.

Competition was nil. The weather was cold, but not disagreeable.

Total first run business was $28,900. Average is $21,000.

Estimated takings for the week ending Feb. 5:

"GOD'S COUNTRY AND THE WOMAN" (W.B.)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

"CHAMPAGNE WALTZ" (Para.)
"A DOCTOR'S DIARY" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $8.000. (Average, $4,000)

"MORE THAN A SECRETARY" (Col.)
"COUNTERFEIT LADY" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $6,100. (Average, $6.000)

"WOMAN WISE" (20th-Fox)
LYRIC—(2,000), 25c-40c, 7 days. Stage: "Your Hit Parade." **Gross:** $9,800. (Average, $7,000)

Murray to Kansas City

Kansas City, Feb. 11.—C. C. Murray, 10 years with Fox Midwest at Topeka and Wichita, has been shifted to Kansas City as manager of the Tower. Joe Redmond will go from the Tower to another Fox house.

Purely Personal

Newell Kerson of the Graphic Theatre circuit, Bangor, Me., was married here yesterday. He will sail with his bride tomorrow on the *Conte di Savoia* for a six-week honeymoon abroad.

•

Charles Stern, U. A. district manager, got back yesterday from a three-day trip to Philadelphia. Next week he will visit Buffalo, Washington and Boston exchanges.

•

Sonja Henie has returned to town from Pittsburgh, and will appear at Madison Square Garden on Monday. She is scheduled to return to the coast within two weeks.

•

Joseph Holton, assistant to Joseph Pincus, 20th Century-Fox eastern talent head, left yesterday for Chicago and western cities on a talent search.

•

Jean Hersholt will arrive tomorrow from the coast. He will be here two weeks, at the Warwick, with two radio appearances scheduled.

•

Joe Lee, Jack Sichelman of 20th Century-Fox, and Lew Preston, booker for the Lou Nelson circuit, will leave today for Miami.

•

Ed Kuykendall, M.P.T.O.A. president, returns to Washington from Charlotte today, and is expected here late next week.

•

Milt Kusell returned yesterday from Columbus and next week will make a tour of southern Paramount exchanges.

•

J. Cheever Cowdin, Universal board chairman, is due back from an extended European business trip on Feb. 22.

•

Abe Montague was down with a cold yesterday. He is scheduled to report at the Columbia home office today.

•

Clarence Budington Kelland, the author, arrived yesterday on the coast. He crossed the country in a trailer.

•

Dennis O'Brien, who is vacationing at Fort Lauderdale, Fla., will return to New York late next week.

•

E. W. Hammons, Educational president, leaves for the coast today to be gone until about March 1.

•

Halsey Raines of M-G-M's publicity department plans to leave for Miami next week. Vacation.

•

Mort Spring will leave the coast today for New York after a two-week vacation in Hollywood.

•

Ruth Weisberg, secretary to S. Charles Einfeld, left yesterday for a rest at St. Augustine, Fla.

•

Charles Rosenzweig will sail tomorrow on the *Empress of Australia* for a West Indies cruise.

•

James A. FitzPatrick is due to return from South America in April.

•

Dorothy Peterson is back on the coast after a vacation here.

•

Marlene Dietrich is due to arrive in Hollywood today.

Archie Berish, former New Jersey booker for the local Warner exchange, has been promoted to salesman for that territory with Ed Doherty, who had been handling non-theatrical bookings taking over Berish's recent duties.

•

Stephen Pallos arrived by plane from Miami yesterday morning, ahead of schedule. He conferred with George J. Schaefer while in Miami. No date has been set for his sailing for London next week.

•

Lillian Fischer, fashion designer for "Walter Wanger's Vogues of 1938," is due from Paris on the *Berengaria* on March 2. She will remain in New York a few days before going to Hollywood.

•

Herb Aaron, publicity man for the Skouras Victoria, Ossining, was in town yesterday working on campaign material for the opening of "Romeo and Juliet" at the Cameo, that city, next week.

•

Martin Mullins and Sam Pinanski have returned to Boston after conference here on Wednesday with Y. Frank Freeman and Barney Balaban.

•

Helen Jepson, recently signed by Samuel Goldwyn to appear in "Goldwyn Follies," will sing at Postmaster General Farley's dinner in Washington on Monday.

•

F. L. Harley, managing director for Twentieth Century-Fox in England, will take a Florida vacation before heading home.

•

Claude Ezell, who is recuperating in Miami from a recent illness, will arrive Monday on a short business trip.

•

Sam E. Morris plans to sail next month on his semi-annual trip abroad. Harry M. Warner may accompany him.

•

Truman Talley, producer of Movietone News, plans to make another trip abroad in about five weeks.

•

Fan Melman, secretary to Joe McConville at Columbia leaves today for a 10-day vacation at Miami.

•

Russell Muth of 20th Century-Fox will sail for London the end of the month.

•

Moe Streimer on March 25 will celebrate his 33rd wedding anniversary.

•

Harry C. Arthur is due from St. Louis on Washington's birthday.

•

Tom Gerety of M-G-M will leave today for a southern vacation.

•

M. H. Aylesworth is back in New York from the coast.

•

. . . Cincinnati

Ike Libson is on a visit to various California points.

E. C. Grainger, New York, a visitor, as is also Jack Jossey of Cleveland.

Nat Turberg, Paramount manager, Hamilton, O., back from a trip to Chicago.

"Champagne" $21,000 Hit At St. Louis

St. Louis, Feb. 11.—"Champagne Waltz" on the screen and an all-girl band on the stage drew $21,000 at the Ambassador, the best week that house has enjoyed in more than two years. The take was $7,000 above average.

"Lloyds of London" and "Man of Affairs" at the Fox finished with $17,250, above average by $4,250.

"Winterset" and "As You Like It" at the Missouri did splendidly with a take of $12,500, or $1,500 above par.

With Johnny Perkins as the new master of ceremonies and "Rainbow on the River" the St. Louis took in $9,400, compared with an average of $7,000.

The principal opposition was a concert by Nelson Eddy at the Municipal Opera House the night of Feb. 4 which attracted some 5,000 cash customers. There was also a stage show at the American.

Total first run business was $70,000. Average is $59,000.

Estimated takings for the week ending Feb. 4:

"CHAMPAGNE WALTZ" (Para.)
AMBASSADOR—(3,018), 25c-40c-55c, 7 days. Stage: Girl band. **Gross:** $21,000. (Average, $14,000)

"LLOYDS OF LONDON" (20th-Fox)
"MAN OF AFFAIRS" (G. B.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $17,250. (Average, $13.000)

"MAN OF THE PEOPLE" (M-G-M)
"DANGEROUS NUMBER" (M-G-M)
LOEW'S—(3,162), 25c-35c-55c, 7 days. **Gross:** $9,850. (Average, $14.000)

"WINTERSET" (Radio)
"AS YOU LIKE IT" (20th-Fox)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $12.500. (Average, $11.000)

"RAINBOW ON THE RIVER" (Radio)
ST. LOUIS—(4.000), 25c-40c, 7 days. Stage: Johnny Perkins and specialty acts. **Gross:** $9,400. (Average, $7,000)

"Wings" Sets Fast Pace in Montreal

Montreal, Feb. 11.—"Wings of the Morning" hit the high spot for first runs by getting $7,500 at his Majesty's, where $5,000 is average. It was held over.

"Three Smart Girls," first feature at the Capitol, scored $11,000 or $1,500 above par, while "Beloved Enemy" at the Princess accounted for $7,500, which was $500 above the line.

Snow and colder weather helped outdoor sports while hockey continued the indoor sport competition.

Total first run business was $47,000. Average is $43,000.

Estimated takings for the week ending Feb. 6:

"THREE SMART GIRLS" (Univ.)
"FLYING HOSTESS" (Univ.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $11.000. (Average, $9.500)

"WINGS OF THE MORNING" (20th-Fox)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days. **Gross:** $7,500. (Average, $5,000.) Held over.

"LET'S MAKE A MILLION" (Para.)
LOEW'S—(3.115), 25c-35c-40c-50c-60c, 7 days. Stage: Bon-John Revue. **Gross:** $11,000. (Average, $10.500)

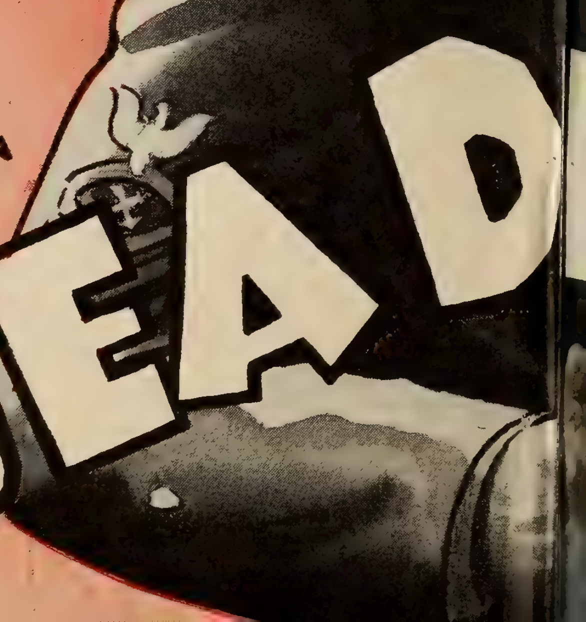
"CHAMPAGNE WALTZ" (Para.)
"STRAIGHT FROM THE SHOULDER" (Para.)
PALACE—(2.600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $10.000. (Average, $11.000)

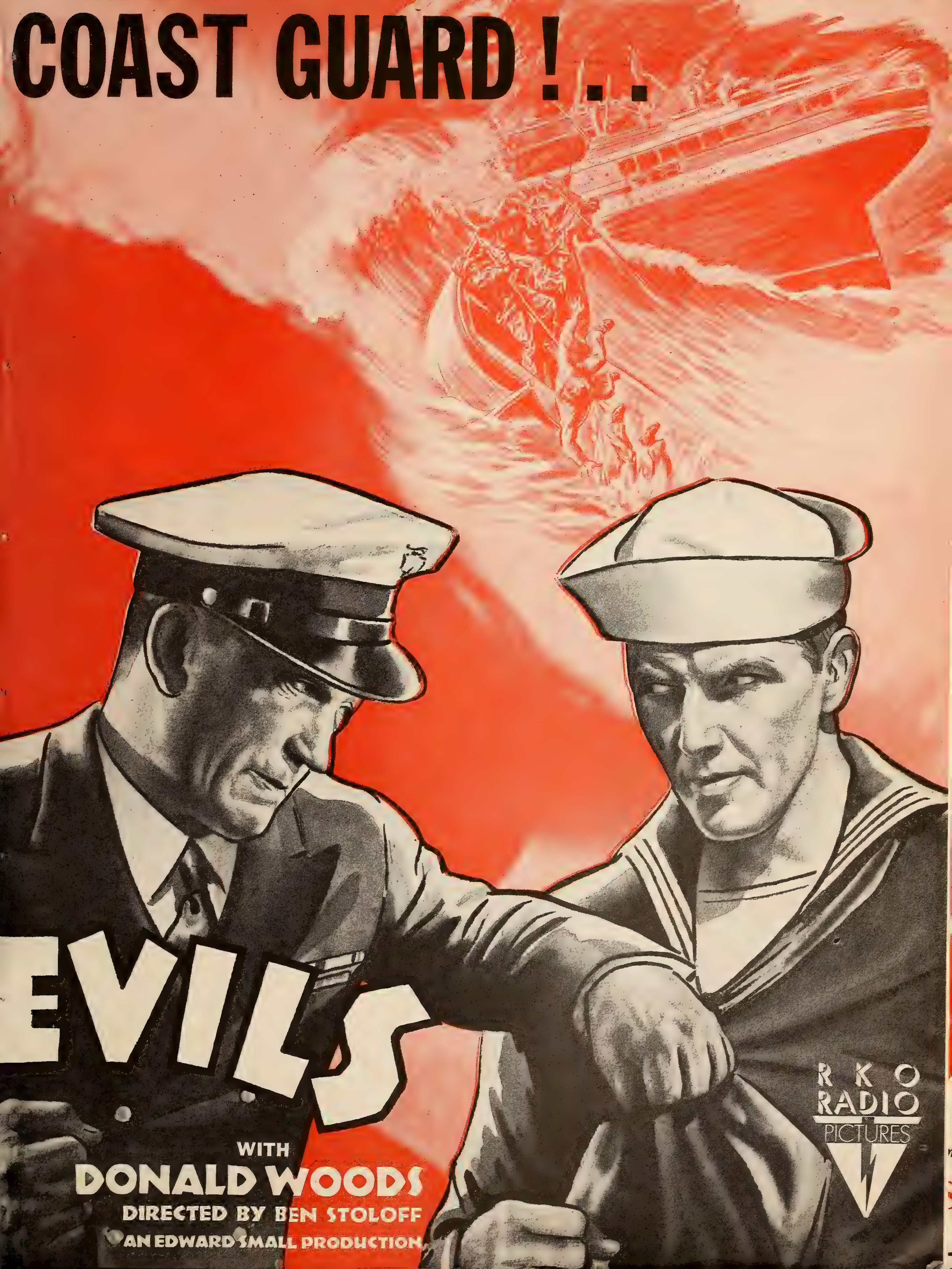
"BELOVED ENEMY" (U. A.)
"CAN THIS BE DIXIE?" (20th-Fox)
PRINCESS—(2.272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $7,500. (Average, $7,000)

GIRL TROUBLE HITS THE

Dames Ahoy! . . . Here comes the Coast Patrol! . . . Heroes afloat and suckers ashore—they're headed your way with fists full of fight and hearts full of fun . . . in a roaring, rollicking romance packed with thrills of the storm-swept sea and aflame with the spirit of men who thrive on danger!

VICTOR
McLAGLEN
PRESTON
FOSTER
IDA
LUPINO
IN




COAST GUARD !..
EVILS
WITH
DONALD WOODS
DIRECTED BY BEN STOLOFF
AN EDWARD SMALL PRODUCTION
RKO RADIO PICTURES

"It's in the air!"
TOP

RELEASED NATIONALLY APRIL 16TH!

It's a date with **THE NEW UNIVERSAL!**

Kent Going to Australia for Theatre Deal

(*Continued from page* 1)

the 125 theatres comprising Greater Union Theatres, will branch out on its own.

Will Attend Paris Meet

S. R. Kent and Walter J. Hutchinson, accompanied by Leslie Whalen of the home office, will attend the four-day 20th Century-Fox sales convention for all European representatives in Paris April 28-May 1. Although the meetings heretofore have been held in London, it was found impossible this year due to the Coronation.

S. S. Crick, Australian head, will attend the annual sales meeting of the American forces in Los Angeles the latter part of May. At this time he will hold preliminary discussions with both Kent and Hutchinson on the Greater Union situation.

Dell Goodman, former Chicago branch manager and now in charge of the company's Far East office with headquarters at Shanghai; R. Sutton Dawes, sales manager of the London branch, and several managers on the Continent will attend the California product sessions.

Kent Going to Florida

S. R. Kent, president of 20th Century-Fox, will leave today for a three-week vacation in Florida.

Ohio Bill Calls for Divorce of Theatres

(*Continued from page* 1)

master switch control board with a man in constant attendance during performances.

Previously introduced were bills providing for a seven per cent tax on all admissions over 25 cents in addition to the present three per cent gross admission tax, and two censorship bills, one to increase the present $3 per reel fee to $5 and the other providing a two-cent fee on every foot of film shown in the state. The I.T.O. is fighting the two censorship measures.

Kill Two Bills in Mass.

BOSTON, Feb. 11.—Two bills affecting the industry, filed jointly by Harrison Atwood and George Leary, were killed in the Public Health Committee. One involved the providing of toilets in theatres on a seating capacity basis, and the other provided for complicated heating, ventilating and lighting regulations for theatres.

Another measure prohibiting reels more than 1,000 feet in length, is still unreported.

SRO Bill Up in Missouri

KANSAS CITY, Feb. 11.—An old legislative favorite, a bill making it a penalty for theatres to sell SRO space, has made its appearance in the Missouri House, where Representatives William R. Smart and Frank Robison of Kansas City introduced it February 10.

The two representatives also seek to prohibit billboards within 100 feet of the right of way of highways.

Out Hollywood Way

HOLLYWOOD, Feb. 11.—Among today's arrivals here was HOWARD DIETZ, who planed from Miami for M-G-M conferences on 1937-38 campaigns.

JOEL MCCREA to the desert for 10 days before starting his next SAMUEL GOLDWYN.

FRED METZLER, studio treasurer for 20th Century-Fox, back from New York conferences with S. R. KENT . . . MARLENE DIETRICH due here Saturday . . . DUDLEY EARLY added to the Universal publicity staff . . . FAITH BALDWIN in Palm Springs . . . EDWARD GROSS in San Francisco on a talent hunt for "Tarzan."

FRANCIS LEDERER booked for personal appearances in Toronto on the 19th and Montreal on the 26th . . . JAMES CAGNEY conferring with EDWARD ALPERSON on "Hot Oil" . . . BOBBY CONNOLLY doing a number for "Talent Scout" at Warners . . . MERVYN LEROY to co-star FERNAND GRAVET and ETHEL MERMAN in an elaborate musical.

◆

Casting—FRANK MELTON in "Satisfaction Guaranteed," Radio . . . GEORGE GIVOT and JOAN DAVIS in "Wake Up and Live," HELEN WESTLEY in "Cafe Metropole," 20th Century-Fox . . . ERIC LINDEN and TED HEALY in "The Old Soak," M-G-M . . . Paramount castings include JAMES BURKE in "High, Wide and Handsome," OLAF HYTTEN in "Souls at Sea," and FAY HOLDEN in "Internes Can't Take Money" . . . At Republic, EDWARD BROPHY in "Hit Parade," and WILLIAM BENEDICT in "Jim Hanvy, Detective."

JANE DARWELL in "Slave Ship," 20th Century-Fox . . . MONTE BLUE in "Outcasts of Poker Flat," Radio . . . HENRY SYLVESTER, HARRY SEMOLES and BUCK RUSSELL in "Skidding," M-G-M.

◆

Writers—JAMES KNOX MILLEN signed by ROBERT E. WELSH to do screenplay of his own story, "The Case of the Four-Handed Man," General . . . JEFF MOFFITT and ALBERT TREYNOR doing the script of "There's Always a Woman," Columbia. . . Four writers assigned by Radio—CHARLES CONDON on screenplay of "Flight for Glory, GERTRUDE PURCELL to adapt "Tom and Jerry," CHARLES KAUFMAN and PAUL YAWITZ collaborating on "Certified" . . . FELIX JOACHINSON of Budapest signed by Universal . . . ROBERT ELLIS, HELEN LOGAN, JACK LAIT, JR., and KARL TUNBERG signed to new contracts by 20th Century-Fox.

◆

Story Buys—"House in the Country," New York stage play, by Radio . . . "China Bandit," CRANE WILBUR, by Warners.

◆

Title Changes—B. P. SCHULBERG changes "You and Me" to "That's What Girls Are Made Of" . . . Paramount retitled "Danger, Men Working" to "The Crime Nobody Saw."

◆

New Contracts—SAMMY WHITE, dance director, signed by Republic to do song and dance number for "The Hit Parade" . . . CORA WITHERSPOON given new pact by M-G-M.

Atlas Disposes of Technicolor Shares

(*Continued from page* 1)

Atlas when questioned yesterday concerning a Wall St. report to that effect.

It could not be ascertained whether Lehman Bros. and Hertz had disposed of their Technicolor stock also. Lehman Corp. held 2,000 shares on Jan. 9, the date of the company's last report. The trio was understood to have acquired a total of about 35,000 shares originally.

The Atlas spokesman declined to comment on the reasons for the disposal of the stock or on downtown reports that the investment company had acquired an interest in a new lower cost color process. Atlas has substantial investments in Paramount and RKO.

Boston Club Sets Board

BOSTON, Feb. 11.—Herman Konnis, president of the newly formed M. P. Salesmen's Club, has named James Kennedy, Harry Worden, John Davis, Harry Goldman, and Thomas Donaldson to the executive board of the organization. A charity dance is planned for April 2.

Omaha Men Are Robbed

OMAHA, Feb. 11.—Howard Shortley, manager of the Military, and Alfred Hayes, Town usher, were robbed early today by two bandits of $1,500, the Bank Night receipts at the Town.

New Debenture Issue For Para. Reported

(*Continued from page* 1)

ment on the report other than to repeat earlier statements that several ideas for recapitalization have been advanced and that no definite decision has been reached yet. The company's move to recapitalize its funded debt at lower interest rates was begun several months ago and in the case of English and studio subsidiaries, has already been completed.

Paramount Signs for Six More Hopalongs

(*Continued from page* 1)

of nine pictures on a one-a-month schedule, he announces, instead of one every two months as in the past.

Six new stories set up are: "Man from Bar 20," "Black Buttes," "Deputy Sheriff," "The Tumbling T," "Me and Shorty" and "Buck Peters, Ranchman."

U. A. Westerners Lead

United Artists' western division has taken the lead in the George J. Schaefer sales drive after a checkup of the first two weeks, it was stated yesterday by the company. The Chicago office is first for the midwest, Denver is out front in the western group, Cleveland for the central division, Dallas for the south and Washington for the east according to latest tabulations.

Harris-Union Case Decision Reserved

Justice Samuel I. Rosenman reserved decision in N. Y. Supreme Court yesterday in the action on the part of the Harris circuit, operating seven New York houses, for a permanent injunction to restrain the operation of the agreement by which Local 306 absorbed the Allied Union, and made a new 10-year agreement with the I.T.O.A. A decision will be handed down on Monday but is not expected to halt the effectiveness of the agreements, which are to go into effect Monday, it was indicated yesterday. The agreements were concluded Wednesday after weeks of negotiation.

The plaintiffs argued that the agreements abrogate their existing agreement with the Allied Union, and will result in material increase in their operating costs. The court recently vacated a temporary injunction sought by the Harris circuit. The principal witnesses yesterday were Harry Harris, head of the circuit, and John Manheimer, executive secretary of the I.T.O.A.

Goldwyn Files a Denial

Samuel Goldwyn yesterday filed his answer to questions asked him in Los Angeles in connection with the suit brought against him, Samuel Goldwyn, Inc., Eddie Cantor and United Artists by Mort Eisman, Clara Dellar and Robert Louis Shayon. The plaintiffs claim that Eisman wrote and had copyrighted a play in 1929 which was called "Oh Shah" and that "Roman Scandals" is a deliberate piracy and infringement. An injunction and damages were asked. Goldwyn in his answer denied ever having seen the play "Oh Shah."

Loew Borrows Flournoy

HOLLYWOOD, Feb. 11. — David L. Loew has borrowed Richard Flournoy from Hal Roach studios to work on the script of "Flirting With Fate," second Joe E. Brown starring picture for RKO-Radio release.

Wall Street

Losses Still Dominate Board

	High	Low	Close	Net Change
Columbia	38¾	38¼	38¼	— ⅜
Consolidated	5⅛	5	5	.....
Consolidated, pfd.	17	16⅞	17	.....
Eastman Kodak	174¾	173	174¾	+ ¾
Gen. T. Equip.	31¾	31⅜	31¾	— ¼
Loew's, Inc.	78	76⅝	76¾	— ¾
Loew's, pfd.	106⅞	106⅞	106⅞	— ½
Paramount	27	25½	25⅝	— ¼
Paramount 1 pfd.	189	180⅛	183	—1
Paramount 2 pfd.	24¾	23	23⅞	.....
Pathe Film	9⅜	9⅛	9⅛	— ⅛
RKO	8¾	8½	8½	— ⅛
20th Century-Fox	36¼	35¾	36⅛	+ ⅜
20th Century, pfd.	45¼	45¼	45¼	— ¼
Universal, pfd.	105	104¾	105	.....
Warner Bros.	16⅞	16⅛	16¼	— ⅛

Little Curb Activity

	High	Low	Close	Net Change
Grand National	3⅝	3⅜	3⅝	— ⅛
Sonotone	2⅛	2⅛	2⅛	.....
Technicolor	21	20⅝	21	.....
Trans-Lux	4⅜	4⅜	4⅜	.....

Bonds Off; Some Sharply

	High	Low	Close	Net Change
Keith B. F. 6s '46	98	98	98	.....
Loew 3½s '46	100¾	100¼	100¼	— ½
Paramount B'way 3s '55	75	75	75	.....
Paramount Pict. 6s '55	105	103¼	103¼	—2½
RKO 6s '41 pp.	121	121	121	—3
Warner Bros. 6s '39 wd.	99	98⅞	98⅞	— ⅛

(Quotations at close of Feb. 11)

Short Subjects

"Community Sing No. 1"

(*Columbia*)

The entertainment idea of radio broadcasts—old stuff to film audiences—should click with the same degree of receptiveness as organ-song recitals and "bouncing ball" sessions. This initial number includes Billy Jones and Ernie Hare, Little Jolly and Wendell Hall, of course. Production Code Seal No. 01,414. Running time, 10 mins. "G."

"In Old Wyoming"

(*Paramount*)

Robert C. Bruce demonstrates again his ability to do unusual and beautiful things in color photography in this pictorial subject on the hilly range country of Wyoming. Silhouette effects, mountain scenery, made alive by the introduction of cowboys, in the saddle and at the campfire, and herds of steers and horses, combine against a background of the title song, to offer an effective subject, marred only by the tedium of excessive repetition of the song.

Production Code Seal No. 2,846. Running time, 9 mins. "G."

"Dexterity"

(*M-G-M*)

The highly developed skill and technique of such diversions as horseshoe pitching over a live target barrier, axe slinging and dog acrobatics are presented here by Pete Smith. The fine slow motion camera work and Smith comment add to the excitement. It is thrilling stuff and should make audiences gasp. Production Code Seal No. 2,794. Running time, 9 mins. "G."

"Skeleton Frolic"

(*Mintz-Columbia*)

A strikingly entertaining color-cartoon of the macabre doings of a troupe of graveyard inhabitants. The various bony acts, projected with diverting comic relief and executed with fertile imagination and invention, should be found highly amusing. Production Code Seal No. 2,841. Running time, 7 mins. "G."

"The Paneless Window Washer"

(*Fleischer-Paramount*)

The inimitable and unquenchable Popeye herein demonstrates how windows really should be washed, and in the doing is forced once again to vanquish, with the aid of his spinach, his bulky rival, and to rescue Olive Oyl. The result is really amusing comedy in the Popeye cartoon manner.

Production Code Seal No. 01,226. Running time, 7 mins. "G."

"Where Champions Meet"

(*Paramount*)

A photographic study of Madison Square Garden and the remarkable transformations it undergoes with the aid of science and a crew of workmen as different events succeed each other, this should prove generally interesting. From the circus to ice hockey, the Garden management supplies the appropriate flooring and physical equipment.

Production Code Seal No. 01,386. Running time, 9 mins. "G."

Overseas Previews

"Un Grand Amour de Beethoven"

(Beethoven's Greatest Love")

(*General Prod.*)

Paris, Feb. 3.—This film, which is to a great extent beautiful and moving, has as its theme certain chapters taken from the tragic life of Ludwig von Beethoven.

The story deals with the love of the famous musician for one of his pupils, Guiletta. Although secretly loved by Theresa de Brunswick, Beethoven thinks only of Guiletta, to whom he dedicates his immortal "Moonlight Sonata." Guiletta, however, falls in love with and marries Count Gallegen, who is a musician of little worth, and who soon makes her unhappy. In the meantime, Beethoven becomes deaf and fights in vain against this infirmity, which leaves him only occasional normal periods.

While completely deaf, he composes his unforgettable "Symphoni Pastorale." The love and tenderness which Theresa de Brunswick is no longer afraid to show now that Beethoven has need of her, touches him, and he becomes engaged to her. The reappearance of Guiletta, on the day on which the engagement is announced, renders their marriage impossible. Years pass. Theresa's devotion to Beethoven does not diminish. At last Beethoven, who is poor and ill, dies during the raging of a violent storm and while the Court, at last, acclaims him a great musician.

The film, directed by the famous French director, Abel Gance, is one of the most beautiful musical films seen here for a long time. As in all Gance's films, there are parts which are too long and often of a very little interest, while others are excellent. This film shows force in direction, and the music and photography are excellent. Originality, especially when Beethoven, who has become deaf, calls upon sounds he cannot hear, is another strong point.

The French player, Harry Baur, offers a very interesting figure of the composer. Other players are generally good, including Annie Duvaux, Jany Holt and Jean-Louis Barrault.

Running time, 100 minutes. "G."

"Nitchevo"

(*Mega Film Prod.*)

Paris, Feb. 3.—This picture, the silent version of which was also directed by Jacques de Baroncelli, is a moving drama of the high seas, which aims to depict life in a submarine of the French Navy.

The title comes from the name of a yacht, the *Nitchevo*, which is smuggling arms on the Tunisian coast. The yacht is chased by a submarine commanded by the husband of a woman who formerly had had dealings with the smugglers. This leads to a tragedy in which the lieutenant of the submarine, who in the past had helped the commander's wife to escape the clutches of the owner of the yacht, is involved. The *Nitchevo* is sunk, but the submarine is hit and sinks also. The crew is saved. The commander and his lieutenant remain on board the doomed submarine. There follows a moving scene between the two men, as the commander thinks that his lieutenant is his wife's lover. Finally the truth comes to light. The two men are saved through the help of a deep-sea diver. The direction is good, but the story is somewhat weak in parts. Some scenes are too long and over-emotional. The photography of the French fleet in the Mediterranean is excellent.

Harry Baur adds to his many successes in the role of the commander of the submarine, *Neptune*. Marcelle Chantal takes the part of his wife. The cast also includes Georges Rigau as the lieutenant, Lisette Lanvin as his fiancee, and Jean Max, Ivan Mosjoukine, Paul Azais, Abel Tarride and Jean Tissier.

Running time, 95 minutes. "G."

Autre

"The Green Light," this morning's opener at the Strand, was previewed by wire from coast on Jan. 4.

"Head Over Heels in Love," which was previewed at the Roxy last night, was reviewed on Feb. 5.

"On the Avenue," at the Music Hall, "Champagne Waltz" at the Paramount, "Great Guy" at the Criterion, "Camille" at the Capitol and "You Only Live Once" at the Rivoli are holdovers.

Warners Plan Building

St. Louis, Feb. 11.—Bids will be taken at an early date on the construction of a new film exchange building for Warners to be erected at 3,302 Olive St. Plans for the structure are being prepared by Preston J. Bradshaw, Inc.

Asks St. Louis Censors

St. Louis, Feb. 11.—Alderman L. E. Couplin has thrown into the aldermanic hopper his proposed city ordinance for the establishment of a board of censors.

Couplin estimates the bill will raise $100,000 yearly for the city.

Variety Club

Cincinnati

Cincinnati, Feb. 11.—Through the efforts of Arthur M. Prudenfeld, main guy of the sideshow committee, Mitchell and Durant, appearing currently at the RKO Shubert, regaled the barkers at the first post-flood affair of the local tent.

H. J. ("Pop") Wessel, recently reelected chief barker, has named the following committees for 1937: Privilege Men—Allan S. Moritz, main guy; Elmer Shard, Manny Shure, William Onie, Charles McDonald; side show—Arthur M. Prudenfeld, main guy; Joe Kolling, Maurice White, Bob Kennett; golf—James J. Grady, main guy; Joe Oulihan, William Koegel; heart—Joe Goetz, main guy; J. N. Gelman, Harry Sheeran and Shard; bookers—William Hastings, main guy; M. Spanagel, L. J. Bugie, Frank Smith; finance—I. Libson, main guy; Edwin Booth, Paul Krieger, Grady Shard; billers — Harry Hartman, main guy; Fritz M. Witte, E. H. Mayer and Kolling.

Dallas

Dallas, Feb. 11.—The local Variety Club observed its first anniversary with a luncheon at the Adolphus Hotel with 75 members present and with more than 50 directors and doctors serving the Freeman Clinic as guests.

Robert J. O'Donnell, chief barker, was present. He had been away five weeks. In outlining the first year's activities O'Donnell said the club had several thousand dollars in reserve and was ready to assume further responsibilities in connection with the Freeman Clinic.

Washington

Washington, Feb. 11.—Two newspaper men, Nelson B. Bell and Andrew R. Kelley, were kings-for-a-day at the last luncheon.

More than 100 barkers and friends turned out. Guests of honor were Eugene Meyer, publisher of the *Post*, and John T. Lambert, publisher of the *Times*, both of whom spoke extemporaneously, as also did Presidential Secretary Marvin H. McIntyre.

Other guests included Alice White, Lucille Ball, Martha Sleeper and Russell Hardie of the "Hey, Diddle, Diddle" company, Edmund Plohn, new manager of the National, and Jack Garrison, manager of the Belasco.

Rachel Carley, singer, entertained with Bob Stickney at the piano.

Variety will turn out February 16 to do honor at Harry Hunter, newly appointed managing director for Paramount in Australia.

Plan Publicity Union

The American Advertising Guild, recently organized, is seeking to increase its membership through the formation of an amusement unit and the inclusion in the group of all those active in publicity work. The publicity membership would not be limited to any one field, but would include films, the legitimate theatre, radio and such other fields as department stores and the like. The guild plans to seek an affiliation with the A.F.L.

Radio Personals

LARRY NIXON, WMCA director of publicity, has turned author and has sold three yarns to national magazines in the past few weeks . . . Dan Russell, NBC announcer in charge of South American broadcasts, yesterday became the father of a baby boy . . . Tommy Dorsey, currently playing college dance dates, returns to the CBS airways Feb. 19 and will be heard each Friday thereafter from 12:30 to 1 A. M. . . . Helen Johnson, director of the CBS "American School of the Air" program, leaves for New Orleans and St. Louis visits Feb. 14 . . . Kay Kayser returns to the Mutual dance band series next week . . . Joe Hill of the radio division of the Federal Agency home with grippe . . . Jean Sablon arrives from France on Tuesday to begin a radio series on NBC. Sablon was signed by Fred Bates, NBC representative in Europe.

◆

Mrs. Casey Jones, whose husband had a song named after him, goes on the Ripley program over the NBC-Blue Feb. 14 in a guest shot . . . Alexander Gray will sing on the Ed Wynn show a week from tomorrow . . . Francis B. Sayre, assistant secretary of State, and William Frederick Bigelow, prominent editor, will talk along with John D. Rockefeller, Jr., in the NBC-Blue program dedicated to the National Preaching Mission Feb. 17 . . . Alyce King, swing vocalist, back with the Horace Heidt troupe after a week's illness . . .

◆

George Bancroft guests for Jackie Cooper in the "Lessons in Hollywood"-WOR show Feb. 15 and Gloria Swanson two nights later . . . Ernest Boyd and the Irish Repertory Players over the same station tomorrow 1:45 to 2:15 P. M., E.S.T. . . . Jimmy Melton introduces Helen Howe on the "Sealtest Saturday Night Party" tomorrow. She does dramatic monologues . . . More interview stuff: Floyd Gibbons takes on Major Charles E. Russell, described as a "spy catcher" on the Nash-Lafayette Speedshow tomorrow evening . . .

◆

Dr. William Lyon Phelps returns to the "Magazine of the Air" program over WABC Columbia Feb. 22 . . . Emily Klein, 60-year-old mistress of ceremonies on the "Grandma's Night Out" show over WMCA, is recovering from a four months' illness . . . Mitzi Mayfair guests for Charlotte Buchwald over WMCA next Tuesday . . . Frank Lawton will be interviewed by Radie Harris in her usual Friday spot over WHN tonight . . .

Murray Signs 5-Year Universal Contract

Ken Murray, whose new radio series for Campbell Tomato Juice starts March 21 on the CBS web, was signed to a five-year contract yesterday by Universal. Murray's initial film assignment will be the title role in "Mr. Broadway."

Murray's air show will occupy the 8:30 to 9 P. M., E.S.T. niche on CBS now filled with Burns and Allen, who will subsequently broadcast on NBC for General Foods.

Philco Shows Its 441-Line Television in Philadelphia

(*Continued from page 1*)

test strength of signal, but rather to show that Philco has made an outstanding forward step in television in improving the picture quality by increasing the number of scanning lines from 345 to 441, a standard set by the television committee of the Radio Manufacturers Association. During the demonstration the effects of higher picture resolution were plainly evident to the observer by switching transmission on the two line systems.

Utilizing a communication channel wide enough to permit the transmission of finer details in a picture, Philco engineers have devised their 441-line system as a high fidelity definition, declaring that: "The quality of the picture depends upon the fidelity of the system." Albert F. Murray, engineer in charge of television, pointed out that a wide channel of six megacycles is necessary to perfect a high fidelity television and only under that condition can commercial television finally arrive.

Called in Formative Stage

While the exhibition demonstrated the newest advance, Sayre M. Ramsdell, Philco vice-president, predicted that just as certain as he is that Christmas will arrive on December 25, "I am more certain that television will not arrive commercially this year." Moreover, observers expressed the opinion that unless television is being kept under wraps, it is still in the play stage for the engineer, while none would venture prediction as to when the motion picture and radio industry might anticipate its newest foundling. Ramsdell pointed out definite steps that must first be taken before television can be considered in commercial terms.

The F. C. C. must not only approve technical standards for television transmission so that any receiver will receive from any transmitter within range, but must reserve the 42 to 90 megacycle band for commercial licenses. It was with that view that Philco invited the press to the demonstration in hope of bringing that issue to the attention both the people and the government. Further, the present limited range of television, averaging about 25 miles, will have to be increased before the problem of program production is ready to be tackled.

While he would not commit himself to comparisons with the motion picture industry, Ramsdell firmly believes that television will never supersede sound broadcasting. "Each has its own field and function and sound broadcasting will continue to occupy its important place in the home, he said. The same sentiments were expressed by Larry E. Gubb, Philco president.

James S. Skinner, president of the Philadelphia Battery Co., Philco parent company, disclosed that comercial television as sought by the radio manufacturers association, is further troubled with the demands of various government agencies to break in on the spectrum of forty-two to ninety megacycles, principally the army, navy, aviation and agriculture. Skinner blamed the F.C.C. for lagging behind the advancements being made in television.

The program included a fashion show, a news reel and a musical movie short, a vocalist and an interview between Boake Carter and Connie Mack. Pictures were televised at the rate of thirty per second, resolutions all being in a horizontal direction.

Six field test receivers were used, each using independent television and sound receivers for flexibility. Each set employed twenty-six tubes, a reduction of eight tubes over the sets used by the Philco demonstration last summer. Picture tube of 441 lines was a cathode ray tube, twelve inches in diameter giving black and white pictures approximately seven and a half by ten inches.

Bernie Gets 'Em

Hollywood, Feb. 11.—If you recall—a few days ago Ben Bernie commented facetiously over the air on the unusual California weather by remarking that he would gladly trade California orange blossoms for a good suit of red flannel underwear.

An Eastern listener sympathized with the old Maestro and sent him a pair of vermillion unmentionables—size 66. Bernie wears 40.

Mutual Scores Network Scoop With Broadcast of Strike End

The Mutual network yesterday scooped its network rivals by being the first chain to broadcast addresses by Governor Frank Murphy, of Michigan; Lee Pressman, counsel for the C.I.O., and James F. Dewey who, with William S. Knudsen, vice-president of General Motors, brought the automobile strike to a close. The broadcast was sent out through the facilities of CKLW, Mutual station in Detroit-Windsor.

The addresses of Murphy, Pressman and Dewey were broadcast direct from the Recorder's Court in Detroit at 12:50 P. M. over Mutual. Knudsen was brought to the Mutual microphone at 4 P. M.

NBC came closest to Mutual's time by having Gov. Murphy on at 1:30 P. M. on the Blue network. Knudsen spoke over the Blue at 4:15 P. M.

CBS trailed with a talk by Knudsen at 3:15, and an address by Gov. Murphy at 6:15 P. M. All addresses were E.S.T.

Reserves Decision In Hoy-Flamm Suit

Justice Lloyd Church in N. Y. Supreme Court, reserved decision yesterday on a motion of T. Benson Hoy to examine Donald Flamm, president of Knickerbocker Broadcasting Co., Inc., before trial in Hoy's $50,000 suit against Knickerbocker.

In court it was pointed out that the plaintiff had dropped as co-defendant in the action Koppers Gas & Coke Co. because it was learned that this company had nothing to do with the radio sketch complained of. The plaintiff, a former ensign in the Reserve Corps of the U. S. Navy and now a pilot for a commercial air line, seeks damages on the ground that the sketch presented by Knickerbocker on WMCA held him up to public ridicule and contempt.

Injunction Move Against Amplex

Federal Judge John C. Knox signed an order yesterday directing the Amplex Radio Corp., Frank Konstant and Arnold G. Landers to show cause on March 9 why a temporary injunction should not be issued restraining them from infringing on patents owned by RCA, General Electric and A. T. & T. The patents cover radio receiving sets and the plaintiffs claim that they have received complaints from licensed sellers that the defendants are cut-rating and destroying the market for their patents.

Discuss Red Cross Radio Reserve Unit

CINCINNATI, Feb. 11.—Organization of an American Red Cross civilian reserve personnel with roster to include all radio professionals and amateurs prepared to go into action in any future disaster, is under consideration here.

Preliminary plans were discussed at a conference yesterday, attended by Andrew W. Cruse and A. D. Ring, chief engineers of the F. C. C.; Morris Pierce, WGAR; Perry Benton, police radio station WPDM, and Morse Weimer, radio engineer, all of Dayton, and local councilmen and city authorities.

Wonders Resigns as GBS Artists Chief

Ralph J. Wonders, who has been manager of the Columbia Artists Bureau since 1930, resigned yesterday, effective on Monday. No successor has been appointed as yet. Wonders' future plans are uncertain at present, it was indicated yesterday.

L. W. Lowman, CBS vice-president in charge of operations, will assume Wonders' duties as head of the Artists Bureau until a successor has been appointed.

Negotiations Resume For Sound Set Shows

HOLLYWOOD, Feb. 11.—Negotiations for the broadcasting by General Mills of programs from studio sound sets have been reopened with the arrival here today of Freeman Keyes of Bagley, Horton & Hoyt, Chicago advertising agents, who will attempt to close the deal.

M-G-M and other majors are to be contacted for the purpose of obtaining exclusive rights to the broadcasts.

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U. S., Germany Contesting in Austrian Field

1937 Will Decide Which Country Dominates

By HANS LORANT

VIENNA, Feb. 1.—The year 1937 should decide whether American or German films will dominate the Austrian market. While during the 1935-36 season each country imported approximately 130 films into Austria, the past season showed an American schedule of 160 pictures and a German of about 116. Only exceptionally good pictures, or those which are particularly suitable to the tastes of the audiences here, can be expected to do well.

Most important in domestic trade developments in this country during 1936 was the Government's attempt to further the developments of native production. In April, 1936, an agreement was concluded with Germany, permitting the importation into that country of 14 Austrian films annually with all the privileges accorded German-made product. However, the 14 films were required to conform to the German Aryan paragraph, which, in effect, means the domination of Austrian production by Germany, since Austrian production cannot exist without the German market. It became evident, however, that the 14 films could not keep the local studios active continually.

The Austrian producers now are seeking an increase in their total of

(*Continued on page* 3)

Films from America Leading in Finland

By CHARLOTTE LASZLO

HELSINGFORS, Finland, Jan. 30.—Finland continues to be a small but comfortable market for American pictures. Of the 220 films released in this country during 1936, more than half were American, about 50 were German and Austrian, and the rest were from England, France, Swedish

(*Continued on page* 3)

Soviet Film Exports Fail to Meet Quota

By BEATRICE STERN

MOSCOW, Jan. 29.—The exportation division of the Soviet industry has fulfilled only 65 per cent of its 1936 state plan. An official attributes the failure to the necessity of revision of many films because they did not conform to Soviet ideology, and because

(*Continued on page* 3)

Production Gains With 45 in Work

HOLLYWOOD, Feb. 12.—Production gained slightly here last week with 10 new features starting and eight finishing to register a total of 45 films in work as compared to 43 for the preceding week. Short subject production dropped to five in work against six for the week before. Twenty-one features and five shorts will go into work within the next two weeks, according to studio production schedules. Pictures editing totaled 46 features and 18 shorts.

The new films starting were "The Devil is Driving," "Venus Makes Trouble" and "Honeymoon Pilot" at Columbia, "Night Must Fall" at

(*Continued on page* 3)

See Production Gain In Australia in '37

MELBOURNE, Jan. 16.—(*By Air Mail Via London*)—As producers gather momentum for 1937, local production claims more serious attention than ever, and there is every prospect that the record of £135,000 invested in Australian films during 1936 will be easily eclipsed during the next twelve months.

Two new companies registered this week are Argosy Films, Ltd., and Fig Tree Studios, Ltd., each capitalized at £50,000. Meanwhile Cinesound is maintaining its policy of regular production and as "It Isn't Done" goes

(*Continued on page* 3)

SMPE Group Scores Damaging of Prints

The projection practice committee of the Society of M. P. Engineers has passed a resolution condemning certain devices for cueing prints which are now on the market. The resolution is part of the group's campaign against the mutilation of release prints. The action of the committee was taken after such a device as is the subject of the complaint was exhibited before the committee.

The resolution said in part: "The committee does not approve of any

(*Continued on page* 3)

Bay State Tax Bill Hearing Is Delayed

BOSTON, Feb. 12.—The public hearing before the Taxation Committee of the Massachusetts legislature on the theatre tax bill has been indefinitely postponed. The Allied unit here and the M. P. T. O. are rallying their membership for a finish fight on the proposed legislation, which was introduced by Representative Albert Rubin of Fall River, the home city of Nathan Yamins, president of national

(*Continued on page* 3)

Discuss New Rogers Drive for Saranac

Plans are being discussed for a new drive for the Will Rogers Memorial Hospital at Saranac. The transfer and dedication are expected to be held shortly.

Senator Henry Walters of RKO is president of the fund. Harold Rodner of Warners is executive vice-president, James G. Blaine, treasurer, and M. Elwood, secretary. A. P. Waxman is in charge of publicity.

Among those on the board of directors are Jesse Jones, Owen D. Young, Trubee Davison, Eddie Rickenbacker, Will H. Hays, Col. Hartfield, and Alfred E. Smith.

Offices have been established in the General Electric Bldg.

Selznick Internat'l Takes Pathe Studios

HOLLYWOOD, Feb. 12.—Selznick International today took a long term lease on the 60-acre studio plant of RKO-Pathe in an expansion move to provide for a $12,000,000 program for the coming year, John Hay Whitney stated today. The studio will bear the name Selznick International Pictures Studio and immediately will undergo remodeling to include executive offices, sound stages and dressing rooms. Independents now located in the Pathe plant probably will move.

Selznick International has also acquired an additional 40 acres in the Baldwin Hills behind the studio.

Warner-Fabian Pool In Albany Discussed

Negotiations are now under way between Warners and Si Fabian to pool four theatres in Albany. An operating committee will be set up to handle the group. Moe Silver, upstate zone manager for Warners, and Fabian are expected to head the committee as soon as the deal is completed.

Theatres involved are the Harmanus-Bleeker Hall and Palace, now operated by Fabian, and the Ritz and Strand, Warner units. The Palace was taken over from RKO by Fabian about two years ago.

4,674 Were Eligible For WPA Actor Jobs

WASHINGTON, Feb. 12.—A total of 4,674 actors, 3,711 of whom were heads of families, were among the 6,402,171 persons eligible for WPA employment on Jan. 15 last, it was reported today by Works Progress Administrator Harry Hopkins. Of the total listed as actors, 2,796 were men and 1,878 women. The data regarding the number of actors on WPA rolls was incorporated in a 110-page

(*Continued on page* 3)

Sound Stage Air Program Pact Signed

Broadcast Units Include Nine Major Studios

HOLLYWOOD, Feb. 12.—Culminating almost four months of intermittent negotiations between General Mills and major producers, Bagley, Horton & Hoyt, Chicago advertising agents representing the flour milling company, today closed contracts for the daily broadcasting over NBC of 15-minute programs from the sound stages of nine major studios.

A different studio will be used for the program each day. The first company whose production activities are scheduled to be heard over the air will be 20th Century-Fox. A portion of the shooting on "Love Is News" will be described by a narrator who will also give details concerning the construction of the set itself and probably will introduce the characters featured in the sequence being shot.

The latter feature—presentation of the stars—has not yet met with the complete approval of Darryl F. Zanuck, who feels that the reaction might be detrimental to players not adapted to broadcasting. The agency and the studio are discussing this angle, which is expected to be cleared up shortly.

Moves for broadcasting from the sound stages were first reported in MOTION PICTURE DAILY on Oct. 31, 1936. Since that day, General Mills, manufacturers of Gold Medal Flour and other kitchen products, have persistently sought to complete the negotiations which today were finally consummated with the agreement of Columbia Studios to permit the broadcasts. The closing of pacts with the remaining eight studios followed almost immediately.

Bagley, Horton & Hoyt have established a branch of their agency here to supervise the ether presentations.

Bobby Breen Signed To Contract by NBC

Bobby Breen, young film player, who has been heard on the air mainly on the Eddie Cantor program, was signed to an NBC contract by the artist bureau of that network during his recent personal appearance tour in New York, it was learned yesterday, and will be featured very shortly in a

(*Continued on page* 4)

More Radio—Page 4

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RIO DE JANEIRO: Caixa Postal 3358; A. Weissman, Representative.
ROME: Viale Gorizia; Vittorio Malpassuti, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaca, Representative.
VIENNA: Neustiftgasse, 55, Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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Tricolor Is Restrained

LOS ANGELES, Feb. 12.—Technicolor today was awarded a temporary injunction against Tricolor restraining the latter firm until Feb. 16 from mailing to exhibitors threatening letters which charge a Technicolor infringement of a Tricolor patent.

Trial for a permanent injunction has been set for Mar. 9.

Guild Cites Miss Durbin

HOLLYWOOD, Feb. 12.—A vote of the Actors' Guild today named Deanna Durbin as the best actress for December as a result of her work in "Three Smart Girls." Teddy Hart, for his role in "Three Men on a Horse," won the supporting player award.

Photographers Set Dance

The Press Photographers' Ass'n will hold its eighth annual dance at the Hotel Commodore on April 9. Screen, radio and stage stars will participate in the entertainment program.

Columbians' Affair Tonight

The Columbians will hold their annual dinner-dance at the Waldorf tonight.

Three Acts, 8 Scenes Pass And Then 'Ziggy' Warms Up

By PLAYBOY

After two acts, six scenes and five yawns it began to dawn on a man in row K at the Longacre last night which parts of "Call Me Ziggy" were supposed to be funny. In a burst of confidence he suggested to a well-known white-haired after-dinner speaker in row J: "Somebody could write a play around this idea."

Perhaps they could. Miracles have happened, they say.

It, meaning "Call Me Ziggy," gets steamed up in the third scene of the third act and chuckles and giggles can be heard. It would make a good two-reel short.

The scenes alternate—backstage to frontstage and back again, three to each act. After the first two acts it becomes clear that the frontstage scenes are supposed to be terrible and the backstage natural, but that's a long time to keep a reviewer wondering whether he has missed a couple of good radio programs by not staying at home.

The best performance is turned in by Joseph Buloff as a harassed producer who is trying to keep his cast together without paying it. One woman walks out on him and the doorman shifts the lines in the last act and puts it over. The producer's troubles vanish when a film producer and an advertising man begin bidding against each other.

Dan Goldberg was the author.

National Holds Reception

NEW ORLEANS, Feb. 12.—National Screen Service held open house in its new building at Cleveland and La Salle Sts. Wallace Walthall, Paul Short and Louis Boyer were on the reception committee, with Louise Chapman of Atlanta, who was here seeing her first Mardi Gras. George Denbow and Jack Kohn, from headquarters, were present.

Ryan Leaves for Denver

BOSTON, Feb. 12.—George S. Ryan, attorney for A. B. Momand, Colorado exhibitor, left here today for Denver, where he will represent Momand in the latter's $5,000,000 suit against major distributors. The case is scheduled to be heard before the U. S. Circuit Court of Appeal there Feb. 16.

Balsdon No Better

LOS ANGELES, Feb. 12.—George Balsdon is still in a semi-coma at St. Joseph's Hospital, Stockton, as a result of an automobile accident in which he was seriously injured.

Selznick Improving

LOS ANGELES, Feb. 12.—Myron Selznick is reported as steadily improving at Santa Monica Hospital where he is being treated for pneumonia.

Two N. H. Meetings Set

NEW HAVEN, Feb. 12.—The M. P. T. O. A. of Connecticut and Allied Theatres of Connecticut will both meet Tuesday.

Final RKO District Meeting Due Shortly

The third and final district meeting of RKO sales forces will be held here for eastern branches shortly after the return today of Ned E. Depinet, vice-president in charge of distribution, and Jules Levy, general sales manager.

The first of the meetings was held at San Francisco following product conferences at the studio in which Depinet and Levy participated. The second ended in Chicago yesterday.

Depinet Leaves Chicago

CHICAGO, Feb. 12.—Ned E. Depinet, leaving on the Century today for New York following the close of sales conferences here, told MOTION PICTURE DAILY, "Our business is much better this year than last year in all parts of the country. With strikes settled and flood conditions relieved there should be a decided spurt in theatre patronage."

Depinet stated that approximately 80 per cent of possibilities have been closed by the RKO sales force.

Ruling in Ga. Makes Sunday Films Likely

ATLANTA, Feb. 12.—Confusion resulting from a misrepresentation of a ruling of the Supreme Court of Georgia has been cleared up by J. R. Parhan, American Legion commander at East Point, who states that the decision will result in the continuation of Sunday shows. Parhan said that the decision has the effect of approving the Legion's operation of Sunday performances for charity.

In explaining the events leading to the making of the decision, Parhan said that the Legion had sought an injunction against interference with its Sunday shows, then withdrew the action following a cross bill by the East Point municipal government. The Legion then filed a demurrer to the cross bill. It was in reversing the dismissal of this demurrer in the lower court that the mistaken interpretation of the law occurred, according to Parhan.

New Booth Rule in Philadelphia

PHILADELPHIA, Feb. 12.—With a view to cutting down booth fires, the city fire marshal here has formulated a new rule requiring rear shutters instead of front shutters on projection machines. The order has not been officially handed down yet and in the meantime the Fire Dep't is consulting with exhibitors on plans for the change.

If the rule becomes law it is estimated that from 25 to 50 per cent of the booths in the city will be affected.

"Horizon" Book Issued

Columbia has prepared an elaborate promotion piece on "Lost Horizon." Bound in hard covers, colored in light blue, the 50-page book contains credits on the film, a foreword by Frank Capra, the director, and numerous still photographs from the picture, illustrative of various highlights of the film.

◂ Purely Personal ▸

BEN GOETZ, foreign production head for Loew's, is due within the next few weeks from London en route to the coast for technicians to take back with him.

●

E. HAMLTON CAMPBELL, former advertising and sales production manager for REX COLE, has joined Jam Handy Picture Service, Inc.

●

BOB MOCHRIE, who recently resigned from Warners, is aboard the Washington on a three-week cruise.

●

LILLIAN HELLMAN left yesterday for the coast, where she will work on the adaptation of "Dead End."

●

JOSEPH FELDMAN of the Warner Philadelphia office has an article in the March issue of *Esquire*.

●

LOU KAUFMAN of the Warner theatre department will leave Monday for Cleveland.

●

OSCAR F. NEU, president of Neumade Products Corp., leaves tomorrow for Miami.

●

WILLARD MCKAY is due back from a brief visit to his Miami home on Monday.

●

J. R. GRAINGER is expected early next week. He leaves the coast tomorrow.

●

MARSHA HUNT, Paramount player, leaves this afternoon for the coast.

●

JAMES COSTON has returned to Chicago after a short visit here.

●

A. E. MATTHEWS, English actor, left for London yesterday.

●

JACK GOETZ of DuArt Laboratories is en route here by train.

Barton Asks License Taxes on Carnivals

RICHMOND, Feb. 12.—Col. Robert T. Barton, Jr., one of the speakers at the M.P.T.O. of Virginia convention, urged the imposition of license fees on circuses and carnivals, on the ground that they should not be allowed to operate in competition with theatres without paying a local tax. Ed Kuykendall also was one of the speakers.

The climax of the convention was a dinner-dance and floor show last night. George Arthur Jones, manager of Loew's, staged the show.

William S. Wilder was hailed as the new president.

Among those who attended the dance were: C. H. Olive of Allied; Col. H. A. Cole of Texas; Sam and Jake Flax, Republic; Harry Bachman, Washington; Sidney Gates, Portsmouth; H. L. Dougherty, Norfolk, and Harvey Schneider, M-G-M checking service.

David Loew Coming

HOLLYWOOD, Feb. 12.—David Loew left by train for New York today to arrange release for the Joe E. Brown picture "When's Your Birthday." He will return in two weeks.

U. S., Germany Contesting in Austrian Field

(*Continued from page* 1)

imports into Germany and a private clearing house to expedite the clearings of money, now extremely difficult. The Germans insist on a greater importation of German films into Austria, and since the Austrian market cannot handle a greater number of features than are now offered, agreement with the German demands will mean a decrease in the importation of American product.

An alternative for American interests in that event would be to dub part of their product into German in Austria. That method, however, faces the disadvantage of high Austrian dubbing costs and low Government bonuses for so doing. Negotiations with the German interests are still in progress and on the outcome will depend largely the future of American product in Austria.

Films from America Leading in Finland

(*Continued from page* 1)

and the native producers, who made 10 during the year.

American pictures continue to be extremely popular in Finland, although in the past two years there has been a gain in the popularity of French product. The public here in general has a conservative taste, disliking revues because the glittering atmosphere is strange to their lives. It is not film subject matter which appeals to Finnish audiences but the players, with Shirley Temple perhaps the most popular of all American players.

The Finnish censor is extremely lenient but watches closely the moral content of all films. Pictures deemed of high standard pay only a 15 per cent entertainment tax, as against the usual 30 per cent.

Soviet Film Exports Fail to Meet Quota

(*Continued from page* 1)

of the lack of sufficient players. Also it is true that studio equipment and other facilities are limited.

Expansion of the industry in the Ukraine is planned with an increase of 600 wired theatres intended. The total of traveling film shows is expected to be increased from 125 to 250 this year. A similar increase in the number of traveling shows is planned in Leningrad province, with a total of 177 seen by the end of 1937, compared to the present 53.

* * *

Herbert Rappaport, Hollywood producer said to have been with Warners, has been here for five months on a production of Friedrich Wolf's "Professor Mamlock."

LeRoy Adds "Garrick"

Hollywood, Feb. 12.—Mervyn LeRoy has increased his current program to five pictures for 1937, adding "The Great Garrick" to the list.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"When's Your Birthday?"

(*David L. Loew-Radio*)

Hollywood, Feb. 12.—Best characterized as "a good Joe E. Brown comedy," this is the initial appearance of the comedian under the Loew banner. A lively farce, built of knockout stuff, Brown handles his part so well that the show is full of laughs in action, situations and dialogue. Legitimately appealing to both adults and youngsters, it is a real showman's show with ready possibilities for smart exploitation. Brown's work is equal to his best previous appearances and he is effectively aided in the fun-making antics by Edgar Kennedy, Fred Keating, Maude Eburne, Suzanne Kaaren, Margaret Hamilton, Frank Jenks, Minor Watson, Granville Bates and Charles Judels, with Marian Marsh pleasing as the romantic interest.

Constructed on a premise that causes folks to laugh at others' troubles, Brown is the perpetual fall guy. The film starts uniquely with color cartoons lampooning animated Zodiac signs as Brown, a fighter, revives from a knockout wallop. Pursuance of his astrology ambitions results in high comedy involving Miss Eburne, Kennedy and Miss Kaaren. Later sequences in which Brown is a waiter indulging in slapstick with Bates and Judels are followed by the hero's adventures with Keating, a barker.

Miss Marsh is given a job on the midway as a Yogi horoscope reader and is grabbed by Watson, a gambler, to predict sure-thing bets. The gambler forces Brown, whose horoscope is favorable, into a championship fight. Here hilarious farce keynotes the whirlwind action. Yogi has Brown wait until the moon rises and the planets are in a favorable positon before vanquishing his opponent.

The picture will amuse fun-loving audiences. Harry Beaumont's direction is pointed to attain that status by securing full value of Brown's talents and by capitalizing on dialogue, action and the fun-provoking ingredients inherent in the script which was prepared by Harry Clork. The scenario is an adaptation by Harvey Gates Malcolm, Stuart Boylan and Samuel Pike of a stage play by Fred Ballard.

Production Code Seal No. 2,990. Running time, 75 minutes. "G."

Looking 'Em Over

"The California Mail"

(*Warners*)

Both as a production and a western melodrama this film stands up. The story content and the sequence of events contain the required picturesque movement of the outdoors.

Dick Foran and his father become involved with unscrupulous stage coach competitors when the mail contract is to be given to the coach winning a cross-country race. The deviltry of the opposition causes Foran's vehicle to smash up. From this point the general hell-raising is set off with such situations as a framed holdup and murder which implicates Foran, romantic difficulties with Linda Perry, threatened lynching, incarceration in jail and then the springing of the trap which settles accounts with the outlaws.

Miss Perry acquits herself well. The cast includes Edward Cobb and Milton Kibbee. "Smoky," the horse, disposes of a few outlaws with his hoofs. Ted McCord's camera work is first-rate. Noel Smith directed.

Production Code Seal No. 2,497. Running time, 55 minutes. "G."

See Production Gain In Australia in '37

(*Continued from page* 1)

to the cutters, shooting has started on "Tall Timbers," while "Orphan of the Wilderness" is enhancing Cinesound's prestige on local screens. After a cessation of work since the completion of "The Flying Doctor," National Prod., Ltd., is preparing to reopen soon, and the Hollywood director, Clarence Badger, who made "Rangle River," starring Victor Jory, for the Columbia-National unit, has been retained by the company to do another.

Flash Preview

"Secret Agent K-7"—Crime versus a scientifically-minded G-Man forms the theme of this thriller, which is well-produced and well-acted.

This film will be reviewed in full in a coming issue of Motion Picture Daily.

Jackson Spots Quit B. N.

New Orleans, Feb. 12.—Theatres in Jackson, Miss., have discontinued Bank Night following a warning by the police. Two police officers are stationed at each theatre.

Production Gains With 45 in Work

(*Continued from page* 1)

M-G-M, "Get Along, Dogies" at Republic, "Satisfaction Guaranteed" at Radio, "As Good As Married" at Universal, "Fly Away Baby" and "Public Wedding" at Warners and "Louisiana Purchase" for Crescent Prod.

Columbia had three features shooting, two in preparation and 10 in the cutting rooms. M-G-M had five, two and six; Paramount eight, six and six; Republic, two, two and two; Radio, five, two and five; Roach, zero, zero and two; 20th Century-Fox, seven, two and six; Universal, seven, zero and one; Walter Wanger, zero, zero and one; Warners, seven, three and seven and of the independents one, two and zero.

In the shorts division Columbia had none in work, two preparing and four editing. M-G-M had two zero and 11; Radio, one, two and one; Roach, zero, one and one; Warners, zero, zero and one.

4,674 Were Eligible For WPA Actor Jobs

(*Continued from page* 1)

report of an occupational survey just completed which shows there were actors on the roll of every state last month with the sole exception of South Dakota. There were 1,100 actors included in the California list, 659 of them men and 441 women. New York, however, led all states with a total of 2,050.

The only other states reporting more than 100 actors on the rolls were: Illinois, with 163; New Jersey, with 123; Ohio, with 174, and Pennsylvania, with 160.

Bay State Tax Bill Hearing Is Delayed

(*Continued from page* 1)

Allied. The measure would levy a tax of one cent for every 10 cents or fraction thereof on theatre tickets, as well as on passes. Collections would be made monthly from theatres, with a $5 fine to be imposed for each day's delay, and a fine of not more than $1,000, or imprisonment of not more than one year for a false return.

SMPE Group Scores Damaging of Prints

(*Continued from page* 1)

structural modification, injury or mutilation of the standard release print by the projectionist, and views with disfavor the sale of devices capable of causing physical damage to film for cue mark or the like. The committee regards cue marking as a function exclusively of the laboratory of exchange which is involved."

Willard Patterson Ill

Willard C. Patterson, Warner circuit contact executive on labor and pooling deals, is ill at his apartment at the Mayflower with bronchial trouble. His nurse yesterday said he will be able to leave his bed in a few days. Patterson is expected to take a leave of absence and depart next week for the west to recuperate.

Music Union Exacts Fees For Benefit

Local 802, American Federation of Musicians, in a last-minute action Thursday, refused to allow Erno Rapee's Music Hall Symphony Orchestra to play for the monster Red Cross flood benefit performance at the Music Hall until the regular fee for the 110 men in the orchestra, amounting to approximately $7,500, had been paid. It is understood that Fred Willis, assistant to William S. Paley, CBS president, paid the fee under protest to enable the entertainment to be broadcast.

The union negotiated directly with CBS because that network had secured the sponsor for the program, William Wrigley, Jr., Co., which contributed $30,000 to the Red Cross fund.

Rosenberg, Willis Unavailable

Neither Jack Rosenberg, president of Local 802, nor Fred Willis were available yesterday for comment. From a person who sat in on the conferences, however, the following facts were gleaned:

The musicians' union, through its president, Jack Rosenberg, notified Willis late Thursday afternoon that Rapee's band would not be allowed to broadcast unless the men were paid the usual scale for the engagement. Willis argued vainly that all other organizations and individuals had contributed services, equipment and house facilities, and pleaded that the union act likewise, particularly in view of the worthy cause.

The conference continued until 15 minutes before the broadcast began, when Willis capitulated and agreed to pay the salaries of the musicians under protest.

Bobby Breen Signed To Contract by NBC

(*Continued from page* 1)

sponsored dramatic serial of his own on an NBC network.

W. D. Shapiro, Breen's manager and discoverer, represented the young singer for himself and for Sol Lesser, who produces Breen's pictures.

The new program on which Breen will star has been authorized by Gertrude Berg and is tentatively entitled "The Singing Kid." Miss Berg, whose past air successes include "The Rise of the Goldbergs" and "House of Glass" leaves for the coast today to confer with coast NBC officials. It is understood that Miss Berg will also assist on writing dialogue for Bobby's future RKO release, "Happy Go Lucky," while in Hollywood.

Not much is known about the story details of the new air show for Breen. From a source close to the principals, however, it has been indicated that the episodes will deal with a waif of mysterious parentage who wins his way to the top by virtue of his singing.

"Jesters" 39 More Weeks

Tastyeast, Inc., sponsors of the program starring the "Jesters" has renewed the series for 39 weeks, beginning with the broadcast of March 2.

Gov't Offers Radio Educational Course

WASHINGTON, Feb. 12.—Plans for a six-weeks' session of the Radio Workshop from April 5 to May 15 to provide training opportunities for persons desiring to enter the new field of educational broadcasting were announced today at the Federal Office of Education.

The Radio Workshop is conducted by New York University in cooperation with the educational radio project of the Office of Education, U. S. Dept. of the Interior. Expert instruction and practice under supervision will be provided in four major fields of radio: Production and direction of programs, script writing, acting and the use of music in radio. The workshop staff of directors, all well-established in radio, are Earl McGill, director of production; Lawrence Paquin, director of acting and microphone technique; Burke Boyce, director of script writing; Rudolph Schramm, music director, and Philip Cohen, supervisor of student radio programs.

New Benton, Bowles Post for McCracken

Chester McCracken was made business manager of the radio department at Benton and Bowles yesterday and will work under Tom Revere, head of the radio department. McCracken formerly was head of the trade, industrial and professional department at the agency. He will be succeeded in the post by his assistant, J. A. L. Kemps.

This is a new post at the agency.

Mutual Uses Air for Program Corrections

Beginning Monday the Mutual network program department will broadcast daily program corrections to all stations linked to the network, 4 to 4:15 P. M., E. S. T., Mondays through Fridays and from noon to 12:15 P. M., E. S. T. Saturdays. This will be the first instance of record in which corrections will be broadcast instead of teletyped.

A microphone is now being installed in the program department of WOR and each day at the above time a list of corrections for that evening and the following day and evening will be read to the full network.

Home—On Network

For the first time in radio history a network show will emanate from the private residence of a sponsor when, on Feb. 26 and each Friday thereafter, A. McGinley, president of Duff-Norton Co., will broadcast from his Sewickley Hts. (suburb of Pittsburgh) home, over 14 managed and operated stations of the NBC-Red network. The program will begin at 7:45 P.M., E.S.T. and will consist of organ solos and vocals by Lois Miller, to which will be added specialties by guest stars. Among those who will be heard are Carol Deis, Jane Pickens, Martha Mears and others.

McGinley, until recently, broadcast over KDKA under his own sponsorship.

KVOS-AP Litigation To Be Heard Feb. 18

WASHINGTON, Feb. 12.—The F.C.C. today announced its calendar of hearings for the coming week. On Feb. 18 the broadcast division will hear oral argument on the examiner's report recommending the refusal of renewal of license to KVOS, Bellingham, Wash., which was recently involved in litigation with the Associated Press over the right of the latter to prevent broadcasts of the news stories which it furnished member papers.

The division on the same day will also hear arguments on the applications of WHAT, Philadelphia, for an increase in power from 100 to 1,000 watts and change in frequency and on applications for permits filed by the Bellingham Publishing Co. and Gomer Thomas, both of Bellingham, Wash., for construction of a 100 watt station.

License Paramount To Use Short Wave

HOLLYWOOD, Feb. 12. — The F.C.C. has granted Paramount a permanent license to operate a mobile short wave radio unit which will be used by the film company on all productions requiring remote control of units on land or sea locations.

New Shows on the Air

The Benefit

Listeners who remained up way past their bedtime periods late Thursday night and yesterday morning to listen to the highly-ballyhooed Red Cross flood appeal broadcast from the stage of the Radio City Music Hall were needlessly done out of their sleep, for of all the topflight artists who were on hand for the festivities, not more than a handful came prepared.

The honor roll of performers who really exerted their best efforts were Fred Waring, Noel Coward, Gertrude Lawrence, Evelyn Laye, Ethel Merman and Dennis King. All the others either stuttered foolishly into the microphone or contented themselves by merely saying "Hello."

Perhaps it is unseemly to criticize artists who were contributing their services without pay, but, in view of the importance of the cause and in further view of the fact that a sponsor thought enough of the entertainment possibilities of the program to contribute $30,000 to the Red Cross to secure its sponsorship, it would seem that the artists should have exerted their best efforts, or else not have volunteered at all. As it stands, Wrigley, in our opinion, overpaid considerably for the broadcast rights. His satisfaction, again in our opinion, must come from a sense of having contributed $30,000 to the Red Cross, and not as a result of the run he received for his money from the artists.

BANNER

Radio Personals

BERT JACOBS, radio editor of the London, Ontario, *Free Press* in town for a week of interviewing. . . . Vic Oliver, husband of Sarah Churchill, will be heard on the NBC-Red network tomorrow at 4:38 P. M. from London in a program released by the BBC. . . . Pat Hurley, secretary to Johnny Johnstone, Mutual press chief, celebrated a birthday yesterday. . . . Lillian Okeum, former member of the WOR program staff and now affiliated with Birmingham, Castleman and Pierce, advertising agency, will be the guest artist on tomorrow's WOR "Harmonia Interlude" program. Miss Okeum is a former stage artist. . . . Estelle Taylor will be the featured guest on this same program next Sunday, Feb. 21. . . .

◆

"It's a Woman's World," new series of programs which is self-explanatory, will be presented twice weekly, Tuesdays and Thursdays at 2:30 P. M., E.S.T. on the NBC-Red netework beginning Feb. 16. . . . Reinhold Schmidt, basso of the quartet on the "Carnation Contented" program, has entered the hospital for an operation. . . . Elinor Sherry, WOR-Mutual singer, is back in town after a theatrical engagement in Detroit. . . . Benay Venuta returns from Chicago tomorrow. . . . Frank Lawton, of the stage and screen, was Radie Harris' guest star on WHN's "Movie Club" program last night. . . .

◆

Ina Ray Hutton and her "Melodears" will make a Paramount short, production beginning this Monday. . . . Paul Whiteman returns to New York next week. . . . Grace Moore makes her first microphone appearance of the season on the General Motors broadcast Feb. 21. . . . Marion Claire makes a return appearance on Bing Crosby's "Music Hall" program Feb. 18. As a result of her former appearance on the program, Claire will be screen tested by Emanuel Cohen's Major Prod. . . . Jean Arthur will be Rudy Vallee's featured guest artist in the Royal Variety Hour Feb. 18. . . . Rose Bampton, Met. star, will be heard on the WMCA "Hitching Your Hobby" program Feb. 16. . . . The "Tastyyeast Jesters" will make a two-day stage appearance at Milford, Del., Feb. 26 and 27. . . .

WMCA Asks for 1,000 Watts Power

WASHINGTON, Feb. 12.—WMCA, New York Independent station, today applied to the F. C. C. for authority to increase its station power from 500 to 1,000 watts.

The commission also was asked to approve increases of power for KGHI, Little Rock, Ark., from 100 to 250 watts, and for WHK, Cleveland, which seeks to increase its night power from 1,000 to 5,000 watts.

Plans for WCMB, New Orleans, to move its transmitter into the city from the Algiers Naval Station, where it is now located, and to install new equipment, were laid before the commission for approval.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 38 NEW YORK, MONDAY, FEBRUARY 15, 1937 TEN CENTS

Kuykendall's Reelection at Miami Is Seen

Drafting Expected If He Declines to Run

The reelection of Ed Kuykendall as president of the M.P.T.O.A. for another year is expected when the board of directors of the national exhibitor organization convenes in Miami in advance of the opening of the M. P. T. O. A. convention there, March 16.

While Kuykendall has insisted recently that he has not decided whether he will be a candidate for reelection it is known that the organization has not groomed any alternate to be a candidate for the post and indications are that the organization's board would prevail upon him to reconsider in the event he evidenced a disinclination to accept the post again, as was done recently by the Allied States directors when Nathan Yamins sought to relinquish the presidency of that organization.

Practically all of the other M. P. T. O. A. officers also appear slated for reelection, including Walter Vincent, treasurer; Ed Levy, general counsel; Morris Loewenstein, secretary, and

(Continued on page 3)

Oklahoma Business Gained During 1936

Oklahoma City, Feb. 14.—The three major indices of business—bank debits, building operations and retail sales—revealed an advancing level of business for Oklahoma City in 1936. The report of the 10th Federal Reserve Bank revealed the upward trend was general through the seven states of the district despite drought, late frosts and other crop troubles.

It was in building activities that

(Continued on page 12)

Sees No Reason for Air-Screen Conflict

San Francisco, Feb. 14.—As long as radio programs which feature film players are not broadcast during the best evening theatre hours and contain radio versions of current pictures, there need be no conflict on the subject, according to Mark Keller, executive assistant to the general manager of the Golden State circuit here.

Keller expressed the opinion that

(Continued on page 11)

More Radio—Pages 10-11

Finance Plan For Warners Faces Delay

See No Immediate Need For New Money

With negotiations with Hayden, Stone & Co. terminated early this week, no refinancing plans for Warners will be discussed for the next few months, an executive of the company, stated over the weekend.

According to company officials there is no immediate need for new money as the funded debt is gradually being liquidated. The original proposal with Hayden, Stone provided for the realization of $50,000,000 at 4½ per cent to replace current 6 per cent obligations.

No official word has been received by SEC of an investigation of the company, it was stated, and "no one in the company knows anything about the reports other than what have appeared in newspapers."

"It is probable," it was said, "that an investigation will be made regarding stock manipulations downtown, but that is purely hypothetical."

Indications are that the Warner board will not hold its scheduled meeting next Tuesday. Harry M. Warner, president, and Albert Warner, vice-president, are in Miami, Harry having left Thursday. He is due to return Feb. 23. The regular monthly session may be held shortly after Warner gets back.

Legion Approves All of 14 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved, either for adults or general patronage, all of the 14 new pictures reviewed. Six were approved for general patronage and eight for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"The Beloved Vagabond," "The Bold Caballero," "Clarence," "Head Over Heels in Love," "Letzte Rose" (German),

(Continued on page 3)

Nebraska to Ask Tax On All Distributors

Lincoln, Feb. 14.—A proposal to tax distributors $1,000 each annually for licenses to operate in Nebraska will be submitted to the legislature here on Monday by Senator John Comstock. It is estimated that this

(Continued on page 3)

Labor Conferences Start Here Mar. 15

The annual negotiations on wage scales and other matters which may properly be discussed at this time under provisions of the five-year basic agreement between producers and studio labor unions will be opened here about March 15, according to present plans.

Pat Casey, producers' labor representative, is expected here from Hollywood in about two weeks to prepare for the annual sessions, which are attended by company heads and top officials of the studio labor unions, such as the I. A. T. S. E., I. B. E. W., Teamsters', Carpenters and Joiners, and Musicians.

Efforts to have painters and commercial laboratory workers included

(Continued on page 3)

Sabath Pleads for Continued Inquiry

By BERTRAM F. LINZ

Washington, Feb. 14.—The continuance of the Congressional investigation of bondholders' protective committees is not only desirable but necessary in order that the select House committee of which he is chairman may investigate conditions in a number of industries not yet studied, according to Representative Sabath of Illinois.

In a brief resumé of the committee's

(Continued on page 3)

Technicolor Given Tricolor Restraint

Los Angeles, Feb. 14.—Technicolor has been given a temporary restraining order prohibiting Tricolor from further issuing warnings of infringement of patents to exhibitors showing Technicolor productions, pending trial on March 16 of Tricolor's infringement action against Technicolor.

Dr. Herbert T. Kalmus, Technicolor head, pointed out that the legal controversy involves the Jones patent,

(Continued on page 3)

Sees Screen Aiding Communism Spread

Cincinnati, Feb. 14.—The press, radio, pictures and the legitimate stage are among the agencies charged with being partially responsible for the spread of Communism in the United States, in a pastoral letter, issued in

(Continued on page 3)

Para. Partner Deals May Be Made Lasting

Blank Contract Only One With Buy-Back Angle

Paramount's theatre operations may be placed on a permanently localized basis, without exception, with the negotiation early in March of a new and presumably permanent operating agreement with A. H. Blank for the approximately 40 houses in his Illinois and Iowa circuit.

The present operating agreement with Blank expires March 6 and is the only remaining deal with a Paramount theatre partner which retains an option under which the company may repurchase from the operator his 50 per cent interest in the theatre company. Indications are that in the forthcoming negotiations Paramount will either relinquish its buy-back privilege, thus putting the partnership operation with Blank on a permanent basis, or will extend the present agreement for a long term period, in preference to the short term extensions which have been granted from time to time since the inception of the agreement two and one-half years ago.

Blank is expected here in about two weeks to confer with Paramount home office officials on the new agreement.

The so-called buy-back operating deals were negotiated during the Para-

(Continued on page 3)

Loew Directors to Drop March Meeting

Loew's will not hold a directors' meeting next month, it was stated by an executive of the company, unless something unforeseen comes up requiring immediate action.

With the dividend action out of the way, Nicholas M. Schenck vacationing in Miami and David Bernstein en route there to join Schenck, the few remaining directors in New York find no reason to hold the scheduled session on March 2.

Louisiana Discusses 2% Tax on Business

New Orleans, Feb. 14.—Gov. Richard W. Leche says he will call a special session of the legislature to annul the present sales tax and the use of tokens. In lieu thereof a general sales tax of two per cent on the gross receipts of all business in the state will be urged.

From the statement of the governor

(Continued on page 3)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Will Release Fourth Security Film Today

Washington, Feb. 14.—Making the fourth of a series of newsreel trailers designed to "sell" the social security act, the Social Security Board tomorrow will complete "Today's Frontiers," a one-reel film explaining the unemployment compensation features of the law.

The three pictures previously released—"We, the People and Social Security," "Youthful Old-Age" and "Applications for Old-Age Security," the board said in revealing its new film, have already been given theatrical showing to over 100,000,000 people.

The picture, which opens with scenes of Pilgrim days and ends by showing how an unemployed worker is supported while looking for a job, was written by Ferol E. Thorpe of the board's information service and produced by Pathe News. Tomorrow will be release day for the picture, which so far has been booked to over 6,000 theatres, it was said.

Charity Ball Is Set

Boston, Feb. 14.—A film charity ball, sponsored by the M. P. Salesmen's Club, will be held at the Bradford during the week of March 28, according to Herman Konnis of Universal, president.

Insiders' Outlook

By RED KANN

IT is an old habit, this spanking of the children we love best. And a common one. Within this industry, which is a good industry and kinder to more of its constituents than by merit they deserve, constant carping prevails. Some of it, of course, is proper, but some, by the same token, is not. Occasionally, it is well to go afield for an adjustment of values, thereby to rekindle a fuller appreciation of our own. Today, therefore, we go ajourneying to an older form of entertainment, to see what currently is its status and to draw a parallel which is deadly. . . .

▼

On a recent day, the Actors' Equity Association again bemoaned the fate of the theatre. Its mouthpiece, *Equity*, the official organ of the association. An interesting and a fair presentation, first a handful of highlights:

> There is no doubt in the mind of any observant person interested in the theatre that the public is hungry for plays. This is proven every time a good one is produced. . . . The playwrights aren't writing sufficient plays. Some amateurs try their hands at it, but that advances the theatre very little. Occasionally, a good play comes to light from such a source, but it isn't the "occasional" good play that will keep the theatre alive. It is the steady, dependable stream of plays coming from brilliant minds which the theatre must have, to survive. But how to get them? Brilliant minds demand sustenance. Hollywood producers are farseeing enough to know they have to have stories and writers must furnish them. So they pay writers to come out and turn over the product of their thinking for a salary. They subsidize brains. And whatever comes out of those brilliant minds, small flashes of inspiration, are flung into the daily assignment. Many of these so casually injected ideas would make hugely successful plays, if the playwright had time and money to work out the detail instead of just throwing it into the heap that he turns out as his weekly grist—on a salary. These ideas should be saved to the living theatre; however, it seems that nothing can be done about that so we must tap another source. We must find other ideas. Prospecting of this nature should not be expensive. In fact, it could be overwhelmingly profitable, in view of the rewards to be reaped. . . .
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> ▼
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> The suggestion:
>
> A group of promising young playwrights put under contract and put to work, their output at the subsidizing managers' disposal, could earn their salt many times over. Suppose one of these writers to be paid three or four thousand dollars a year. One hit alone would earn the manager and himself many times over what had been paid to him. Playwrights don't just happen. They have to be given an opportunity to learn. And they learn by working. Many a manager who spends lavish and exorbitant amounts on dressing up a production might do much better if he spent a smaller amount in providing himself with a better play. We need more plays and different kinds of plays. Plays for New York often will not be a success on the road, or in other cities, and vice versa. But we need plays for every taste, and the playwrights must learn what those tastes are and supply the required product. The spoken word must go on, the living theatre must live.

▼

Valiant words and, as one committed to the celluloid muse, we agree, nevertheless. Yet, is it all the fault of the playwright whose fault is plentiful? It seems to us there might be submitted to very serious questioning the extent to which the producer shares the blame. Precious little judgment has earmarked most of the horde of plays which have found a stage since the season got under way. They talk about the stupidities of Hollywood appraisal and deed which are thrown to the winds at stated and regular intervals, thereafter to be whipped into a cyclone of ridicule and even contempt. It's a sort of old theatre custom by this time. But what about the dumbness of the Broadway impresario? Let the wisecracks about pictures be bandied about, but at least make it an all-inclusive gesture as a matter of fairness. . . .

▼

Hollywood may grind out wasted time by the hour, but the stage inanities which make the grades around Times Square four and five times weekly are no contribution to an intellectual or entertainment upsurge in the citizenry either. Hollywood, by its lights—and they do not flicker as uncertainly as you frequently hear—is doing alright, all factors considered. Its alright, moreover, sprints far and away in front of the existing endeavor on the New York stage and about it there prevails not even space for a reasonable argument. Hollywood may require new faces and less compromise. Broadway might well substitute the moribund among its coterie of stage producers with different blood that knows it is alive. . . .

Sucker in Columbia Post at Cleveland

Lester Sucker, former salesman in the Cleveland office, on Saturday was named branch manager of the Columbia exchange in that city. He succeeds Holbrook Bissell, who resigned after six years.

Sucker left Saturday for the Ohio city after a short visit to the home office. Carl Shalit, district manager, who has been temporarily in charge of the Cleveland branch, also left Saturday for his headquarters in Detroit.

Many at Columbia Party

Numerous out-of-town exhibitors and Columbia branch managers attended the annual dinner and dance held Saturday night at the Waldorf.

Among the branch managers were Tim O'Toole, Boston, and Harry Rogavon, New Haven. Louis Aster of the home office returned from a two-week midwest trip in time for the affair.

Louis Schine came down from Gloversville, N. Y., to be on hand in addition to a number of other theatre men.

J. Frank Brockliss Here

J. Frank Brockliss of London, founder and head of J. Frank Brockliss, Ltd., one of the largest European distributors of American projection equipment, and one of the oldest film organizations in existence, is here for an extended business and vacation visit. In addition to his equipment interests, Brockliss formerly was distribution representative in England and France for several American companies, such as the old First National and M-G-M. He plans to leave for Virginia this week, returning here for further business engagements in about a month.

U. A.-Educational in Deal

United Artists has closed a deal with Educational for the Mexican release rights of a group of the latter's shorts. The films include "Kiss the Bride," "Clever Critters," "The Seeing Eye" and "Animal Cunning," which have super-imposed Spanish dialogue titles and sound tracks.

Two Plays Close

"Thirsty Soil," which opened at the Forty-eighth St. Feb. 3, closed Saturday night.

"The Country Wife," departed from the Henry Miller after 88 performances.

Robert Cobe Marries

Boston, Feb. 14.—Robert Cobe, manager of the New Haven Republic exchange, was married here yesterday to Ethel Levine of Boston. The couple left on a two-week honeymoon trip to Miami Beach today.

Bookers Set Election

Cincinnati, Feb. 14.—Joe Goetz, president of the Cincinnati Bookers Club, has called a meeting for Feb. 19 for the annual election of officers. It will be held at Hellman's German Village.

Skouras, Rhoden Coming

Hollywood, Feb. 14.—Spyros Skouras and Elmer Rhoden have left Hollywood by train for New York.

Kuykendall's Reelection at Miami Is Seen

(Continued from page 1)

Fred Wehrenberg, chairman. A. Julian Brylawski, M. E. Comerford, B. N. Berinstein and M. A. Lightman are expected to be reelected vice-presidents, and Arthur Lockwood of the M.P.T.O. of Connecticut, probably will be added to the vice-presidential roster to fill the vacancy created by the death last year of W. S. Butterfield.

Kuykendall is now in Washington completing program arrangements for the M.P.T.O.A. convention and is expected here next week. Indications are that Attorney General Homer S. Cummings and Senator Pat Harrison may be obtained for the speakers' list for the convention in the event they are available at that time, or if not, other outstanding Administration figures would be lined up. Adolph Zukor has accepted the convention's invitation to attend and bids may also be extended to Lenox R. Lohr and William S. Paley, heads of NBC and CBS, respectively. The presence of ranking players from several studios has been assured.

Sees Screen Aiding Communism's Spread

(Continued from page 1)

the form of a 28-page pamphlet, by Archbishop John T. McNicholas, under the caption of "Communism, Its Evils and Its Causes."

"One of the major causes of the spread of Communism is its effective propaganda. All opinion-forming agencies are used by it," the letter reads in part. "The infection is, first of all, carried from person to person. The press, the radio, the legitimate stage, the screen, ephemeral literature, leaflets, lectures and text-books in our schools have been and are being employed in a subtle manner in its system of propaganda. Liberty-loving Americans of all groups would do well to unite in insisting upon a thorough investigation of these agents.

The letter, sent out on Ash Wednesday, is to be read in sections in all churches throughout the metropolitan See in Cincinnati, and copies are to be distributed to all Catholic families. All parish priests are instructed to deliver at least three sermons on the subject matter of the pastoral during the Lenten season.

Legion Approves All Of 14 New Pictures

(Continued from page 1)

"Ready, Willing and Able." Class A-2, Unobjectionable for Adults—"Le Bonheur" (French), "Everybody Dance," "John Meade's Woman," "Lac-aux-Dames" (French), "Les Mysteres de Paris" (French), "Scotland Yard Commands," "Verrater" (German), "Ein Walzer um dem Stefansturm" (German).

Adds Sunday Pictures

BRIDGEPORT, Feb. 14.—The Lyric has added Sunday feature pictures to its Monday through Saturday burlesque policy.

Para. Partner Deals May Be Made Lasting

(Continued from page 1)

mount reorganization period for five or six of the company's most important circuits. Permanent deals, however, were worked out one by one following the company's emergence from reorganization in 1935, until at this time only the Blank deal continues subject to the company's option to recover the operator's 50 per cent stock interest. The last operating deal to be placed on a permanent basis by Paramount was that with Karl Hoblitzelle. Last December, Paramount relinquished its buy-back privilege to Hoblitzelle for $600,000, and the operations were continued on a 50-50 ownership basis, as in the case of the operating agreements for the company's other first rank theatre units.

Louisiana Discusses 2% Tax on Business

(Continued from page 1)

it appears that the present system of taxation is insufficient to carry out the aims of the Social Security Act. It is also unofficially stated that theatres may come under the additional two per cent tax on gross business. They already pay a city welfare tax.

Nebraska to Ask Tax On All Distributors

(Continued from page 1)

will raise $20,000 annually to be administered by the State Railway Commission for the State Assistance Fund.

Also in the bill will be a provision against overbuying favored by independent exhibitors.

Oppose Bay State Tax

BOSTON, Feb. 14.—Industry opposition is being lined up against a tax bill filed in the Legislature by Albert Rubin of Fall River. The measure provides for a ticket tax, at the rate of one cent for each 10 cents or fraction thereof. Benefit performances would be exempt. Passes would be taxed at a similar rate.

Defeat Tax on Games

LITTLE ROCK, ARK., Feb. 14.—The proposal to legalize Bank or Buck Night plans of theatres by levying a 15 per cent tax on the awards was defeated by the House. The bill was introduced by Senator Lake of Sevier.

Perkins in New Post

BOSTON, Feb. 14.—David F. Perkins, former M. & P. district manager and later exploitation head of the Schine circuit, has been appointed resident manager of the Calvin in Northampton by Sam and Nathan Goldstein, Western Massachusetts Theatres Corp. heads.

O. O. Flake Joins U. A.

KANSAS CITY, Feb. 14.—O. O. Flake, for several years salesman for Fox, has been named salesman for United Artists in the northern Kansas and northern Missouri territory by W. E. Truog, branch manager.

Milton Progresses

Milton, Fla., Feb. 8.—Progress has hit this town.

Ed Fleming, manager of the Imogene, has installed a heating system to take the place of wood stoves formerly used during the winter and a number of upholstered chairs have been added to the seating equipment.

Sabath Pleads for Continued Inquiry

(Continued from page 1)

activities, printed yesterday in the *Congressional Record,* Sabath pointed out that two formal reports have been submitted and that he has explained the investigation four times on the floor of the House.

Outlining the situation for the benefit of new members, he touched only briefly upon the film phase of the investigation in connection with his charge that "collusion by the committees has resulted in the discharging of guarantees, releasing of claims against insiders and outrageous reductions in lease rentals.

"In the Chicago hearings of this committee in November and December," he said, "evidence shows that the prospectus which was sent to the public urging it to invest in bonds, specifies that the Harding Theatre was rented for $135,000 per year. Without consulting the bondholders, however, this rental was reduced first to $100,000, and later, with the sanction and approval of the court, to $25,000. You can form your own conclusions as to what happened to the bonds as a result.

"There are many instances where rentals have been reduced and new leases made by these so-called protective committees and receivers for terms of 10 and 15 years at shamefully low figures. It is doubtful that interest will ever be paid to holders of millions of these bonds because of such practices. The future has the same fate in store for the holders of many more millions of dollars' worth of bonds unless we pass corrective legislation."

Labor Conferences Start Here Mar. 15

(Continued from page 1)

under the basic agreement may be made by representatives of those groups, but some doubt is expressed by home office labor officials as to whether or not the forthcoming meeting properly can consider the requests at this time. The basic agreement was made for a five-year period and does not provide for bringing additional unions into the pact prior to negotiations for its renewal. Hours, wages and jurisdictional problems are the principal subjects for which provision for annual negotiations is made in the basic agreement.

Robert Cobe to Marry

BOSTON, Feb. 14.—Marriage intentions have been listed in Boston by Robert Cobe, Republic manager for Herman Rifkin in New Haven, and Ethel Levine of this city.

Technicolor Given Tricolor Restraint

(Continued from page 1)

issued in 1922, which relates only to the color cameras in use. He said that the notice issued to exhibitors appeared to be "unwarranted intimidation" since, even assuming Tricolor's claims to be valid, exhibitors are not liable either directly or indirectly for damages.

Kalmus' attorneys said they were positive that Technicolor is not infringing any valid patents and pointed out that the company has successfully withstood many similar suits which have been threatened in the past.

Kalmus, replying to inquiries, said he attached no significance to the recent liquidation of Technicolor stock by Atlas Corp. He emphasized that the company's relations with Floyd B. Odlum, Atlas head, were cordial and that the Atlas holdings had been comparatively small, involving only about 9,000 shares of Technicolor common out of a total of 700,000 shares outstanding.

Refuses to Dismiss Suit

Judge John C. Knox in U. S. District Court on Saturday denied a motion to dismiss the complaint of Abram J. Engelman in his suit against the RCA Victor Co., RCA Communications, RCA Radiotron and E. T. Cunningham Tubes. The motion to dismiss was made by the defendants on the ground that it failed to state a cause of action. The plaintiff claims he invented new methods for use in transmission and reception of voices, pictures and radio telegraphy and that on Dec. 8, 1933, he entered into a written agreement with the defendants to show them how to capitalize on their patents with his improvements. He was to receive 2½ per cent of all sales. He further claims that the defendants made at least $10,000,000 in sales on their patents with his improvements and that $250,000 is therefore due him, for which amount he is suing.

Discontinue Schneider Appeal

Federal Judge Robert T. Patterson signed an order on Saturday discontinuing the appeal of Louis Schneider in the bankruptcy proceedings of Knickerbocker Theatres, Inc. Schneider, president of Knickerbocker, on July 16, 1936, filed a voluntary petition in bankruptcy for the corporation. Charles Steiner, vice-president, opposed it on the ground that the filing of the petition was not authorized by the board of directors. On Oct. 5, 1936, Federal Judge Samuel Mandelbaum dismissed the petition in bankruptcy and the appeal was taken from this order.

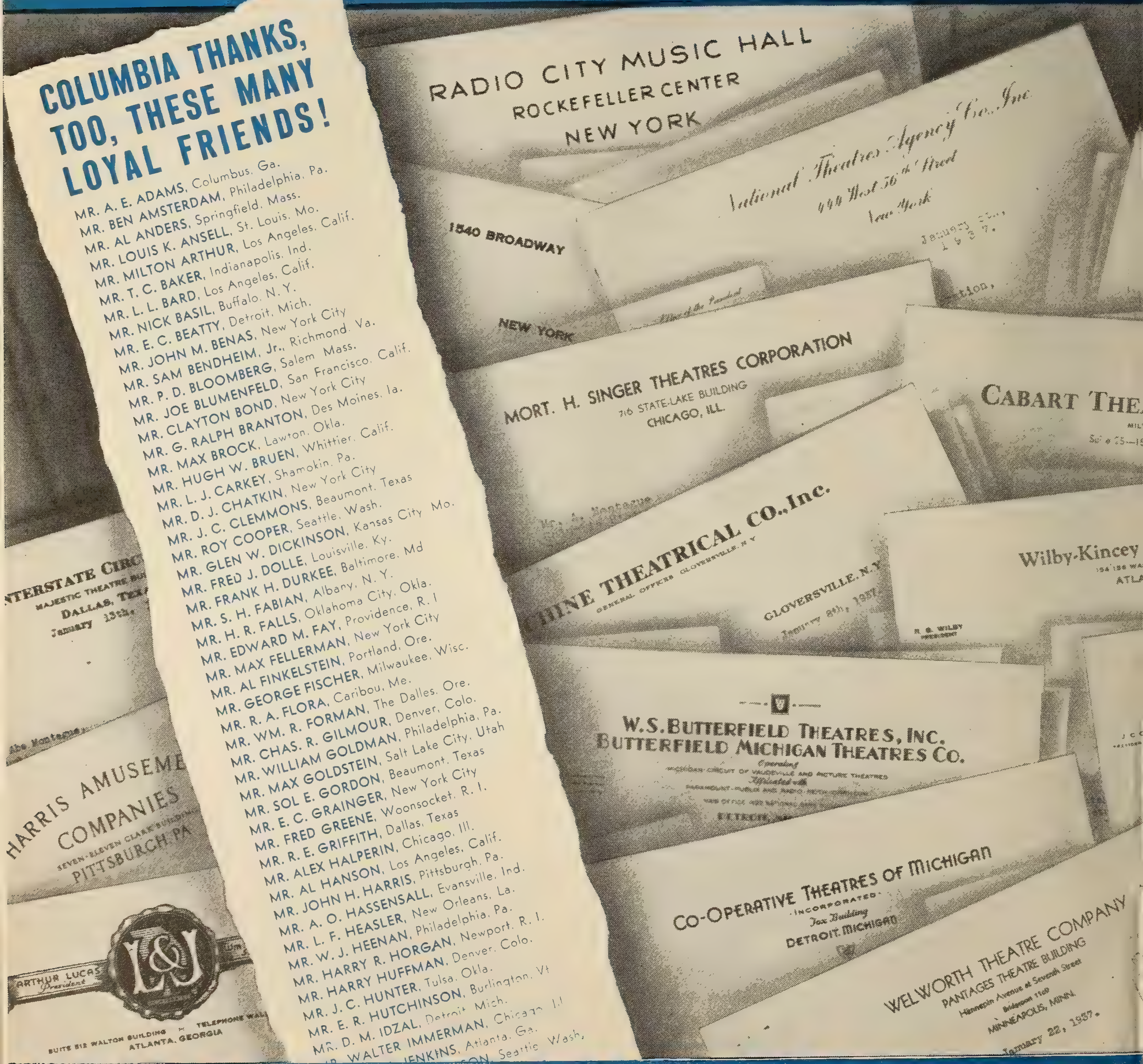
In Mail Order Tieup

BOSTON, Feb. 14.—Sears, Roebuck, formerly a standby for secondary houses, has come into the theatre. The Strand in Stamford is handing out gifts from its stage, in a cooperative hookup with the nationally known mail order house.

Take Over K. C. Strand

KANSAS CITY, Feb. 14.—The Strand Theatre Co. has been organized to take over the suburban Strand. W. L. Norris, H. P. Humston and Stanley Goldberg are interested.

EXHIBITORS, NATIONWIDE, OF COLUMBIA PRODUCT COLUMBIA-MONTAGUE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National Theatres Agency Co., Inc.
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NEW YORK
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L&J
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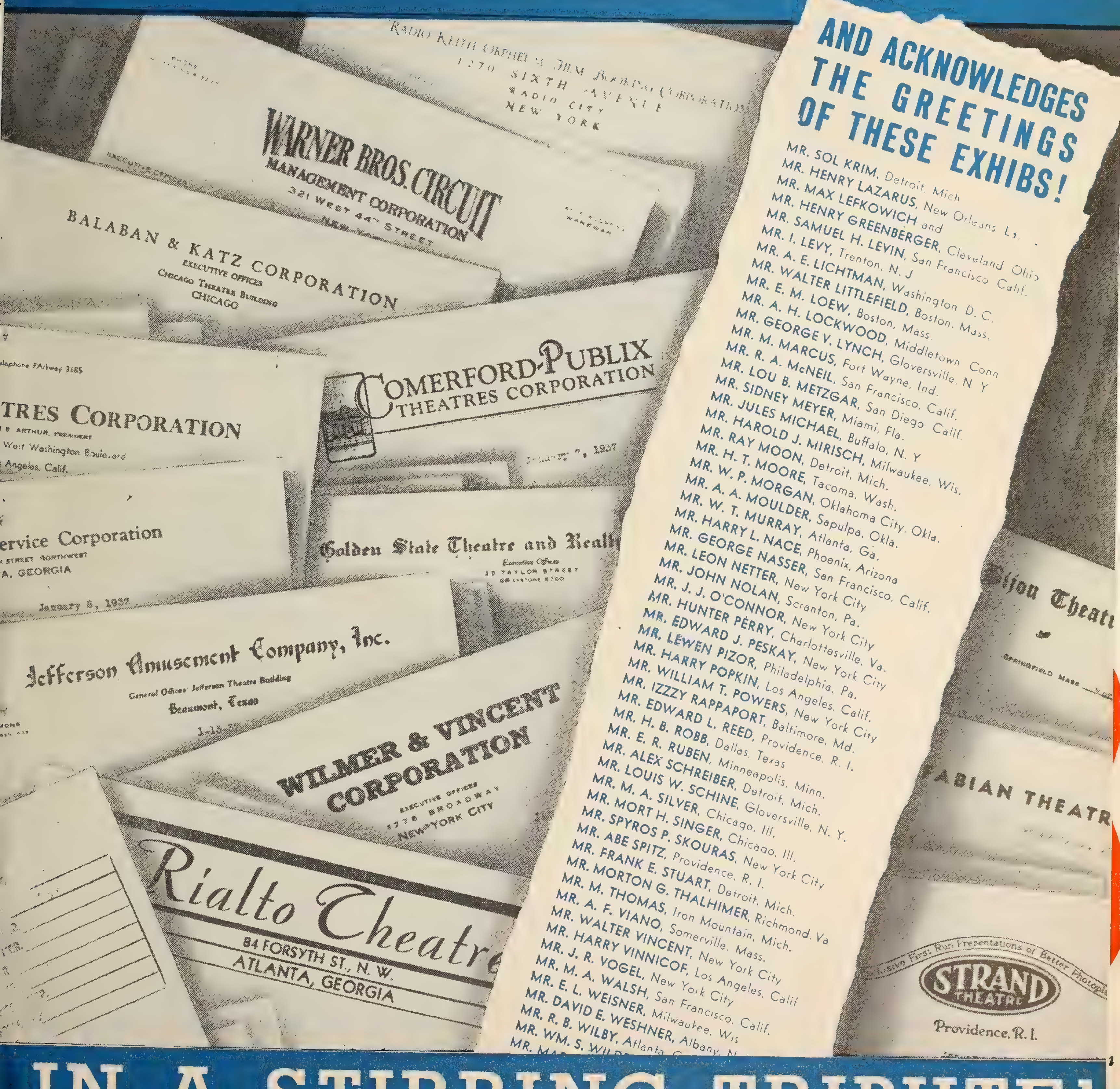
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84 FORSYTH ST., N. W.
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MR. WALTER VINCENT, New York City
MR. HARRY VINNICOF, Los Angeles, Calif
MR. J. R. VOGEL, New York City
MR. M. A. WALSH, San Francisco, Calif.
MR. E. L. WEISNER, Milwaukee, Wis
MR. DAVID E. WESHNER, Albany, N
MR. R. B. WILBY, Atlanta, G
MR. WM. S. WIL
MR. MA

IN A STIRRING TRIBUTE!

telegrams arrived too late to be included in this advertisement

Purely Personal

HARRY SHIFFMAN, Edward Schnitzer, Leo Abrams and Irving Wormser will return tomorrow on the *Lafayette* from a West Indies cruise.

•

Alfred Crown has been named Grand National representative in all Latin American countries and will leave for a tour of his territory March 1.

•

Dwight Deere Wiman, producer, will arrive tomorrow on the *Il de France*. He will bring with him a new untitled play by Marcel Pagnol.

•

Billy and Bobby Mauch, the twins, who recently completed roles in "The Prince and the Pauper," are due in New York shortly.

•

Edwin M. Hartley, RCA Photophone head, has returned from Richmond where he attended the M. P. T. O. meeting.

•

Monte Proser has gone to Miami to recuperate from the flu. He'll be away about two months.

•

Moe Sanders of the local 20th Century-Fox exchange will return today from Lakewood.

•

Irving Barry has returned from the coast.

•

. . . Cincinnati

Sally Shearer, until recently night telephone operator at the RKO division office, has joined the RKO exchange as availability clerk.

Dolores Duncan has been added to the RKO division office staff as secretary to E. V. Dinerman and Joe Goetz.

Joan McGivern has been appointed relief cashier at the RKO downtown houses. This is a new position.

•

. . . Denver

Charles Diller ill with the flu.

Ed Cole, mayor of Alamosa, Col., and owner of theatres there, was seen on the row as were George Luce, Bayard, Neb.; and these Coloradoans: M. C. Korrell, Cheyenne Wells; C. A. Mulock, Rocky Ford; Thomas Paulos, Paonia; and C. A. Coulter, Loveland.

Buzz Briggs has a deer head and antlers mounted in his office as a trophy of a recent deer hunt.

A. C. Knox has just completed a tour of the Denver territory, as district superintendent for Erpi.

Carson Harris, local writer, and T. Z. Halm, Orpheum artist, have taken over the Bide-a-wee, a neighborhood.

•

. . . Seattle

Jay Hodge, Paramount's supervisor of ad sales for the Western division, was a visitor at the Paramount exchange this week.

Lloyd Lamb has joined the sales staff of Grand National.

Grover Parsons, division manager for Republic, spent several days here last week, arriving from Los Angeles.

Whiteman and "Wings" High In St. Louis

St. Louis, Mo., Feb. 14.—Paul Whiteman on the stage and "Wings of the Morning" on the screen gave the Ambassador another big week with a take of about $19,000, or $5,000 above average.

"God's Country and the Woman" and "Sing Me a Love Song" at the Fox did the second highest business of the week, drawing a good $14,250, which was $1,250 above current average.

The transfer of Johnny Perkins to the master of ceremonies post at the St. Louis probably was just what that house needed, for in the past two weeks it has gone over big. In the week which closed February 11 the total business was some $9,000, or $2,000 above average. The screen attraction was a second run engagement of "College Holiday."

Total first run business was $68,250. Average is $59,000.

Estimated takings for the week ending Feb. 11:

"WINGS OF THE MORNING" (20th-Fox)
AMBASSADOR—(3,018), 25c-40c-55c, 7 days. Stage: Paul Whiteman and unit. Gross: $19,000. (Average, $14,000)

"GOD'S COUNTRY AND THE WOMAN" (W. B.)
"SING ME A LOVE SONG" (W. B.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $14,250. (Average, $13,000)

"YOU LIVE ONLY ONCE" (U. A.)
"REMBRANDT" (U. A.)
LOEW'S—(3,162), 25c-35c-55c, 7 days. **Gross:** $14,000. (Average, $14,000)

"THE WOMAN ALONE" (G. B.)
"HOLY TERROR" (20th-Fox)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $12,000. (Average, $11,000)

"COLLEGE HOLIDAY" (Para.)
ST. LOUIS—(4,000), 25c-40c, 7 days. Stage: Johnny Perkins and vaudeville. **Gross:** $9,000. (Average, $7,000)

"Champagne" Dual High in Milwaukee

Milwaukee, Feb. 14.—"Champagne Waltz," topping a dual with "Bulldog Drummond Escapes," at the Palace turned in the best showing of the week, $6,500. This was $1,500 over normal.

"On the Avenue" was $500 to the good on a take of $8,500 at the Wisconsin. It was dualled with "Crack-Up."

Business for the most part was off.

Total first run business was $25,600. Average is $24,500.

Estimated takings:

Week Ending Feb. 10:

"BELOVED ENEMY" (U. A.)
"THE FLYING HOSTESS" (Univ.)
WARNER—(2,400), 25c-35c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)

Week Ending Feb. 11:

"JOIN THE MARINES" (Republic)
RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: Milt Britton's Band. Gross: $4,100. (Average, $5,000)

"AFTER THE THIN MAN" (M-G-M)
"MAN OF AFFAIRS" (G. B.)
STRAND—(1,400), 25c-35c-50c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending Feb. 12:

"CHAMPAGNE WALTZ" (Para.)
"BULLDOG DRUMMOND ESCAPES" (Para.)
PALACE—(2,400), 25c-35c-50c, 8 days. **Gross:** $6,500. (Average, $5,000)

"ON THE AVENUE" (20th-Fox)
"CRACK-UP" (20th-Fox)
WISCONSIN—(3,200), 25c-35c-50c, 8 days. **Gross:** $8,500. (Average, $8,000)

"Lloyds" $11,300 Providence Smash

Providence, Feb. 14.—"Lloyds of London" brought $11,300 to the Majestic, ahead of other grosses and topping the house par by $4,300. Next in line was the Strand, where "More Than a Secretary" on a dual with "Hopalong Cassidy" took $9,200, over by $2,700. "The Great O'Malley" and the Texas Centennial Follies on the stage garnered $7,200 for Fays, up by $200.

"Dangerous Number" and "Under Cover of Night" did only $7,500 at Loew's State. The usual take is $12,000. The RKO Albee was under its $7,000 par by $700 with "We Who Are About to Die" and "Join the Marines."

The weather was rainy and cold. Opposition came from pro hockey.

Total first run business was $41,500. Average is $39,500.

Estimated takings for the week ending Feb. 11:

"THE GREAT O'MALLEY" (W. B.)
FAYS—(1,600), 15c-40c, 7 days. On stage: Texas Centennial Follies. **Gross:** $7,200. (Average, $7,000)

"LLOYDS OF LONDON" (20th-Fox)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $11,300. (Average, $7,000)

"MORE THAN A SECRETARY" (Col.)
"HOPALONG CASSIDY" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $9,200. (Average, $6,500)

"WE WHO ARE ABOUT TO DIE" (RKO)
"JOIN THE MARINES" (Rep.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $6,300. (Average, $7,000)

"DANGEROUS NUMBER" (M-G-M)
"UNDER COVER OF NIGHT" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $7,500. (Average, $12,000)

"Rainbow" Cracks Buffalo's Records

Buffalo, Feb. 14.—"Rainbow on the River" smashed all records at the Century, usually an average house. It pulled $12,000, more than doubling the $5,800 par.

"Champagne Waltz," with Jesse Crawford, in person, drew $16,000 at the Buffalo, bettering normal by $4,000. "Great Guy," at the Lafayette, went to $10,000, also up by $4,000.

The Great Lakes and the Hippodrome, on the other hand, dropped under the line. "Black Legion," at the former, took the rap for $600 with a $6,700 take and "A Doctor's Diary" and "Mind Your Own Business," dualed at the latter, fell $200 short in a $7,300 house.

Total first run business was $46,800. Average is $38,400.

Estimated takings for the week ending Feb. 6:

"CHAMPAGNE WALTZ" (Para.)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $16,000. (Average, $12,000)

"A DOCTOR'S DIARY" (Para.)
"MIND YOUR OWN BUSINESS" (Para.)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $7,100. (Average, $7,300)

"BLACK LEGION" (W. B.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $6,700. (Average, $7,300)

"RAINBOW ON THE RIVER" (Radio)
CENTURY—(3,000), 25c, 7 days. **Gross:** $12,000. (Average, $5,800)

"GREAT GUY" (G. N.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $10,000. (Average, $6,000)

Named City Manager

Denver, Feb. 14.—C. G. Doty, recently publicity manager for Civic Theatres, has been named city manager at Santa Fe, N. M., for the Gibraltar Enterprise houses, the Lensic and Paris.

"On Avenue" Philadelphia Pace-Setter

Philadelphia, Feb. 14.—"On the Avenue" stepped out smartly in the first run parade by getting $18,500 at the Stanley, thereby topping par by $4,500.

The only other attractions to get into the money were "You Only Live Once," which took $9,700 at the Aldine, over the line by $1,540, and "More Than a Secretary," which was good for $16,000 with a stage show at the Fox. This gross was up by $2,000.

Elsewhere second runs and holdovers couldn't make the grade.

Total first run business was $79,050. Average is $78,630.

Estimated takings for the week ending Feb. 11:

"YOU ONLY LIVE ONCE" (U. A.)
ALDINE—(1,200), 40c-55c-65c, 7 days. **Gross:** $9,700. (Average, $8,160)

"WINGS OF THE MORNING" (20th-Fox)
(2nd run)
"MUTINY ON THE BOUNTY"
(Revival)
ARCADIA—(600), 25c-40c-50c, 4 days. **Gross:** $650. Three days. **Gross:** $900. (Average, 7 days, $2,400)

"CHAMPAGNE WALTZ" (Para.)
BOYD—(2,400), 40c-55c, 5 days, 2nd week. **Gross:** $7,000. (Average, 7 days, $14,000)

"BULLDOG DRUMMOND ESCAPES" (Para.)
EARLE — (2,000), 25c-40c-55c, 7 days. Stage: Duncan Sisters, Paul Gerrits, Honey Family, Harry Reser and Cliquot Eskimos. **Gross:** $12,500. (Average, $14,000)

"MORE THAN A SECRETARY" (Col.)
FOX—(3,000), 40c-55c-65c, 7 days. Stage: Ina Ray Hutton and her Melodears, Winstead Trio, Jack Guilford. **Gross:** $16,000. (Average, $14,000)

"MEN ARE NOT GODS" (U. A.)
KARLTON—(1,000), 25c-35c-40c, 9 days, 2nd run. **Gross:** $3,700. (Average, 7 days, $4,000)

"STOLEN HOLIDAY" (W. B.)
KEITH'S—(2,000), 30c-40c-50c, 7 days, 2nd run. **Gross:** $3,100. (Average, $4,000)

"ON THE AVENUE" (20th-Fox)
STANLEY — (3,700), 40c-55c, 7 days. **Gross:** $18,500. (Average, $14,000)

"BLACK LEGION" (W. B.)
STANTON—(1,700), 30c-40c-55c, 7 days. **Gross:** $7,000. (Average, $7,000)

"Lloyds" on Dual New Haven Leader

New Haven, Feb. 14.—"Lloyds of London" and "Woman in Distress" at the Poli led here with the aid of special group rates for three high schools. The gross was $9,300, over par by $2,300.

"Black Legion" and "The Plot Thickens" at the Roger Sherman took $6,400, up by $1,700, chiefly on the strength of a fine opening and weekend. The Paramount, with "A Doctor's Dairy" and "Woman in Distress" fell to $3,700.

Total first run business was $21,400. Average is $19,400.

Estimated takings for the week ending Feb. 12:

"WANTED—JANE TURNER" (RKO)
"CAREER WOMAN" (20th-Fox)
COLLEGE—(1,499), 25c-35c, 7 days. Gross: $2,000. (Average, $2,800)

"A DOCTOR'S DIARY" (Para.)
"THE COUNTRY GENTLEMAN" (Rep.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $3.700. (Average, $4,900)

"LLOYDS OF LONDON" (20th-Fox)
"WOMAN IN DISTRESS" (Col.)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $9,300. (Average, $7,000)

"BLACK LEGION" (W. B.)
"THE PLOT THICKENS" (RKO)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $6,400. (Average, $4,700)

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INCREASE YOUR BOX-OFFICE DOLLARS WITH ERPI SERVICE — THERE IS NO SUBSTITUTE!

THE NEW
Western Electric
MIRROPHONIC
SOUND SYSTEM

THE STANDARD OF THE WORLD

"Lloyds" Dual Seattle High; Takes $9,300

SEATTLE, Feb. 14.—Moderate weather and the end of the maritime strike proved a help to grosses. "Lloyds of London," on a dual with "We're on the Jury," reached $9,300 at the Fifth Avenue. This topped par by $2,300. The dual was held.

"Easy to Take," with a Major Bowe's amateur unit at the Palomar, grossed $5,200. This was above the line by $700. The show was held over.

The "Monte Carlo Ballet" and the final symphony concert were the principal competition.

Total first run business was $43,850. Average is $42,500.

Estimated takings for the week ending Feb. 12:

"WINTERSET" (Radio)
"WOMAN WISE" (20th-Fox)
BLUE MOUSE—(950), 25c-55c, 7 days. **Gross:** $3,850. (Average, $4,000)

"LLOYDS OF LONDON" (20th-Fox)
"WE'RE ON THE JURY" (Radio)
FIFTH AVENUE—(2,500), 25c-55c, 7 days. **Gross:** $9,300. (Average. $7,000)

"BELOVED ENEMY" (U.A.)
LIBERTY—(1,800), 15c-55c, 7 days. **Gross:** $5,250. (Average. $5,000)

"ONE IN A MILLION" (20th-Fox)
MUSIC BOX—(950), 25c-55c, 7 days. **Gross:** $4,100. (Average, $4,000)

"YOU ONLY LIVE ONCE" (U.A.)
"THE HOLY TERROR" (20th-Fox)
MUSIC HALL—(2,275), 25c-55c, 7 days. **Gross:** $4,900. (Average, $6,000)

"DANIEL BOONE" (Radio)
"HATS OFF" (G.N.)
ORPHEUM — (2,450), 25c-40c, 7 days. Vaudeville. **Gross:** $5,350. (Average, $6,000)

"EASY TO TAKE" (Para.)
PALOMAR — (1,500), 15c-35c, 7 days. Stage: Major Bowes Amateurs. **Gross:** $5,200. (Average, $4,500)

"STOLEN HOLIDAY" (F.N.)
"UNDER COVER OF NIGHT" (M-G-M)
PARAMOUNT—(3,050, 25c-40c, 7 days. **Gross:** $5,900. (Average, $6,000)

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QUIGLEY BOOKSHOP
ROCKEFELLER CENTER
NEW YORK

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"When You're in Love"

(Columbia)

HOLLYWOOD, Feb. 14.—Grace Moore's singing of "Minnie, the Moocher" is only one of a series of pleasant surprises which combine to make this picture one of the most entertaining seen here this season.

Written and directed by Robert Riskin, whose "It Happened One Night" and "Mr. Deeds Goes to Town" will be remembered, this gives every indication of matching those two in commercial possibilities. An appealing, human-interest romance, balanced by light comedy and incidental drama, plus entertaining musical sequences, provide varied material which should hold the interest of any audience.

In Mexico, Miss Moore, as a charming Australian, undertakes a marriage of convenience with Cary Grant, a vagabond, in order to get into the United States. Learning to love him, she fears she will lose him when she needs him most. He comes back to her as she makes her appearance in Henry Stephenson's music festival for an artistic and romantic triumph.

The sequences leading to the conclusion are clever in action and dialogue, with Grant holding to the high pace set by Miss Moore, who demonstrates unquestioned dramatic and comedy ability. The support of Aline MacMahon, Stephenson, Thomas Mitchell, Catherine Doucet, Luis Alberni, Gerald Oliver Smith, Emma Dunn and George Pierce is superior. Miss Moore's singing of "Minnie the Moocher" and "In the Gloaming" is a real treat. The spectacle numbers in the finale, staged by Leon Leonidoff, are new ideas in mass chorus effect. Joseph Walker's photography is generally good and excellent in these scenes. The picture should have no difficulty winning wide audience approval.

Production Code Seal No. 2,817. Running time, 110 minutes. "G."

"I Promise to Pay"

(Columbia)

HOLLYWOOD, Feb. 14.—This film exposes the loan shark racket. The authenticity of the methods as depicted is questionable, but the picture, nevertheless, is good average entertainment.

Chester Morris, a clerk and family man, becomes involved with a loan racketeers' ring which is headed by Leo Carrillo. The gangsters demand payment of 1,000 per cent interest and use strong-arm methods to collect. When Morris protests, he is beaten and his wife, Helen Mack, is threatened. Morris eventually secures the protection of Thomas Mitchell, a district attorney and by doggedly continuing to identify the mob succeeds in breaking the ring.

Although the picture lacks the usual romantic interest the situations are carried dramatically and credit is due D. Ross Lederman for his direction and Mary McCall, Jr., and Lionel Houser for the screenplay. The supporting players include Wallis Clark, Thurston Hall, James Flavin and Patsy O'Connor, a child actress. As the melodrama is not relieved by comedy, the picture should be billed with a lighter feature.

Production Code Seal No. 2,820. Running time, 54 minutes. "G."

Seattle Parties Scheduled

SEATTLE, Feb. 14.—A new series of 1937 bi-weekly "social nights" is scheduled at the Northwest Film Club.

For the first party, the 14 film exchanges on the Row are acting as hosts to club members and guests. On February 24, the second party will be sponsored by the Seattle exhibitor members. The third party, on March 10, will be under the direction of the equipment and supply houses.

Seek Treasure Release

HOLLYWOOD, Feb. 14.—Treasure Pictures, producing company of Victor and Edward Halperin, is negotiating a major release for its series of six Anna May Wong features. Miss Wong, recently signed by the company, will appear in the character of an American-born Chinese law student. The stories will first be published in *Liberty* magazine, and Fulton Oursler, editor, will supervise the screen adaptations.

Hub Aids Helen Kaplan

BOSTON, Feb. 14.—Helen Kaplan has been presented the proceeds of a Sunday benefit at the Majestic by film representatives. The former Paramount beauty contest winner, known in the coast studios as Helen Carroll, lost a leg in an automobile accident here. M. & P. furnished the theatre for the benefit. Joseph DiPesa, Gene Fox, Jack Granara, Jack Saef, Joseph Ehrlick, Martin Glazier, Paul Levy, Harry Browning and Joseph Longo participated.

DonavanHeadsK.C.Union

KANSAS CITY, Feb. 14.—Cyril Donavan, electrician at the Newman, and former vice president of the stagehands' Local No. 31, has succeeded J. R. Sanderson, Midland electrician, who was president until his death Feb. 2. Walter Brown, electrician at the Municipal Auditorium music hall, has been elected vice-president of the union.

"Secretary," Show $28,000 Detroit Lead

DETROIT, Feb. 14.—"More Than Secretary," helped by "George White's Scandals," turned in the big money of the week. The combination sent the Fox gross to $28,000, over normal by $8,000.

"That Girl from Paris," with a stage show headed by Vera Niva, reached $24,500 at the Michigan. This was $4,500 to the good. "Camille" was a disappointment at the United Artists. It failed to get over a par $10,000.

Total first run business was $79,600. Average is $70,000.

Estimated takings for the week ending Feb. 11:

"LLOYDS OF LONDON"
(2nd week)
"MIGHTY TREVE" (Univ.)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $4,500. (Average, $5,000)

"MORE THAN A SECRETARY" (Col.)
FOX—(5,100), 15c-75c, 7 days. Stage: "George White's Scandals." **Gross:** $28,000. (Average, $20,000)

"THAT GIRL FROM PARIS" (Radio)
MICHIGAN — (4,100), 15c-75c, 7 days. Stage: Vera Niva, the Manhattanites, Mickey Braatz, Robert Baxter, Shirley Rust, Paul Regan, Three Shoeshine Boys. **Gross:** $24,500. (Average, $20,000)

"WE WHO ARE ABOUT TO DIE" (Radio)
"CASE OF THE BLACK CAT" (F.N.)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $3,100. (Average, $5,000)

"CAMILLE" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $10,000. (Average, $10,000)

"AFTER THE THIN MAN" (M-G-M)
MADISON—(2,000), 15c-65c, 7 days, 4th week. **Gross:** $9,500. (Average, $10,000)

"Thin Man" Touches Lincoln High Spots

LINCOLN, Neb., Feb. 14.—"After the Thin Man" hit the high spots at the Stuart last week with $4,700, over the house average by $1,600. This was best gross for the house for the past three months.

Dropping of vaudeville for the weekend at the Orpheum and an attempt to stand "Winterset" and "Happy-Go-Lucky" on a dual for a full week failed, getting only $1,400 where the average of $1,750 hasn't been touched in weeks. Shows go back this week. Another clipper was "That Girl from Paris" which shot the Lincoln up to $2,800, $600 good.

Total first run business was $10,700. Average is $9,000.

Estimated takings:

Week Ending Feb. 3:

"TRAIL DUST" (Para.)
"ROAD GANG" (W.B.)
"BULLDOG DRUMMOND ESCAPES" (Para.)
"DARK HOUR" (Chesterfield)
LIBERTY—(1,200), 10c-15c, 7 days. **Gross:** $900. (Average, $850)

Week Ending Feb. 4:

"THAT GIRL FROM PARIS" (Radio)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,800. (Average, $2,200)

"WINTERSET" (Radio)
"HAPPY-GO-LUCKY" (Republic)
ORPHEUM—(1,350), 10c-15c-20c, 7 days. **Gross:** $1,400. (Average, $1,750)

"MAN OF AFFAIRS" (G.B.)
VARSITY—(1,100), 10c-25c-35c, 7 days. **Gross:** $900. (Average, $1,100)

Week Ending Feb. 5:

"AFTER THE THIN MAN" (M-G-M)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $4,700. (Average, $3,100)

Short Subjects

"Never Should Have Told You"

(*Paramount*)

Nat Brandwine and his orchestra, with Maxine Tappen as vocalist, render the title song in this "Bouncing Ball" Screen Song number, after the adventures and misadventures of the redoubtable inventor, Wiffle Piffle, a cartoon figure with a real vein of low-down, but amusing humor. Miss Tappen's singing leaves something to be desired, but the subject is fair.

Production Code Seal No. 01,084. Running time, 8 mins. "G."

"Screen Snapshots, Series 16, No. 5"

(*Columbia*)

With the usual presentation this number includes scenes of the annual Fathers and Sons Barbecue, Fredric March calling for his giant postcard from the home folks. A party at the Domino Club with many old-timers present, and the workings of Anita Stewart's souvenir booklet industry. Production Code Seal No. 2,906. Running time, 10 mins. "G."

"Knee Action"

(*Columbia*)

Andy Clyde, an inventor of a dishwashing machine, gets himself married to a widow with a young son. His inventive bent is disturbed no end by the brat's antics and twice prospective backers are disgusted with the proceedings. At length Clyde solves the nuisance problem. All this is revealed in flashback as Clyde is telling his woes to a farmer while they are killing a gallon of applejack. It should satisfy the comedian's following. Production Code Seal No. 2,780. Running time, 17 mins. "G."

"Belgium"

(*Columbia*)

A mildly interesting assortment of shots taken in the fishing fleet at Ostend, children playing on the shore of the North Sea and the war ruins at Ypres. Photography is alternately good and bad. Tom Terriss delivered the running narrative. Production Code Seal No. 01,281. Running time, 10 mins. "G."

"Gold-Quest of the Ages"

(*Columbia*)

Amateurish theatrical stuff about Cagliostro's synthetic gold experiments and their possible effect in forestalling the French Revolution opens this short. Then it goes on to present-day ore treating processes, ghost towns resulting from gold rushes, placer mining and prospector pokings. It is done in color and manages to be diverting. Production Code Seal No. 2,680. Running time, 10 mins. "G."

"Paramount Pictorial, No. 6"

(*Paramount*)

Closeups of a treed mountain lion, an eye-filling series of color shots by Robert C. Bruce of twilight over land and sea, and a demonstration of the teaching of skiing by Hannes Schneider at his school in the Austrian mountains, this number offers diversified and interesting material, good for a spot on any bill.

Production Code Seal No. 01,411. Running time, 10 mins. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Secret Agent K-7"

(*C. C. Burr Prod.*)

HOLLYWOOD, Feb. 14.—Considerable novelty, possessing entertainment and commercial value, has been injected into the technique of dramatic, mystery-crime-solution story telling here. This time the sinister menace has a modern, scientifically-inclined G-man for an antagonist. The logical story, held together by a thread of well-grounded suspense which masks the killer's identity until the climax, is well produced, acted and directed, with Walter McGrail, Irving Pichel, Queenie Smith, Donald Reed, Duncan Renaldo and Willy Costello providing good performances.

Two murders having been committed, gangster attorney Pichel undertakes the defense of innocently implicated Reed. Through friendship to newspaper reporter Miss Smith, who is in love with Reed, McGrail becomes interested in the case. Sensibly refraining from indulging in much court room atmosphere, the picture devotes itself to following McGrail as he calls upon the possibilities of up-to-date science to unearth the real culprit. By use of chemical analysis of finger prints and practicing psychology, he develops a condition that causes the murderer to attempt to rub him out. Pichel, revealing himself as the killer, thinks he is shooting at McGrail only to discover that he has been firing at a reflection in a mirror. As dictaphones have transmitted his confession to transcribing stenographers, McGrail's first brush with super-killers is successfully accomplished.

Although name values are inconsequential, the various parts are convincingly portrayed. Nevertheless, for best results the story itself should be called upon to bear the brunt of any selling campaign. Adapted from a story by George Zimmer which was taken from K-7's radio broadcast adventures, the picture was directed by Raymond K. Johnson.

Production Code Seal No. 2,978. Running time, 65 mins. "G."

Overseas Previews

"Paris"

(*S.I.F.F.R.A. Prod.*)

PARIS, Feb. 5.—There is no doubt this film was produced with the ambitious aim of showing the life of the French capital. The result has been obtained in part as there are many beautiful scenes of the streets of Paris, with the most famous monuments, well known to the foreign tourists, as well as the old streets of Montmartre.

Unfortunately the story does not match the purpose for which the film was made. It deals with a taxi driver who has the deepest affection and admiration for his beautiful daughter who is employed in a dressmaking establishment. The girl falls in love with a young man and realizing she will be unable to marry him goes away. But through the help of the taxi driver and the boy's grandfather, the young couple are reunited.

Although the direction by Jean Choux is generally good, and the photography excellent, especially in the views of Paris, the film lacks appeal, mainly because of the story treatment.

In the cast, the star of many French pictures, Harry Baur, takes the part of the taxi driver. Renée St. Cyr is delightful as the girl. The title and the scenes of Paris may be an attraction for foreign audiences.

Running time, 85 minutes. "G." AUTRE

Call War Film Harmful

COLUMBUS, Feb. 14.—The city censors here have banned "Spain In Flames," documentary film of the Spanish civil war, on the ground that it is harmful.

Attacks Betting Pools

LONDON, Feb. 5.—C. P. Metcalfe, vice-president of the C. E. A., speaking at Leeds, attacked football betting pools as a serious rival to the box-office, declaring that the amount spent averaged just under two shillings per week per head of the population, or ten shillings per household.

RKO Takes "Flanders"

"Carnival in Flanders," released by American Tobis, will play 32 RKO metropolitan houses beginning Feb. 26. It will start at the Palace with a week's run.

H. Hardy Made Booker

KNOXVILLE, Feb. 14.—Harry Hardy, manager of the Tennessee for the last four years, has been promoted to the booking offices of Wilby-Kincey in Charlotte. He has been succeeded here by Eugene W. Street, formerly city manager for Wilby-Kincey in Charlotte.

RCA PHOTOPHONE
"THE MAGIC VOICE OF THE SCREEN"

New RCA Cellular Speakers are the final link in creating perfect sound reproduction!

There's something *new* in motion picture sound! It's a new voice—the Magic Voice of the Screen! And it belongs to RCA Photophone equipment!

The Magic Voice of the Screen is the name for RCA's newest complete high fidelity sound system including Cellular Speakers. RCA Cellular Speakers are the final link in the chain of perfect sound reproduction which Photophone has so progressively been forging for years.

Cellular Speakers! The famous Rotary Stabilizer! High Fidelity Amplifiers!—All these make RCA Photophone the outstanding leader in its field. That's why we urge you to give *your* screen this great Magic Voice. Let it *prove* its magnetic pulling power at your box office!

There's magic in the name
"MAGIC VOICE"
that will sing you a song of profit!

Millions know the Magic Voice of RCA Victor radios. With this new Photophone equipment, you can advertise "The Magic Voice of the Screen—an RCA product" and profit by this and by RCA's reputation. The radio Magic Voice represents highest standard of tonal quality in the home. The Magic Voice of the Screen attains that same lofty peak in the theatre!

What the new RCA Cellular Speakers mean to you

1 First speakers to distribute all higher frequencies evenly throughout theatre. **2** Tremendous power handling capacity. **3** Undistorted reproduction of all notes—lowest to highest. **4** Use less room backstage.

RCA presents the Metropolitan Opera every Saturday afternoon. And "Magic Key of RCA" every Sunday 2 to 3 P. M., E. S. T. Both on NBC Blue Network.

RCA
Photophone
THE MAGIC VOICE OF THE SCREEN
RCA MANUFACTURING CO., INC.
CAMDEN, N. J.
A Service of the Radio Corporation of America

Press-Radio Ban Approved ByCommission

By CLARENCE LINZ

WASHINGTON, Feb. 14.—Legislation making it unlawful for newspapers to own broadcasting stations would be constitutional, according to an opinion of the legal staff of the F. C. C. The opinion was sought by Senator Burton K. Wheeler of Montana, chairman of the Interstate Commerce Committee, who plans to introduce such a measure into Congress in the near future.

The opinion was part of a request for information on the extent of newspaper ownership of broadcasting stations, which was sent to the commission last month. The data showed that newspapers at the present time own or control 150 stations, 52 of which had been acquired during the past year. More than 100 applications for licenses from interests affiliated with newspaper are now pending before the commission, it was indicated.

Two Station Permits Asked

WASHINGTON, Feb. 14.—Permits for the construction of two broadcasting stations are sought in applications received by the F. C. C. J. K. Patrick & Co., Athens, Ga., asked a permit for a station to operate on 100 watts at night and 250 watts during the day. The Northwest Publications, Duluth, Minn., sought authority to build a station for daytime operation on 250 watts.

New Deals Set at WOR

Libby, McNeill and Libby, through J. Walter Thompson's Chicago office, will sponsor a new dramatic sketch, "We Are Four," over WOR, New York, and WGN, Chicago, Mondays through Fridays from 12:45 to 1 P. M., E. S. T. beginning March 1.

Additionally at WOR, the Sherwin Williams Paint Co. will sponsor the "Allie Lowe Miles Club" beginning March 1, while the Northrup King Co. starts a new transcribed series beginning March 23. Both above programs were placed through the Olmstead-Hewitt Agency. The Borden Ice Cream Co., through Pedlar & Ryan, will take over Uncle Don's program beginning April 2.

Back to WLW Staff

CINCINNATI, Feb. 14.—Mary Alcott, former WLW blues singer who left last May for an extended vacation tour of the country, has returned to the Crosley station. She is featured with Phil Davis's orchestra, as also on the "Variety Time" program.

Installing Talk-Backs

NEW HAVEN, Feb. 14.—WICC's local studios in the near future will install a talk-back system, to facilitate stopping of rehearsals at any point by the production man, who will speak into the studio through the studio loud speaker.

Beichl Back to KGMB

BEAVER DAM, Feb. 14.—After a year and a half as announcer for CBS at KGMB, Honolulu, Bruce Beichl has returned as studio manager of WIBU here.

NBC's January Time Sale Is 10-Year Top

January time sales for the Red and Blue networks this year were the highest for the month in the 10 years of NBC's network history. The month's total for the combined networks was $3,541,999, an increase of 36 per cent above the January figures for 1936.

The Red network sales were $2,374,633, or 37.6 per cent above January 1936. In that year the time sales for the month were $1,725,172.

The Blue network time gross for January of this year was $1,167,366, or 22 per cent above 1936. Last year's figures for the month were $956,643.

At CBS, the time sales for January, 1937, were $2,360,730, an increase of 24.2 per cent over the gross of January, 1936. Last year's gross for the month was $1,901,023. Mutual's gross for January, 1937, was $187,362; for January, 1936, $166,266.

Ohio Proposes a 10% Tax on Broadcasting

COLUMBUS, Feb. 14.—A bill presented by Joseph Duffey proposes a 10 per cent tax on commercial radio programs carried over Ohio stations. Each station would be required to obtain an operating franchise from the Secretary of State, the franchise to be canceled for failure to pay the tax monthly.

Vigorous opposition is expected from broadcasters.

Jack Pearl Program Time to Be Changed

From an authoritative source it has been learned that the Brown & Williamson Tobacco Corp., makers of Raleigh and Kool cigarettes and sponsors of the NBC program starring Jack Pearl, are now negotiating for a change of air time for the series. The program is currently heard from 9:30 to 10 P. M., E. S. T. on the Blue network. The new schedule for the program will be released by Batten, Barton, Durstine and Osborn early this week.

Name Heinz Artists

Guest artists on the "Heinz Magazine of the Air" for the first two weeks of March will include Greta Palmer, March 1; Dr. William E. Aughinbaugh, March 3; Sarah M. Lockwood, March 8; Dr. William Lyon Phelps, March 10; Albert Payson Terhune, March 12; Edna Ferber, March 15; Gelett Burgess, March 17. Maxon, Inc., is the agency.

Lord Inquires About Bunyan

BAYFIELD, WIS., Feb. 14.—Phillips Lord of NBC has requested Gus Weber, president of the Mystic Knights of the Blue Ox, Bayfield's Paul Bunyan Club, for a complete mythical story of Paul Bunyan with a view of determining its suitability as radio material.

Radio Technicians to Dine

HARTFORD, Feb. 14.—The first annual banquet of Associated Radio Technicians of Connecticut will be held at the Hotel Bond Feb. 25. W. R. G. Baker, in charge of the General Electric radio division at Bridgeport, will talk on television.

WGAL Is Member of Inter-City Network

Effective this week, WGAL, Lancaster, Pa., becomes a member station of the Inter-City network, it was learned yesterday. WGAL operates on a power of 250 watts by day, 100 watts by night.

The new addition brings the Inter-City network total to nine stations. WMCA in New York is the key station of the network.

Simplex Radio Is Sold

SANDUSKY, O., Feb. 14.—Harry C. Maibohm, president of Simplex Radio Corp., has closed a deal whereby control passes to Russell Feldmann of New York, recently president of Transitone Auto Radio Corp., Philco subsidiary.

George C. Hill, president of the Chamber of Commerce, said Feldmann's expansion plans included hiring of 1,000 additional workers provided a suitable location can be found. Other Ohio cities are bidding for the site of the plant, he said. The firm will manufacture auto radios chiefly.

Roberts Handling KYA

SAN FRANCISCO, Feb. 14.—Managership of KYA here has passed to Bob Roberts, sales manager for some time past. He replaces Edward J. McCallum, resigned. Roberts was formerly station manager of KTAB, which has now blossomed into CBS's KSFO.

Harry Rogers, program director, continues in same capacity. The appointment was announced by Emile J. Gough, Hearst Radios Inc., vice-president, during a recent trip.

New WOW Sustainer

OMAHA, Feb. 14.—With Newscaster Foster May presenting an interpretation of the news of the week, WOW today launched a new sustaining program, "The Sunday Magazine" presented each Sunday from 1 to 1:30 p.m.

Also included will be a "surprise" interview with some personage and an electrical transcription of some outstanding program presented by May during the preceding week.

Announcer is John K. Chapel.

Go for Line Talent

PHILADELPHIA, Feb. 14.—Sears, Roebuck & Co. drop their "The Four Star Program," for live talent show, "Junior Thrillers," for the Saturday period over KYW. The mail order house also renews "Sally at the Switchboard," serial script heard weekdays over the same station. Roland Israel continues as account executive for the Lavenson Bureau.

W. A. Carpenter Passes

RAVENA, O., Feb. 14.—W. A. Carpenter, 63, prominent jeweler here, father of H. Kenneth Carpenter, manager of WHK, Cleveland, and vice-president of United Broadcasting Co., died suddenly at his home here. Another son also survives. Funeral services and burial were local.

Eddie Peabody After Talent

HOLLYWOOD, Feb. 14.—Eddie Peabody will shortly start a series of auditions for young talent which will appear on a full hour variety program which he will produce for KFWB.

The new group of artists will augment a list of seasoned performers. The tentative title for the show is "Eddie Peabody's Serenaders."

Omaha Group Claims 200,000 Listeners

OMAHA, Feb. 14.—The Omaha Chamber of Commerce publicity committee claims 200,000 listeners for the Civic Calendar broadcast at 5:15 Saturday evenings over WOW, which donates the time.

W. O. Swanson, president of the Nebraska Clothing Co. and chairman of the committee, does the broadcasting. He announces the attractions in Omaha for the coming week, and works in reports of the chamber's current activities.

The committee asserts the program attracts thousands of visitors to Omaha, and further credits it with being a big factor in bringing many conventions here.

The chamber's agriculture committee also has a program, at 1:25 P. M. Tuesdays and Thursdays over WAAW. Topics, aimed at the farmer audience, include such subjects as pump irrigation, grasshopper and bindweed control and similar items of interest to rural listeners.

WDAP Protests Sale Tax Levy by State

KANSAS CITY, Feb. 14.—WDAP, *Kansas City Star* station, has protested application of the Missouri sales tax to broadcasting stations on the ground that Federal courts have held radio to be interstate commerce and not subject to state regulation. The *Star's* station, John R. Moberly, its representative, who appeared at Jefferson City this week, said, is the only Missouri station that has collected and remitted the one per cent sales tax. The legislature is considering a bill that would raise the tax to two per cent.

Horton Will Star on "Bakers Broadcasts"

When the "Bakers Broadcasts," sponsored by Fleischmann's, returns to the airwaves next season, Edward Everett Horton will have the starring role in the production, it has been learned authoritatively. The series currently stars Robert Ripley. J. Walter Thompson is the agency.

Takes Transcriptions

The Don Lee stations have signed with World Broadcasting Co. for the latter organization's transcribed service, beginning April 1. Pat Campbell, World's coast representative, placed the order.

Philco Employes in Series

PHILADELPHIA, Feb. 14.—Philco Radio and Television Corp. is turning to broadcasting to sell goodwill to its own employes. There will be five amateur nights over WIP, starting Feb. 20, with competition for prizes open to only the 13,000 Philco workers at the plant here. The final broadcast April 3 will be a visual from the Metropolitan Opera House. James Allen, WIP program director, will be in charge.

WBRY to Have Film Chatter

NEW HAVEN, Feb. 14.—WBRY's "Movie Club of the Air" will introduce a new type of program consisting of film gossip taken from the U. P. Service in Movieland, beginning Tuesday at 11:15 A. M., with "Your Movie Reporter" announcing.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 39 NEW YORK, TUESDAY, FEBRUARY 16, 1937 TEN CENTS

Foreign Film Shipments Up Near '30 Peak

Total Exports Last Year 209,651,404 Feet

By BERTRAM F. LINZ

WASHINGTON, Feb. 15.—Reaching the highest level since 1930, when 274,000,000 feet of film were exported, shipments of motion pictures last year totaled 209,651,404 feet with a value of $4,531,639, compared with 199,690,621 feet, valued at $4,597,339 in 1935, it was reported today by Nathan D. Golden, chief of the M. P. Section of the U. S. Dep't of Commerce. American films were shipped to 101 markets in all parts of the world, it was stated.

Film exports last year, Golden reported, included 195,907,374 feet of sound positives valued at $4,025,767, against 185,567,838 feet valued at $3,995,744 in 1935; 1,695,980 feet of silent positives valued at $51,670, against 2,206,265 feet, valued at $61,116; 9,904,111 feet of sound negatives valued at $362,035, against 8,890,598 feet valued at $360,514, and 2,143,939 feet of silent negatives valued at $92,167,

(Continued on page 6)

High Court Grants Review in Fox Case

WASHINGTON, Feb. 15.—Ordering the continuance of the injunction granted Jan. 18 against proceedings in the U. S. District Court in Philadelphia, the U. S. Supreme Court today granted Hiram Steelman, trustee in bankruptcy for William Fox, a review of the proceedings brought by All-Continent Corp., as a Fox creditor and the effort made by Steelman to examine officers and employes of All-Continent.

All-Continent brought suit in Philadelphia to remove a cloud on the title to certain securities caused by a third

(Continued on page 4)

"Earth" at $23,100 In Its Second Week

With $23,100 tallied for the second week, the advance sale on "The Good Earth" at the Astor on a two-a-day policy was yesterday said to be over $10,000. Last week the advance was more than $12,500. For the first five days of the opening week, the gross was $17,573.

"Head Over Heels in Love" garnered $31,000 over the weekend at the Roxy. There was standing room

(Continued on page 4)

SEC Queries Brokers About Warner Stock

Predicated on the suspension last week of stock exchange trading in the common stock of Warner Bros. Pictures, the Securities and Exchange Commission has dispatched to brokers a formal questionnaire asking details of the trading of last Tuesday and Wednesday, days during which the suspension was in effect. Trading on those days was stopped following the publication of a Warner statement saying that the company would issue no additional common stock.

Nebraska Aims Laws At Films and Music

LINCOLN, Feb. 15.—Additional levies on amusement enterprises for the support of the State Assistance Fund have been suggested in three bills introduced in the legislature here. The first asks a tax of one cent on each 10 cents of admission to places of amusement while the second would tax distributors 10 per cent of all income derived from the rental or lease of films. The tax on distributors' income would be an addition to the $1,000 license fee suggested last week.

Music publishers would be hit by a bill which declares it unlawful for copyright owners of musical compositions to fix prices for what they have to sell and also declares that all contracts made for such purposes are voided by the enactment of the bill.

Fox Midwest Acquires Control of 2 in K. C.

KANSAS CITY, Feb. 15.—Fox Midwest has acquired the M. W. Reinke interest in the first run Tower and the subsequent run Downtown, giving the circuit complete ownership of the two houses, Elmer C. Rhoden, president, said today.

Fox Midwest now has two first runs and 16 theatres in Kansas City, and a circuit total of 121 houses located in Missouri, Kansas, Iowa, Nebraska and Illinois.

Evansville's Flood Repairs Go Forward

EVANSVILLE, Ind., Feb. 15.—A checkup on the flood damage to Evansville theatres revealed that many of the houses which were flooded must refurnish with new seats and other equipment. The American, scheduled to reopen Feb. 19, has been reseated and redecorated. All seats in the Alhambra will be replaced, as the 400 seats in the house were badly damaged. The Grand has reopened. Water damage in this house was slight.

The extent of damage to the new Washington, opened a few months

(Continued on page 4)

See Paramount Plan On Finance Complete

Plans for refunding Paramount's $27,500,000 six per cent issue of debentures, due in 1955, with a new issue of debentures bearing a lower interest rate are reported to have been completed by offcials of the company at a meeting at the home office yesterday.

Indications are that the new debentures will be convertible into common stock at around $25 per share. Details of the plan, which completes the company's refunding program undertaken last fall, may be made public this week.

MPTO Invites Coast Figures to Meeting

Invitations have been sent to all Hollywood studios by the M.P.T.O.A. to send executives, stars and directors to the exhibitor organization's national convention at Miami, March 16 to 18. Acceptances from Paramount already include Adolph Zukor, chairman and production head; Carole Lombard, Bing Crosby, Bob Burns, Martha Raye and others.

The following have been named by Mitchell Wolfson, general chairman of convention arrangements, to head the various committees; Robert C. (Jack) Frost, reception; O. C. Lam, registration; Gus Grist, housing; Sonny Shepherd, entertainment; Mrs. Mitchell Wolfson, ladies affairs; Burton Clark, banquet; Major Albert Warner, gold tournament; M. C. Moore, display booth; Edward G. Levy, program; Al F. Weiss, printing; L. A. Johnson, auditing, and L. J. Boone, decorations and signs.

Ohio ITO Opposed to Conciliation Boards

CLEVELAND, Feb. 15.—The I.T.O. of Ohio, although in favor of the principles of arbitration, is definitely opposed to conciliation boards in this territory if they are to be operated along the lines of the old arbitration boards which were outlawed by the Thatcher decree. This opinion was expressed by P. J. Wood.

New Tennessee Bill Asks 3% Theater Tax

NASHVILLE, Tenn., Feb. 15.—A three per cent gross receipts tax on theatres, soft drink establishments and privately-owned public utilities is included in a bill designed to yield $4,000,000 in additional revenue to cover the state's social security program, sponsored by Governor Browning. The measure was presented to the legislature here today in a surprise move by Browning.

The taxation measure provides an effective date of July 1.

Way Is Cleared For Starting RKO Hearings

May Be Begun This Week In Federal Court

With an initial legal victory established over Orpheum Circuit preferred stockholders who contested RKO's acquisition of Orpheum assets and sought to oppose the RKO reorganization plan, proponents of the plan see the way clear to beginning Federal court hearings of RKO creditors on the reorganization plan this week.

As a result, indications are that there will be no further postponement of the creditors' hearing, which is now set for Thursday before Federal Judge William Bondy, after having been thrice postponed since the filing of the plan with the court last November. The status of the plan was affected by the outcome of the Orpheum stockholders' opposition, but with Referee Oscar Ehrhorn's decisions last week, Orpheum's status in the RKO reorganization was clarified sufficiently to warrant proceeding with the creditors' hearings on the RKO plans.

Referee Ehrhorn advocated acceptance of RKO's offer to acquire the Orpheum assets and denied petitions by the Orpheum stockholders to permit Orpheum to intervene in the RKO reorganization proceedings and to file objections to the RKO plan.

Indications now are that the principal objection to the RKO plan will

(Continued on page 4)

Expect RKO to Have 48 Again Next Year

RKO's new season schedule is expected to number 48 features, exclusive of westerns, corresponding with the current season's schedule, it was stated yesterday following the return of Ned E. Depinet, vice-president, and Jules Levy, general sales manager, from production conferences at the studio.

Indications are that the company's

(Continued on page 4)

Paramount and NBC Sign a Weekly Show

HOLLYWOOD, Feb. 15.—Paramount and NBC today completed plans for a Sunday half-hour program to originate in the Paramount studios and to be broadcast over the Red network as a sustaining feature. Paramount

(Continued on page 15)

More Radio—Pp. 14-15

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DAILY
(Registered U. S. Patent Office)

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Plunkett to Work on "Horizon" Showings

JOE PLUNKETT, who was associated with Sherman Krellberg in the operation of the Astor before Loew's took it back, yesterday joined Columbia to do special work on "Lost Horizon."

He will work with Al Grey in the handling of campaigns in and out of town for the roadshows. The picture opens March 3 at the Globe. With the conversion of the Globe to a two-a-day house, Harry Brandt will book first runs for the Central, adjacent house.

MITCHELL MAY, Jr. CO., INC.

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INSURANCE
Specialists To The Motion Picture Industry

75 Maiden Lane, N. Y. City
510 W. 6th St., Los Angeles, Cal.

Purely Personal

SONJA HENIE last night appeared at Madison Square Garden in four 15-minute skating periods. She received 50 per cent of the gross and will open Thursday for a four-day booking at the Chicago Stadium.

•

RUTH CHATTERTON, M. JOACHIMSON, Hungarian film actor; EMIL BOREO, the NICHOLAS BROTHERS, PAUL BENTATA, French film producer; and LOUIS DREYFUS, London theatre circuit head, arrive today on the *Ile de France.*

•

FRED SCHWARTZ, son of A. H., is the father of a six and half pound boy born on Lincoln's birthday at Methodist Episcopal Hospital in Brooklyn. Mother and child are doing nicely.

•

FRANK CASSILL, owner Rialto Theatre, St. Joseph, Mo., and GEORGE HARTTMANN, owner, Armour Theatre, North Kansas City, Mo., are in New York visiting for a few days.

•

ALAN CUMMINGS of Loew's is scheduled to return this week from the coast. BERTRAM BLOCK of the same company's editorial department will return next week.

•

STEPHEN PALLOS is due to return today from a weekend at Lake Placid. He has tentative bookings on the *Ile de France* which sails Feb. 20.

•

PAUL GALLICO, whose serial, "Farewell to Sports," starts shortly in *Cosmopolitan,* will leave next month for his home at Surrey, Eng.

•

WILLARD MCKAY of Universal is extending his current vacation at his Miami home for a few days and is not expected back now before the end of the week.

•

MORT SPRING, general manager of Loew's foreign department, got back yesterday from a vacation in Hollywood.

•

JOE ROBERTS, publicity man for the stage production of "Three Men on a Horse," has opened his own offices.

•

CLAUDE EZELL didn't arrive from Miami yesterday, as expected, but will arrive today or tomorrow.

•

SAM ROSEN of the Fabian Circuit left last night for Albany where he will spend a few days.

•

WILLARD C. PATTERSON yesterday returned to his desk at Warners after a short illness.

•

MILTON BERLE left for the coast yesterday to work on a new picture for RKO.

•

JACK GOETZ returned yesterday from a short business trip to the coast.

•

JACK PARTINGTON, now in St. Louis, is scheduled to return Thursday.

•

HARRY KALMINE returned from a southern cruise yesterday.

•

NICHOLAS M. SCHENCK will return from Miami on March 10.

•

RUBE JACKTER leaves for a Miami vacation today.

DOUGLAS FAIRBANKS, Jr., arrives today on the *Aquitania,* en route to Hollywood for a role in DAVID O. SELZNICK's "The Prisoner of Zenda." He wil remain in New York for a few days before heading west.

•

JOHN TRENT, new B. P. SCHULBERG player, will make a personal appearance at the Rialto tonight in connection with "A Doctor's Diary." Following a Boston appearance he will return to the coast, leaving at the end of the week.

•

NATE D. GOLDEN, chief of the M. P. Section, Bureau of Foreign and Domestic Commerce, is in town from Washington. One of his usual trips.

•

JAMES R. GRAINGER postponed his scheduled departure from the Universal studio and is not expected back here now until Thursday.

•

EDWARD HOPE COFFEY'S story, "Spanish Omelet," which will appear in the April *Cosmopolitan,* has been purchased by M-G-M.

•

COL. E. A. SCHILLER is now in Miami. He made the trip from the coast where he inaugurated Loew's own checking system.

•

GRACE MOORE reached town yesterday. She has recently finished work in Columbia's, "When You're in Love."

•

ROLAND YOUNG will attend the premiere of "The Man Who Could Work Miracles" at the Rivoli on Saturday.

•

JULES LEVY was in Toronto yesterday and is due in New York tomorrow. Maybe.

•

JACK D. TROP is back from Hollywood.

•

. . . New Haven

EDWARD G. LEVY, IRVING JACOCKS, ARTHUR LOCKWOOD, SAM ROSEN, MAX TABACKMAN, MYER BAILEY, ADOLPH JOHNSON and AL ROBBINS will attend the M. P. T. O. A. convention.

LOU SCHAEFFER, Paramount manager, presented an attendance prize at a recent Lions' Club meeting.

NICK CAVALIERE, New Haven's ace cameraman, departs for Italy to take pictures for Mussolini in the spring.

FRANK CASCIOLI, assistant at the Park, is playing with an orchestra in Miami Beach for the season.

•

. . . San Francisco

A. J. TORMEY, for several years advertising manager for the *News* local Scripps-Howard paper, has been named business manager.

CARL MILTON is taking a bow along Film Row for a hole-in-one he whammed recently. He has witnesses.

AL ACKERMAN has left FWC's publicity department to join ART MILLER on the latter's "Ten-O-Win."

AL will have the Texas territory.

Kimball Named Manager

BOSTON, Feb. 15.—The Graphic Theatre Circuit, managed by Sam Kurson, has named Harold Kimball as manager of the Brandon in Brandon, Vt.

Lincoln Deal Aids Cooper Foundation

LINCOLN, Neb. , Feb. 15.—The deal between J. H. Cooper of New York and Bob Livingston here has been revealed as a move to build up the J. H. Cooper $1,000,000 foundation for aid to underprivileged children. For the concession from Cooper of the cream of the second run pictures at the Livingston Capitol, the house must turn over 35 per cent of the first $1,000 grossed each week to the foundation, take out the next $200, and then give 25 per cent of all money over $1,200.

Cooper, about a year ago, announced his foundation would be built to $1,000,000 and the interest used to help youngsters who needed aid from Nebraska, Oklahoma and New York. Its board of directors, of which Cooper is chairman, is composed entirely of Lincoln business men. Cooper started the fund with a contribution of $100,000 in cash and bonds.

The deal has been dormant ever since, until this arrangement was completed with Livingston which will bring about $1,500 monthly into the fund. Cooper thus settles an over-buying problem, too, since he has many second run films which the exchanges have been anxious to run.

Proposes Closing on Bay State Holidays

BOSTON, Feb. 15.—Representative Eugene Casey has filed a bill in the Massachusetts Legislature to make Sunday closing laws applicable to theatres on New Year's Day, Washington's birthday, April 19, May 30, July 4, Labor Day, Columbus Day, Election Day, Thanksgiving, Christmas or the following day when any of these falls on a Sunday. This would also apply to June 17 in Suffolk County.

The bill would impose late openings and other drastic prohibitions on theatres which ordinarily make the largest profits on these days. A similar bill was killed in the legislature last year.

Lesser Adds to Program

HOLLYWOOD, Feb. 15.—As a means of meeting the demands of foreign exhibitors, Sol Lesser will increase his current program, the producer stated upon his arrival here today. A survey of the European market, he said, disclosed that action dramas are most successful.

Lesser stated that while abroad he purchased "Master Skylark" as a starring vehicle for Bobby Breen.

Another Trans-Lux

Trans-Lux yesterday closed for the Cinema de Paris, 5th Ave. and 12th St. and will remodel the theatre into a 600-seater with a fall opening date in mind. The policy, according to Arthur L. Mayer, will vary from Trans-Lux's fixed plan in that neighborhood first runs will be shown, not newsreels and shorts. This will mark the first time the circuit has embarked upon such a departure.

Skouras Returns Today

Spyros Skouras, executive vice-president of National Theatres, will return from the coast today. He has been away several weeks visiting the circuit's divisional headquarters in the field.

JOHN MEADE'S WOMAN GOES OVER BIG WITH THE BOYS!

"'John Meade's Woman' A-1. Larrimore a triumph in Schulberg's picture. Punch laden melodrama . . . good meaty entertainment . . . establishes Francine Larrimore as strong box-office material...her portrait unforgettable..."
—*Hollywood Reporter*

"'John Meade's Woman' a tense, dramatic story with a punch...wide audience appeal...sharp drama enlivened by well-timed comedy... Miss Larrimore establishes herself as definite screen possibility... Arnold gives powerful characterization..."
—*Motion Picture Daily*

EDWARD ARNOLD and FRANCINE LARRIMORE in

"John Meade's Woman"

with GAIL PATRICK · GEORGE BANCROFT · JOHN TRENT
SIDNEY BLACKMER · a B. P. SCHULBERG PRODUCTION
Directed by Richard Wallace · A Paramount Picture

Paramount Pictures

Way Is Cleared For Starting RKO Hearings

(*Continued from page* 1)

come from the general creditors' committee and a committee of independent stockholders, with particular fire being directed at the plan's provisions for the settlement of the Rockefeller Center claim against RKO. The plan proposes to grant 500,000 shares of new RKO common stock to satisfy the $9,150,000 Rockefeller Center claim, and in consideration for new operating agreements for the Music Hall and Center in which RKO would participate in earnings.

Expect RKO to Have 48 Again Next Year

(*Continued from page* 1)

A picture list will be increased and the B picture schedule decreased correspondingly for the 1937-'38 season in accordance with the wishes of Sam Briskin, production head, and the company's distribution and theatre officials. Final plans for the new season, however, remain to be set at later conferences.

Depinet and Levy will preside at their third district sales meeting since leaving the studio when eastern branch managers convene Wednesday and Thursday at the Astor. The sales forces will attend a screening Wednesday morning at the Astor of David Loew's first picture for RKO release, "When's Your Birthday?" starring Joe E. Brown. Loew arrived from the coast yesterday to attend the screening and the eastern sales session. Western and central district forces met with Depinet and Levy earlier in San Francisco and Chicago, respectively.

Attending the sessions here will be E. L. McEvoy, eastern and Canadian sales manager; Nat Levy, district manager; C. R. Halligan, Albany manager; R. C. Cropper, Boston; T. J. Walsh, Buffalo; S. C. Jacques, Cincinnati; H. Greenblatt, Cleveland; J. F. Sharkey, Detroit; R. E. Churchill, Indianapolis; B. Pitkin, New Haven; F. L. McNamee, Philadelphia; G. M. Lefko, Pittsburgh; R. C. Folliard, Washington, and R. S. Wolff, New York manager, and members of the New York sales force.

From the home office will be Cresson Smith, Harry J. Michaelson, William H. Clark, S. Barret McCormick, A. A. Schubert, M. G. Poller, J. P. Skelly, William E. Dahler, Lou H. Miller, J. A. Clark, Harry Gittleson, Rutgers Neilson, Lou Gaudreau, Sid Kramer, William McShea, Emmett Cashman and Jack Schmitzer.

M. & P. Promotes Saef

Boston, Feb. 15.—Jack Saef, for years assistant exploitation manager at the Metropolitan, has been appointed publicity head of the day-and-date Paramount and Fenway, first run M. & P. theatres.

Mayers Take Vacation

Des Moines, Feb. 15.—Stanley J. Mayer, 20th Century-Fox manager, and Mrs. Mayer, have started for a two-week vacation in California.

Stepin Overworked

Boston, Feb. 15.—Luck and labor seem to be lined up against Stepin Fetchit who currently is fulfilling a personal appearance at the Metropolitan. Stepin's valet still takes his curtain calls for him, but Stepin has still another idea for saving energy. For the first three days, he merely went through the motions of talking, while a previously made recording offstage furnished the actual yawning and drawlings. Then something went wrong with the record. He is finishing the week, somewhat overburdened with work and hurt, going through the same spoken routine freshly at each performance.

Evansville's Flood Repairs Go Forward

(*Continued from page* 1)

ago, has not been estimated. Neither has an opening date been set. The Loew's and Majestic have opened. The Ohio was virtually swamped by the river from which it took its name. The Ohio reopening date has not been set.

Illinois House Contributes

Bridgeport, Ill., Feb. 15.—The Capital here, operated by the Fricina Amusement Co., turned over its gross proceeds of one day to the Red Cross for flood relief.

Saenger House Net $1,100

Shreveport, La., Feb. 15.—More than $1,100 was raised for flood relief at a benefit show held at the Strand here under the auspices of Simon Ehrlich, partner in Saenger-Ehrlich Enterprises. The show was assembled and directed by Jack Meredith, city manager, and Jack Gross, of station KWKH, acted as master of ceremonies. All unions donated their services.

Benefit in Iowa Theatre

Harlan, Ia., Feb. 15.—Ray Brown, manager of the Harlan, turned over all the proceeds of a special program to the Red Cross for flood relief.

Shifts Benefit Program

Pittsburgh, Feb. 15.—George Jaffe, operator of the Casino, was forced to substitute a film program for a stage show in a benefit yesterday, when city officials held firmly to the Sunday entertainment law, which permits no stage shows on Sunday.

Norman Moray on Tour

Norman H. Moray, general sales manager of Vitaphone, left yesterday on a tour of company exchanges throughout the country. He will be gone about 10 weeks, returning to the home office about May 1. Moray will confer with Jack L. Warner on the coast, relative to several shorts which are made in Hollywood each season.

Landis with Jam Handy

Detroit, Feb. 15.—Cullen Landis, Hollywood director, has been appointed to the directorial staff of Jam Handy Picture Service, Inc., here, producers of commercial subjects.

High Court Grants Review in Fox Case

(*Continued from page* 1)

party order in proceedings by the Capital Co., also a Fox creditor. Steelman contended he was not liable to Pennsylvania jurisdiction and obtained a stay of proceedings from the bankruptcy. On an appeal by All-Continent, the Circuit Court of Appeals reversed the lower court and vacated the restraining order, after which Steelman obtained a temporary stay from the U. S. Supreme Court, which was continued today until the court has had an opportunity to review the case.

W. Elmer Brown, Jr., counsel for Steelman, is prepared to go to Washington to argue the case the week of Mar. 8.

Allow O'Connor Claim

Federal Judge Martin T. Maton yesterday allowed Basil O'Connor, an attorney for Milton C. Weisman, receiver for Fox Theatres Inc., the full amount of his claim for services which amounted to $10,043 covering the period from Jan. 1 to Dec. 31, 1936. This was O'Connor's second allowance, the first being for $15,198 which covered the period from Nov. 15, 1934 to Dec. 1, 1935.

A. & P. Film Suit Ended

Federal Judge Martin T. Manton yesterday discontinued the suit of Films of Commerce, Inc., for $16,760 against the Atlantic & Pacific Tea Co. The action was for breach of contract which allegedly ocurred on Nov. 19, 1930, when the plaintiff produced a silent film as part of a series on commerce and industry for the defendant. Later an additional $5,500 was added to the claim because the film was equipped with a sound track. The defendant paid $8,498 on account. The discontinued action was for the balance.

Fort Worth Appeal Granted

Federal Judge Robert Patterson yesterday signed an order permitting Fort Worth Properties, Inc., to appeal to the U. S. Circuit Court of Appeals from an order allowing its $507,500 claim against RKO at $17,739. The claim was for rent against RKO Southern Corp. under leases guaranteed by RKO, which were disallowed in April, 1933.

Withdraw Indiana Bill

Indianapolis, Feb. 15.—A bill providing for licensing of theatres by the state fire marshal has been withdrawn in the Indiana Senate. The bill would have set annual license fees of $15 for class A and $10 for class B houses.

L. & J. Plans Expansion

Atlanta, Feb. 15.—The Lucas & Jenkins Circuit has launched an expansion program involving new construction, remodeling and reopening of houses which have been dark for some time past, and renovating of others. The first new theatre to be built by the circuit is at Sea Island, Ga.

Town Bans All Games

New Castle, Pa., Feb. 15.—Bank Night and all other forms of giveaways in theatres have been banned here by order of District Attorney M. L. Ailey.

"Earth" at $23,000 In Its Second Week

(*Continued from page* 1)

after the first break in the show yesterday and, according to the management, the film is expected to do better than $45,000 on the week. It is being held for a second stanza. Herman Timberg and Pat Rooney headline the stage show.

"Camille" at the Capitol drew approximately $35,000 in its third week. "The Last of Mrs. Cheyney" will replace the Garbo-Taylor film on Thursday, inaugurating a new change date policy at the same time.

The Rivoli ended the second week of "You Only Live Once" with $22,000. "Stolen Holiday," in six days of the second and final week, at the Strand took $14,500.

"Great Guy" in its sixth week at the Criterion tallied about $8,500. The picture is now in its seventh and final week. It is also current on a dual bill in Brooklyn.

Paramount is reported after the Criterion as an outlet for its "B" pictures. Discussions have been held by Paramount executives on such a deal, but no decision is said to have been reached.

The Rialto wound up a week of "We're on the Jury" with $7,000.

"Wings of the Morning" will open March 4 or March 11 at the Music Hall.

Balsdon Is Unchanged

Los Angeles, Feb. 15.—George Balsdon's condition at the Stockton Hospital remains unchanged, according to the local office of F.W.C. Sumner Gambee and Nick Turner, who were in the same accident with Balsdon, are reported improving nicely.

Myron Selznick Recovering

Los Angeles, Feb. 15.—Bulletins from Santa Monica Hospital today reported that Myron Selznick, ill of pneumonia, is out of danger and apparently on the road to recovery.

Caplan Recovering

Lakeland, Fla., Feb. 15.—Maurice J. Caplan of Metropolitan M. P. Co., industrial film producers of Detroit, is recuperating from illness and probably will remain here the rest of the winter.

Robs Pittsburgh House

Pittsburgh, Feb. 15. — Warner's South Hills was held up at the height of the rush hour last night by a lone bandit who escaped with $326, most of the evening's receipts. He stood in a long line at the ticket window, threatened and cowed the cashier and patrons waiting, and escaped in an automobile.

Shows Steady Gains

Des Moines, Feb. 15.—Raymond Blank, son of A. H. Blank who underwent a grave operation in Montreal some months ago, is making steady strides toward complete recovery of his health. Now in Arizona, the doctors have forbidden a return to work for four or five months.

Reelect Portland Censor

Portland, Feb. 15.—Mrs. Thomas M. Joyce was unanimously reelected chairman of the censor board for another year. Major Paul Hathaway was elected vice-chairman.

SOCKO!

FIRST WEEK OF MIAMI WORLD PREMIERE SETS SMASHING NEW HOUSE RECORD AT SHERIDAN THEATRE!

A good idea of what to expect from the national release this week of

ERROL FLYNN AND ANITA LOUISE

Green Light

with

MARGARET LINDSAY • Sir CEDRIC HARWICKE • Walter Abel • Henry O'Neill

A FRANK BORZAGE PRODUCTION • Music by Max Steiner • A COSMOPOLITAN PRODUCTION • A First Nat'l Picture

. . . . AND DOUBLE SOCKO!
The N. Y. Strand *stands them up* one hour after the start of the first showing!

One of the Famous February Four from

WARNER BROS.

Hungary Film Production Up In Past Year

By **ENDRE HEVESI**

BUDAPEST, Feb. 6.—Local production gained considerably during 1936, with 21 Hungarian language and seven German language films having been produced. The total is large considering that Hungary has a population of only 8,000,000. In all, 487 films were released here in 1936, compared to 427 in 1935.

The production gain last year was a 50 per cent increase over 1935. However, the rush on the part of native producers led to insufficient preparation in many cases and resulting financial difficulties. The period of experimentation has passed, and prospects are exceedingly good for this year. If production plans are carried through, a total of 30 to 35 films will be produced here in 1937.

The growth of home production affected the foreign imports, especially American. Although American product, totaling 92 films, showed an increase, the U.S. companies were forced to fight to hold their commanding place. French films have gained in popularity here, while German product has fallen back. Chiefly through the popularity of Shirley Temple, 20th Century-Fox showed the best gain among American companies here in 1936.

Films Must Be Good

It was recognized by 20th Century-Fox that only carefully selected American pictures have a real chance of box-office success in Hungary, and the policy proved its value. M-G-M, with its own house here, imported the greatest number of pictures in 1936.

The most important distribution and exhibition development in the trade in 1936 was the Government ban on double bills, which went into effect in August. The neighborhood house owners fought it bitterly, but subsequent events proved that they were realizing greater profits, since product costs were lower, and there was no effect on patronage. The large theatre operators, on the other hand, who had favored the single bill edict, found the regulation working to their disadvantage. The regulation, in general, is considered to have hurt the business up to this time, by decreasing sharply the demand for product.

Exporting of Films Near the 1930 Peak

(*Continued from page* 1)

against 3,025,950 feet valued at $179,865.

The largest market for American pictures was Argentina, taking 18,085,518 feet valued at $323,988; followed by the United Kingdom with 18,071,389 feet valued at $525,031, and Brazil, which took 12,318,968 feet valued at $3,349,644.

For the first time, figures by width were given, the 1936 shipments including 33,365,406 feet less than one inch wide, valued at $550,384.

Shipments of sound film equipment increased over $500,000, reaching $2,105,288, against 1,482,281 in 1935.

Russians Looking To U.S. Product

By **BEATRICE STERN**

MOSCOW, Feb. 4.—American product showed a definite gain in the Russian market during 1936, as compared to 1935, and this year promises an even greater advance for U. S. films in this market. Whereas in 1935 only one American film, "Cabin in the Cotton," was shown here, last year there were three features, one lengthy short subject and three Disney cartoons.

Good comedies, films which contain new approaches in technique and made with new technical developments and those depicting social problems are most sought by Russian distribution authorities. They prefer pictures which present characters as the product of, and in relation to their times and environment. Naturally, pictures picturing the struggle of the working class are welcomed in Russia.

A total of 12 Russian films is planned for exportation to the United States during 1937. Among them are "Bezhin Meadow," directed by Eisenstein; "Happiest Man," directed by Pudovkin; "Morning Star," a puppet film; "Shchorrs," "Peter I," "A Great Citizen," "Iron Stream," "People's Art," "Return of Maxim" and "Gardener."

American Pictures Gaining in Poland

By **R. SILLEI**

WARSAW, Feb. 6.—American product is increasing in popularity each year in Poland. During 1935 American films accounted for 56 per cent of the total pictures released, while in 1936 the percentage had risen to about 70 per cent.

Following American product, but far behind, in the order of quantity, were Austria, Germany, Poland, France, England and Russia, in 1935. The same relative position was maintained in 1936, although Russian pictures were completely banned last year. Domestic producers completed about 16 features in 1936, about the same as the previous year.

The domestic product cannot be compared to the American. Facilities are poor, and as soon as the public got over the novelty of Polish language product, it began to suffer by comparison at the box-office. Only two types of pictures are produced here, historical and musical films.

The generous import quota on American films, 60 per cent of the total number of films imported into Poland in 1933, has been maintained. The Government is aiding local producers by reducing taxes on theatres which show Polish-made pictures. Every theatre is required to show at least one Polish film each year.

Austria offers the most serious competition to American product, and the German Government is seeking means of increasing the number of German films imported into Poland. A marked increase in new theatres is in progress in the country now.

General Dividend Set

LONDON, Feb. 7.—General Theatres Corp., Ltd., controlled and managed by Gaumont British, has declared a dividend of nine per cent, less income tax, on its participating preferred ordinary shares of six shillings, eight pence par.

U.S. Films Hold Argentina Lead

By **N. BRUSKI**

BUENOS AIRES, Feb. 8.—Of a total of 468 features released in this city during the first 11 months of 1936, 332 were American, 34 German, 30 English, 20 French, 17 Spanish, six Italian, and 17 produced in Argentina, plus a scattered few from other countries. Domestic production is expected to total 34 in 1937.

In comparison with the same period of 1935, American product showed a decrease of about 10 per cent, English films increased from 17 to 30, gains were shown also by French and Spanish product, while Germany's imports declined.

The public here on the whole is indifferent to domestic product, which cannot be compared in quality to that of the United States or other countries. Even the native language used in the home product has failed to compensate for its production weakness.

American product has been affected to a certain extent during the past year by rumors that the Government is giving serious consideration to the establishment of quota regulations on foreign product. It has been pointed out, however, that in view of the weak state of production here, such legislation would be definitely harmful. A more useful alternative has been suggested in the form of custom duty exemptions on machinery and raw materials used in production.

Technicians Approve Moyne's Quota Plans

LONDON, Feb. 7.—In its comments on the Moyne report in a letter to the Board of Trade, the Ass'n of Cine Technicians welcomes the continuance of the quota principle, approves the differentiation of scale in favor of the exhibitor, on the ground that it tends to improve quality, opposes the quality test as "impracticable, unsatisfactory and potentially dangerous," and adheres to the view that a cost clause is the best guarantee of quality.

It accepts the withdrawal of the stipulation of a British scenario writer for British films, but reiterates its suggestion that only one foreign technician shall be permitted to work on a picture admitted for quota, saying that existing conditions mean that British technicians have been employed on "quickie" production and foreigners on the better class picture. It also suggests that a fair wages clause be made a condition of financial assistance to producers through a Government agency.

Frederick White Dies

LONDON, Feb. 7.—Frederick White, 59, active as a Manchester distributor as far back as 1911, collapsed and died of heart failure during a recent boxing bout here. White was associated with Gilbert Church and Norman Wright in the flotation of British & Foreign, and more recently with Church in Associated Producers and Distributors, absorbed by Sound City.

Stapleton at Denham

LONDON, Feb. 7.—P. C. Stapleton, once a British International executive at Elstree, has been appointed studio manager at Denham by Alexander Korda.

Mexico Films Look Forward To Big Year

By **JAMES LOCKHART**

MEXICO CITY, Feb. 12.—After a rather speckled year, the Mexican industry anticipates bigger and better things in 1937. During 1936 American pictures easily dominated Mexico. Of the 500 pictures exhibited here in the year, only 20 were domestic. More European pictures, especially British and French, appeared. They were liked, generally speaking, but the Americans were far ahead in favor, for the public prefers their speed and technique. Two American films, "Love Me Forever" and "Show Boat," established new records. Another high spot was the sensation made by a Mexican picture, "Alla en el Rancho Grande" ("Way Down on the Rancho Grande") which topped all domestic films and rolled up the biggest gross of any film in Mexico, approximately $75,000.

Effects of Strike Not Felt

The trade soon recovered from the setback that extended into the winter of the strike against the eight major Americans. That was the worst labor trouble the industry had, excepting the one which closed for several months the local studio of the National M. P. Prod. Co., maker of Mexico's first talking film.

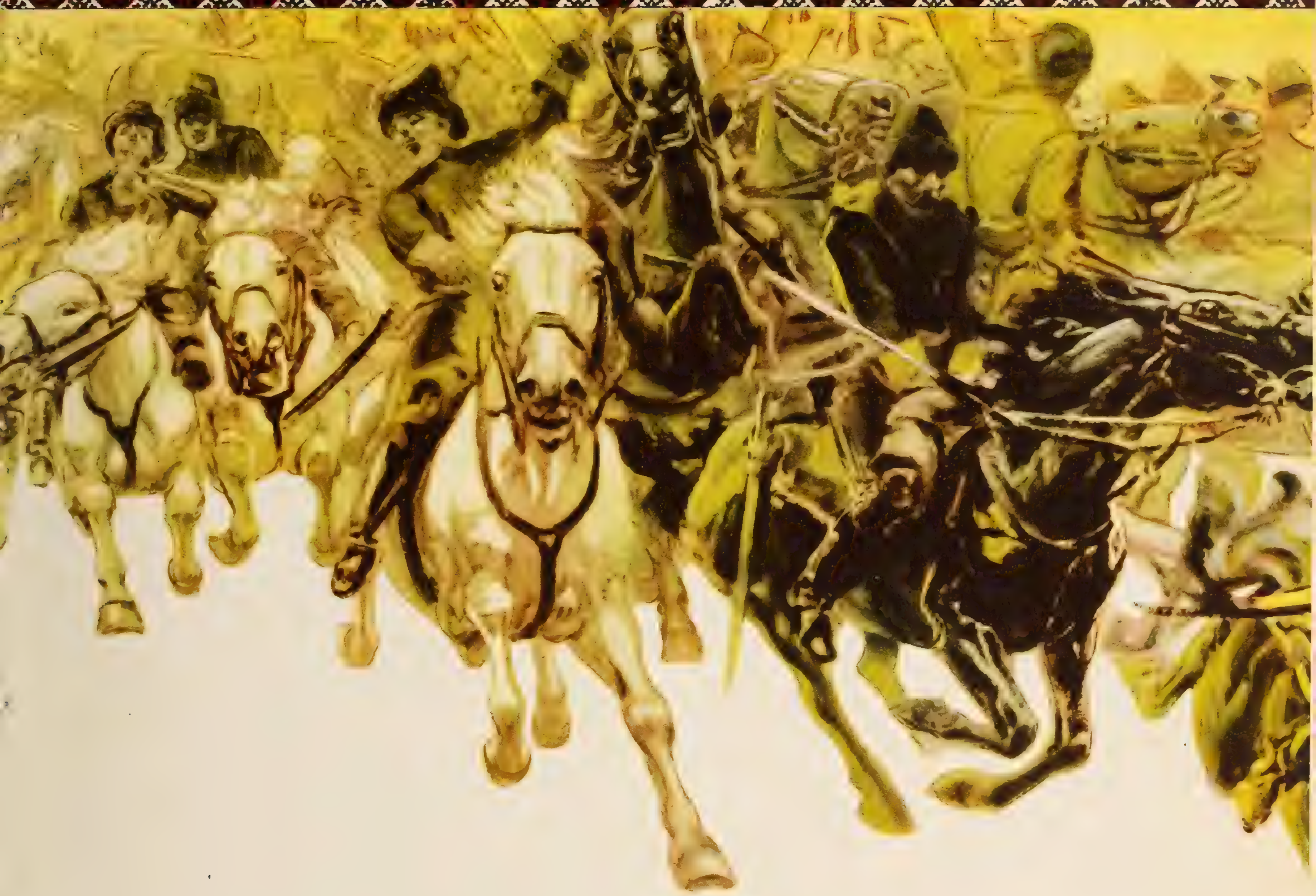
Producers here intend to give more attention this year to foreign markets, other than the Spanish speaking. Wider distribution in the United States and the British Empire is contemplated, as some pictures have done well north of the Rio Grande and in Britain and Canada. One of this season's products, "Cruz Diablo" ("Devil Cross"), produced by Impulsadora Cinematografica, S. A., backed by American-Mexican interests, made more than expenses in Japan and China. A contract was made with Czekoslovakia under a reciprocal distribution plan by a Prague and a Mexican company, a deal that was fostered by the Governments of both countries. Similar arrangements with other European countries are expected.

Natural Subjects Gain

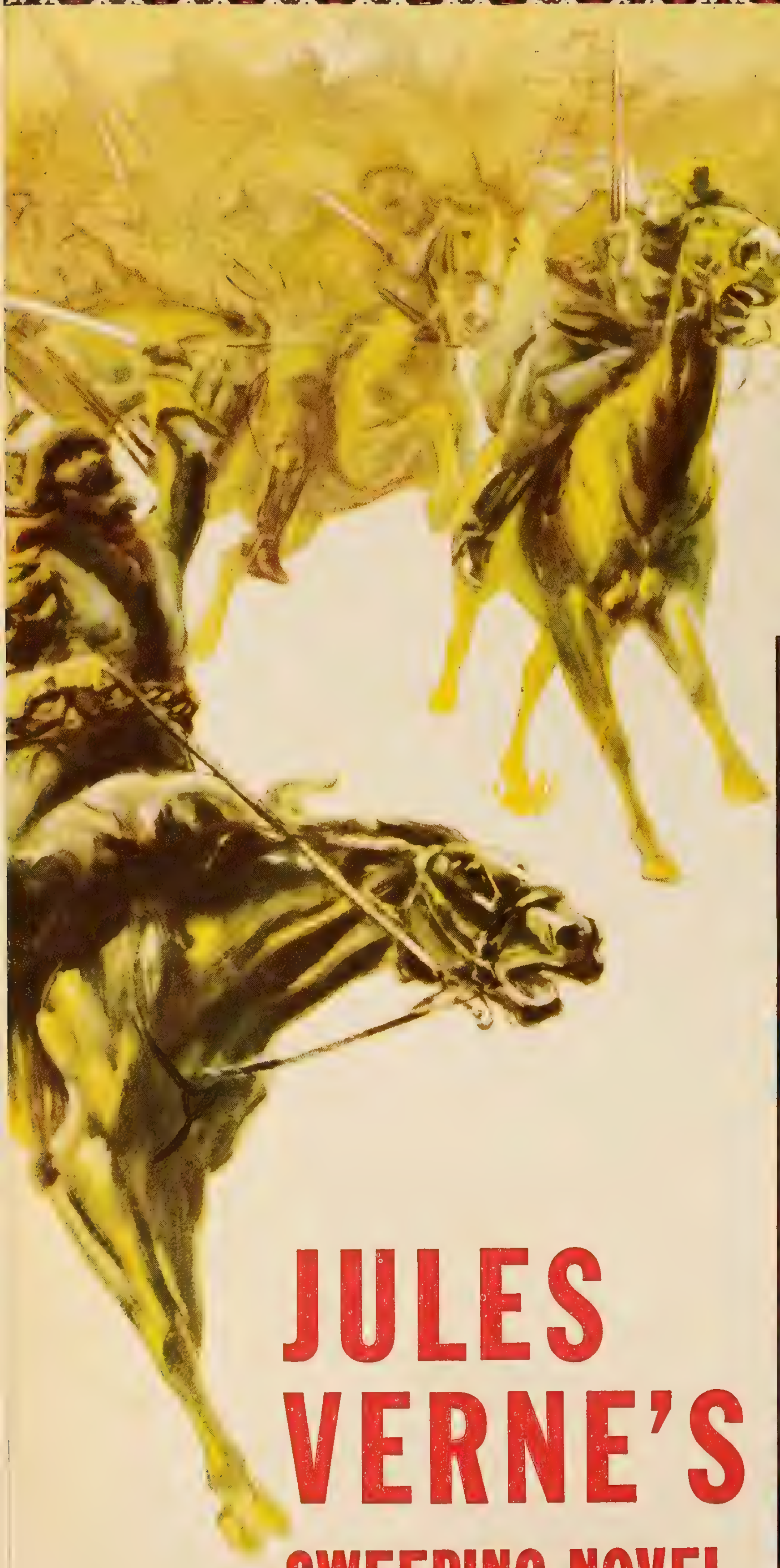
The Government expanded its program of making shorts—scenics and folklore subjects—for tourist trade stimulation by exhibition before groups abroad. Exhibition perked up a great deal last year with the opening of several fine theatres. Older houses have been modernized.

The criticism of American films is they would be even more popular if greater attention were given their story material, if the makers would spend more time getting better plots and themes that give food for more thought. Mexican producers have hearkened to this and are doing more work in obtaining and preparing better stories. Stars can carry American pictures, but there is a definite fan trend down here toward "the story's the thing."

Censorship was handled for the first time for all the country with establishment of a national board, smoothing out the tangle of numerous boards, each acting independently.



TEN THOUSAND TARTAR HORSEMEN ON THE SCREEN AT ONE TIME! . . FICTION'S MIGHTY MAN OF VALOR LEAPS TO ACTION MIDST AMAZING SCENES OF SPECTACLE, ROMANCE, DRAMA AND TINGLING THRILL!



Cornered by wild barbarians! . . . Face to face with the tortures of a band whose very name strikes terror across the Siberian steppes!

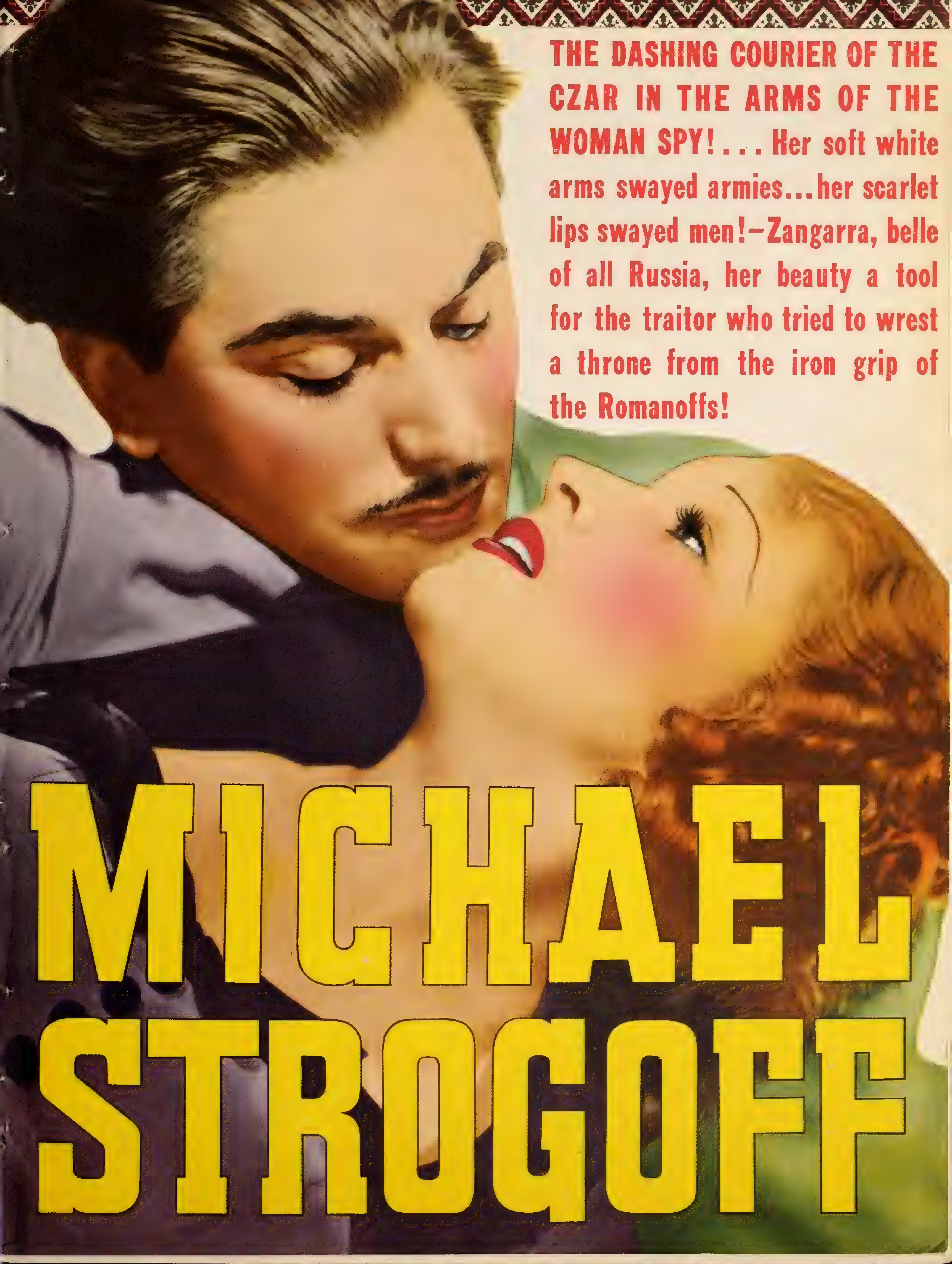
The splendor of the Tartars! . . . Towering tents of luxury, with hundreds of dancing girls to while away the hours on the blood-stained plains!

The plotters—and secret lovers! . . . The man who wanted power . . . and the woman whose love and loyalty shifted with the fortunes of war!

JULES VERNE'S

SWEEPING NOVEL OF ROMANCE AND ADVENTURE FILMED IN ALL ITS FIRE AND GLORY!

HO U.S.A.



THE DASHING COURIER OF THE CZAR IN THE ARMS OF THE WOMAN SPY! . . . Her soft white arms swayed armies...her scarlet lips swayed men!—Zangarra, belle of all Russia, her beauty a tool for the traitor who tried to wrest a throne from the iron grip of the Romanoffs!

MICHAEL STROGOFF

MICHAEL STROGOFF

BIG IN STORY! BIG IN SPECTACLE! BIG IN ALL THE SHOW VALUES THAT MEAN BIGGEST BOX-OFFICE!

with

ANTON WALBROOK

The screen's new dangerous lover, as the hero who fights through the lash of armies to a crimson goal.

ELIZABETH ALLAN

as Nadia, the beautiful girl who dared to travel alone in a seething land of armies on the march.

MARGOT GRAHAME

as Zangarra, the most dangerous woman in Russia... daring, deceitful, delightful... in the pay of the cruel Ogareff.

AKIM TAMIROFF

as Ogareff, traitor to the Throne, and the sinister power behind the terror of the Tartar hordes.

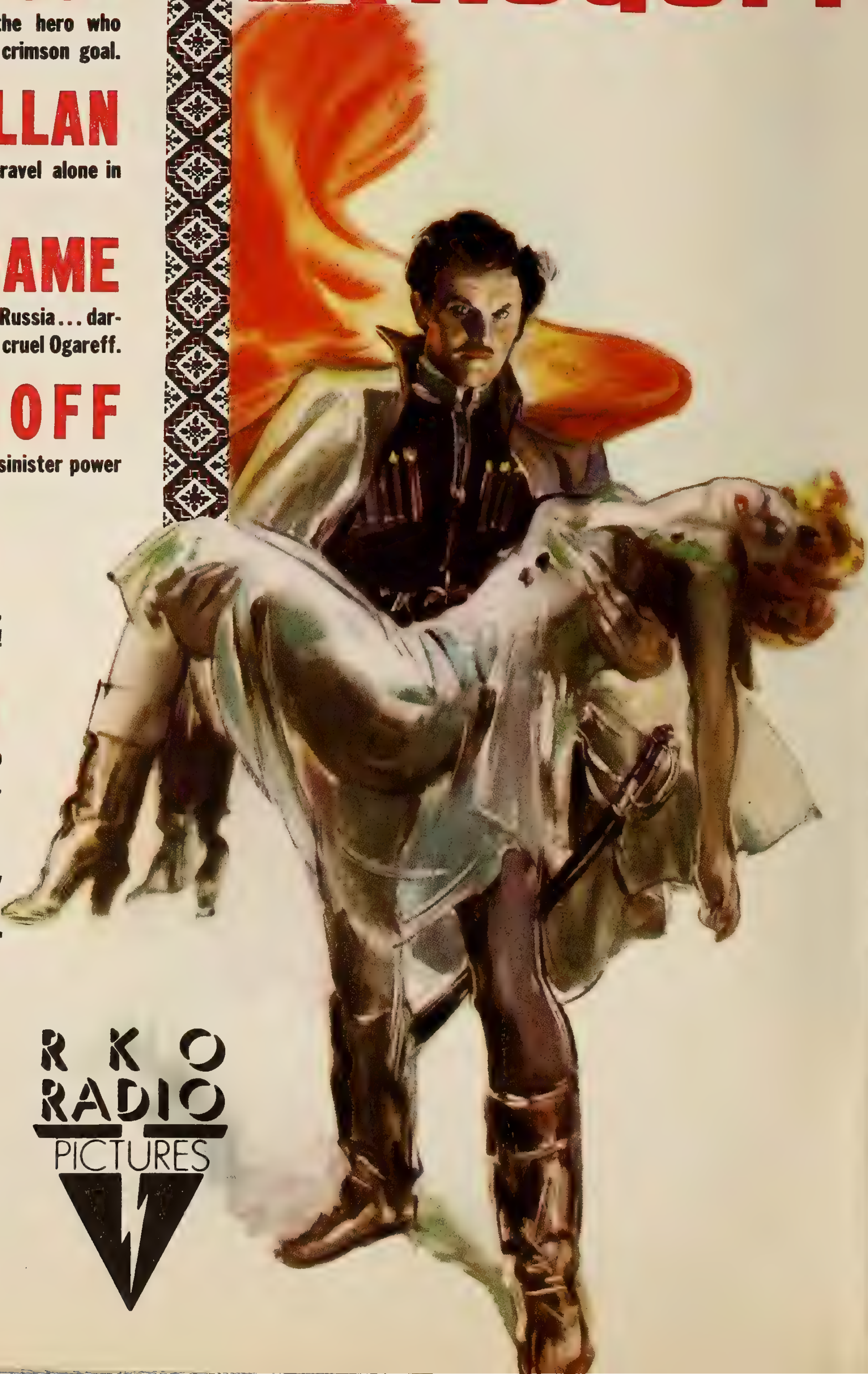
ERIC BLORE

as Cyril Blount, British war correspondent, helpless in the midst of raiding barbarians!

FAY BAINTER

former stage star, as Strogoff's mother, who braved barbarian torture to conceal her son.

A PANDRO S. BERMAN PRODUCTION.. Directed by GEORGE NICHOLLS, JR.



RKO
RADIO
PICTURES

"Country" and Show $20,000 Cleveland Top

Cleveland, Feb. 15.—"God's Country and the Woman" at the RKO Palace with a stage show headed by Benny Fields and the "Broadway Revue," took top honors, going to $20,000. This was $5,000 over average.

"The Holy Terror" at the Allen went $1,000 above par to a $6,000 take.

"The Plainsman" playing a second week at Loew's Stillman and a third successive week downtown, broke even with $6,000.

"Stolen Holiday" did an average week's business in six days at Warner's Hippodrome where $10,000 is par.

The weather was cold and stormy the first part of the week. The annual Food Show drew heavily from the theatres. A Junior League amateur performance also cut into business.

Total first run business was $55,000. Average is $51,000.

Estimated takings for the week ending Feb. 12:

"THE HOLY TERROR" (20th-Fox)
ALLEN—(3,300), 30c-35c-42c, 7 days. **Gross:** $6,000. (Average, $5,000)

"CHAMPAGNE WALTZ" (Para.)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $13,000. (Average, $15,000)

"THE PLAINSMAN" (Para.)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days, 3d week downtown. **Gross:** $6,000. (Average, $6,000)

"GOD'S COUNTRY AND THE WOMAN" (Radio)
RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: Benny Fields and the "Broadway Revue." **Gross:** $20,000. (Average, $15,000)

"STOLEN HOLIDAY" (F. N.)
WARNER'S HIPPODROME—(3,800), 30c-35c-42c, 6 days. **Gross:** $10,000. (Average, $10,000)

Gene S. Fox Going West

Boston, Feb. 15.—Gene S. Fox, advertising manager at the Metropolitan for the past three years, has resigned from M. & P. and is leaving for Los Angeles to take an executive post with National Screen Service. No successor has yet been named, but Angeline Maney and Jack Saef of the present publicity staff and Paul Levy of the Paramount are mentioned.

Jennings, Kennedy Switch

Boston, Feb. 15.—John Jennings and James Kennedy have swapped their New England jobs. Kennedy is now salesman for Specialty Pictures and Bank Night, while Kennedy is covering northern New England for Grand National. Both were formerly with Fox in this territory.

McDermott to Bridgeport

Boston, Feb. 15.—William McDermott, former Loew's manager in Worcester and Springfield, has been made manager of Loew's Majestic in Bridgeport, taking over the place left vacant by the resignation of Samuel Goodman.

Extends Vaudeville

Hartford, Feb. 15.—O'Neill and Goldberg's Cameo has increased its vaudeville to a full week, except Sunday. Unit stage shows, instead of variety numbers, will be used with pictures, while Sunday blue laws require straight pictures on that day.

"Plainsman," Washington's Best Grosser

Washington, Feb. 15. — "The Plainsman" at Loew's State was the only house along the main stem to exceed par, taking $16,200 and going only $300 over the average. The picture went into a second week.

"Beloved Enemy" at Loew's Capitol took $19,000, falling $1,900 under par.

The Earle, with "Black Legion," did $16,000, or $2,400 under the average. "One in a Million," playing a return engagement at Loew's Columbia, grossed $4,500, going over the weekly first-run average by $900.

The Metropolitan, with "The Woman Alone," took $4,200, going $100 below par.

Total first run business was $67,400. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending Feb. 5:

"BLACK LEGION" (W. B.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Harry Reser & Band, headlining. **Gross:** $16,000. (Average, $18,400)

"BELOVED ENEMY" (U. A.)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Eleanor Holm & Art Jarrett, headlining. **Gross:** $19,000. (Average, $20,900)

"ONE IN A MILLION" (20th-Fox)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,500. (Average, first run, $3,600)

"THE WOMAN ALONE" (G.B.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $4,200. (Average, $4,300)

"YOU ONLY LIVE ONCE" (U. A.)
RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $7,500. (Average, $10,600)

Week Ending Feb. 6:

"THE PLAINSMAN" (Para.)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $16,200. (Average, $15,900)

"Million" $13,000 Smash Hit, Denver

Denver, Feb. 15.—"One in a Million" topped the town, packing the Denver repeatedly in spite of stormy weather. On Sunday a house record was set. The $13,000 take was over normal by $5,500. The film was moved to the Aladdin for a second week.

Business was good all along the line.

Total first run business was $36,000. Average is $26,500.

Estimated takings for the week ending Feb. 11:

"MAN OF AFFAIRS" (G. B.)
ALADDIN—(1,500), 25c-40c-50c, 7 days. **Gross:** $4,000. (Average, $3,000)

"THREE SMART GIRLS" (Univ.)
BROADWAY—(1,500), 25c-40c, 7 days, following a week at the Denver. **Gross:** $4,500. (Average, $2,000)

"CHAMPAGNE WALTZ" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $5,500. (Average, $4,500)

"ONE IN A MILLION" (20th-Fox)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $13,000. (Average, $7,500)

"WE'RE ON THE JURY" (Radio)
"UNDER COVER OF NIGHT" (M-G-M)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $6,500. (Average, $6,000)

"A WOMAN ALONE" (G. B.)
"COUNTERFEIT LADY" (Col.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $2,500. (Average, $3,500)

Plans a Musical

Mentone Prod., heretofore strictly a short subject producer, plans its first feature musical with "April in Your Eyes" by Arthur Pierson. Production detail is now being worked out.

Three Films, Show Best Lincoln Draw

Lincoln, Neb., Feb. 15.—Coupled with a stage show, "Winter Garden Follies," three films during the week at the Orpheum got $2,700 to top the town, and topped par by $950. The three films were "Larceny on the Air." "Rembrandt" and "It Couldn't Have Happened."

The Stuart and Lincoln, with "One in a Million" and "Beloved Enemy," respectively, came in for profitable weeks. The Stuart got $3,500, $400 up, and the Lincoln, $2,500, $300 up.

The Varsity edged into the profit column by a repeated engagement for "Theodora Goes Wild."

Total first run business was $10,950. Average is $9,000.

Estimated takings:

Week Ending Feb. 10:

"GHOST TOWN GOLD" (Republic)
"LAST OUTLAW" (Radio)
"SECRET VALLEY" (20th-Fox)
"SHOW THEM NO MERCY" (20th-Fox)
LIBERTY — (1.200), 10c-15c, 7 days. **Gross:** $950. (Average, $850)

Week Ending Feb. 11:

"BELOVED ENEMY" (U. A.)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,500. (Average, $2,200)

"THEODORA GOES WILD" (Col.)
VARSITY—(1,100), 10c-25c-35c, 7 days. **Gross:** $1,300. (Average, $1,100)

"LARCENY ON THE AIR" (Republic)
"REMBRANDT" (U. A.)
"IT COULDN'T HAVE HAPPENED" (Invincible)
ORPHEUM—(1,350), 10c-15c-20c-25c, 7 days. Stage. "Winter Garden Follies," 3 days. **Gross:** $2,700. (Average, $1,750)

Week Ending Feb. 12:

"ONE IN A MILLION" (20th-Fox)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $3,500. (Average, $3,100)

"Live Once" Leads As Houston Slumps

Houston, Feb. 15.—"You Only Live Once" led the field in a dull week, grossing $8,000 at the Metropolitan where $7,000 is normal.

"Stolen Holiday" at the Majestic fell off $1,000 to take $6,000 for seven days. "Our Relations" at Loew's State was $2,200 in the red, taking $4,800. Average is $7,000.

A Bank Night "appreciation gift" at the Kirby raised the gross to $5,200 for the week. Average is $5,000. Pictures at the Kirby were "Smartest Girl in Town," "Laughing at Trouble" and "Make Way for a Lady."

Sunshine after 30 days of cold rain turned this Gulf coast town into a springtime paradise. Opposition was held to mediocre night club programs and the monthly program of the Houston Symphony Orchestra with Dusolina Giannini as soloist.

Total first run business was $24,000. Average is $28,000.

Estimated takings for the week ending Feb. 11:

"SMARTEST GIRL IN TOWN" (Radio)
KIRBY—(1,450), 25c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

"LAUGHING AT TROUBLE" (20th-Fox)
KIRBY—(1,450), 25c-35c, 1 days. Bank Night. **Gross:** $1,200. (Average, 7 days, $5,000)

"MAKE WAY FOR A LADY" (Radio)
KIRBY—(1,450), 25c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

"OUR RELATIONS" (M-G-M)
LOEW'S STATE—(2,700), 25c-50c, 7 days. **Gross:** $4,800. (Average, $7,000)

"STOLEN HOLIDAY" (W. B.)
MAJESTIC—(2,250), 25c-50c, 7 days. **Gross:** $6,000. (Average, $7,000)

"YOU ONLY LIVE ONCE" (U. A.)
METROPOLITAN—(2,600), 25c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)

"Stolen" and Show Big in Minneapolis

Minneapolis, Feb. 15. — "Stolen Holiday," backed by Count Berni Vici and "Spices of 1937" on the stage, brought in $15,000 at the Minneapolis Orpheum. This was $9,000 over average and was aided by a price boost.

"Lloyds of London" at the Minnesota where $10,000 is par, grossed $13,000 to lead the straight picture houses. "Come And Get It" moved over to St. Paul to top average of $4,000 at the Orpheum by $1,000. "General Spanky," on a bill with "White Hunter," brought in $200 more than the usual $1,500 at the Tower. Market Week in Minneapolis helped make it a good week.

Total first run business in Minneapolis was $38,000. Average is $28,500. Total first run business in St. Paul was $13,700. Average is $14,500.

Estimated takings:

Minneapolis:

Week Ending Feb. 10:

"CAN THIS BE DIXIE" (20th-Fox)
"SINNER TAKE ALL" (M-G-M)
STATE—(2,400), 25c-40c, 7 days. **Gross:** $3,000. (Average, $5,500)

Week Ending Feb. 11:

"LLOYDS OF LONDON" (20th-Fox)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $13,000. (Average, $10,000)

"STOLEN HOLIDAY" (F. N.)
ORPHEUM—(2,900), 35c-55c, 7 days. Stage: Count Berni Vici and "Spices of 1937." **Gross:** $15,000. (Average, $6,000)

"A DOCTOR'S DIARY" (Para.)
CENTURY—(1,600), 25c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

"THREE SMART GIRLS" (Univ.)
WORLD—(400), 25c-35c, 7 days, 6th week, extended from Century. **Gross:** $2,000. (Average, —$2,000)

St. Paul:

Week Ending Feb. 11:

"BELOVED ENEMY" (U. A.)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $4,500. (Average, $5,500)

"COME AND GET IT—" (U. A.)
ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

"SING ME A LOVE SONG" (F. N.)
"MAD HOLIDAY" (M-G-M)
RIVIERA—(1,000), 25c-40c, 7days. **Gross:** $2,500. (Average, $3,500)

Week Ending Feb. 12:

"GENERAL SPANKY" (M-G-M)
"WHITE HUNTER" (20th-Fox)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,700. (Average, $1,500)

Williams Gets N. Y. Post

Seattle, Feb. 15.—Robert Williams, former assistant manager of the Paramount and Orpheum here, and now assistant to Morrie G. Nimmer, head of Evergreen State in Wenatchee, will leave that position next week. He has resigned to accept an executive post with an industrial research and survey company in New York.

Loew Firm Dissolved

Dover, Del., Feb. 15.—Loew's Harrisburg Corp., a Delaware corporation, has been dissolved. A certificate of voluntary dissolution has been issued by Secretary of State Charles H. Terry, Jr.

Set Sunday Referendum

East Milton, Mass., Feb. 15.—Whether or not this town will license the Sunday showing of films will be decided by popular referendum there March 6.

"Lloyds" and Show Are Big Boston Draws

BOSTON, Feb. 15.—"Lloyds of London," with a stage attraction featuring Belle Baker and Stepin Fetchit, took high honors at the Metropolitan with $31,000, above the line by $9,000.

The weatherman still favors exhibitors with California weather. The Boston & Maine ran its first snow train of the winter to New Hampshire. Despite this theatres held their own.

"Maid of Salem," second run dualled with "Return of Bulldog Drummond," grossed $11,000 at the Paramount, $4,000 above par. The same program at the Fenway drew $7,000. Average is $4,500.

"After the Thin Man," in its second week, drew $16,500 at Loew's, $4,500 over average, and $14,000 at Loew's State, over par by $3,000.

"The Plough and the Stars" at the RKO Memorial drew 2,500 above average with $15,500.

Total first run business was $98,000. Average is $88,500.

Estimated takings for the week ending Feb. 11:

"MAID OF SALEM" (Para.)
"RETURN OF BULLDOG DRUMMOND" (Para.)
FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $7,000. (Average, $4,500)

"PLOUGH AND THE STARS" (Radio)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $15,500. (Average, $12,000)

"AFTER THE THIN MAN" (M-G-M)
LOEW'S ORPHEUM—(2,970), 25c-45c-65c, 7 days. **Gross:** $16,500. (Average, $12,000)

"AFTER THE THIN MAN" (M-G-M)
LOEW'S STATE—(3,537), 25c-45c-65c, 7 days. **Gross:** $14,000. (Average, $11,000)

"LLOYDS OF LONDON" (20th-Fox)
METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Belle Baker and Stepin Fetchit. **Gross:** $31,000. (Average, $22,000)

"MAID OF SALEM" (Para.)
"RETURN OF BULLDOG DRUMMOND" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $11,000. (Average, $7,000)

"JOIN THE MARINES" (Republic)
RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: Leon Errol and Louise Beavers. **Gross:** $21,000. (Average, $21,000)

"O'Malley," Bowes Indianapolis Wow

INDIANAPOLIS, Feb. 15.—"The Great O'Malley," with Major Bowes' All-Girl Unit on the stage, pulled a big $12,000 at the Lyric, $5,000 in the black.

"Lloyd's of London" proved a high-powered draw at the Apollo, where it was good for $6,500, $2,500 over the line. It was held.

Total first run business was $28,000. Average is $21,000.

Estimated takings for the week ending Feb. 12:

"LLOYD'S OF LONDON" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $6,500. (Average, $4,000)

"YOU ONLY LIVE ONCE" (U. A.)
"BULLDOG DRUMMOND ESCAPES" —(Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

"WOMEN OF GLAMOUR" (Col.)
"UNDER COVER OF NIGHT" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $4,500. (Average, $6,000)

"THE GREAT O'MALLEY" (W. B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Major Bowes' All-Girl Revue. **Gross:** $12,000. (Average, $7,000)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Love Is News"

(20th Century-Fox)

HOLLYWOOD, Feb. 15.—Lively, colorful comedy-romance following a keynote of smart hokum, this show seems destined to meet with widespread public approval. Composed of appealing elements, the film is always fresh, breezy and entertaining. It is well produced, with Tyrone Power, Loretta Young and Don Ameche filling roles of modern-minded young folks in a manner that arouses intense interest in their adventuring into romance, comedy and light but exciting drama. Slim Summerville, Dudley Digges, George Sanders, Jane Darwell, Elisha Cooke, Jr., and Walter Catlett round out the effective support.

The show is that frothy kind of amusement usually appreciated by both classes and masses. The basic plot is a freshly concocted exposition of the rich girl-newspaper reporter theme. Miss Young's studied aversion to publicity always seems to land her in the headlines. Outsmarted by Power, a reporter, she revenges herself upon him by giving to all the papers, except his, the announcement that she will endow him with $1,000,000 and marry him. Thus scooped, Power brings down upon his own brow the fire of condemnation from Ameche, his editor, with whom he is always battling. A celebrity himself now, Power, whose appeals to Miss Young for mercy are snubbed, comes in for a hearty round of kidding and ridicule all the way down the line. These sequences make for gay amusement.

The three leads are always centers of attention, with action, dialogue and situations created to show them off to best advantage. Members of the supporting cast give excellent performances. The film moves at a smart and novel pace. The picture will be easy to sell because of its quality, story content, prestige of the leading players and the competent work of the supporting cast. Word-of-mouth advertising may be depended upon to arouse curiosity. The brisk original by William P. Lippman and Frederick Stephani has been adopted by Harry Tugend and Jack Yellen in a manner assuring maximum audience enjoyment. Tay Garnett's direction is good.

Production Code Seal No. 2,957. Running time, 75 minutes. "G."

"The Last of Mrs. Cheyney"

(M-G-M)

HOLLYWOOD, Feb. 15.—Modernized somewhat to fit the talents of Joan Crawford, William Powell and Robert Montgomery, "The Last of Mrs. Cheyney" remains a heavy-dialogued, dated English drawing room comedy-romance. It has the capabilities of appealing to those liking that sort of entertainment, but it must depend for popular support upon the magnetism of the three leading players plus Frank Morgan, Jessie Ralph, Benita Hume, Ralph Forbes and Sara Haden in the support.

The familiar story of the American feminine Raffles setting out to rob the British aristocracy only to be attracted to the class she intended to loot and lose her heart to a nobleman who loves and saves her from a life of crime, it comes to the screen hewing closely to the spirit and atmosphere of the original. Miss Crawford, Powell and Montgomery handle their parts with easy grace, and Morgan, Miss Ralph, Miss Hume, Forbes, Miss Haden and Nigel Bruce, performing in characteristic fashion, are adequate additions to the leading trio.

Costumed and produced in 1937 style, the generation of the old motivation still smacks of the reading in a hammock on a pleasant, unhurried summer's day. Nevertheless occasional spurts of clever situations embellished by smart if prolonged dialogue account for some gay amusement. Based on the Frederick Lonsdale play, Leon Gordon, Samson Raphaelson and Monckton Hoffe are credited with the screenplay. The late Richard Boleslawski directed all but the last few sequences.

Production Code Seal No. 3,058. Running time, 85 minutes. "G."

Bissell in Imperial

CLEVELAND, Feb. 15.—Holbrook C. Bissell, who resigned last week as Columbia branch manager here, has taken the franchise for Imperial Pictures in northern Ohio.

Two Plays Fold

"A Point of Honor," after five performances, closed at the Fulton Saturday night. The same evening marked the passing of "Call Me Ziggy" after three performances at the Longacre.

G.N. Meeting on Coast

Grand National has tentatively set its next sales convention at the studio in Hollywood, according to Edward L. Alperson, president. The meeting will be held in May.

Astor Preview Set

"When's Your Birthday?", first Joe E. Brown comedy for David L. Loew-RKO release, will be trade shown at the Astor Theatre tomorrow morning at 10:45 A. M.

"Plainsman" Pittsburgh's Holdover Top

PITTSBURGH, Feb. 15.—"The Plainsman" led the parade in its second week at the Warner with a take of $8,500, over normal by $3,500.

Lent slowed up business somewhat, but "Beloved Enemy" went $350 over the line on a take of $11,350 at the Penn, and "Champagne Waltz" was $500 to the good on a $12,000 gross at the Stanley.

"Charlie Chan at the Opera," exhibiting growing box-office qualities for this series, coupled with "More Than a Secretary," gave the Alvin a neat $7,100.

Total first run business was $42,400. Average is $37,500.

Estimated takings for the week ending Feb. 11:

"CHARLIE CHAN AT THE OPERA" (20th-Fox)
"MORE THAN A SECRETARY" (Col.)
ALVIN—(2,000), 25c-40c, 7 days. **Gross:** $7,100. (Average, $5,500)

"MEN ARE NOT GODS" (U. A.)
"LAUGHING AT TROUBLE" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $3,450. (Average, $4,500)

"BELOVED ENEMY" (U. A.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $11,350. (Average, $11,000)

"CHAMPAGNE WALTZ" (Para.)
STANLEY—(3,600), 25c-50c, 7 days. **Gross:** $12,000. (Average, $11,500)

"THE PLAINSMAN" (Para.)
WARNER—(2,000), 25c-50c, 7 days, 2nd week. **Gross:** $8,500. —(Average, $5,000)

"Lloyds" Again Top Kansas City Gross

KANSAS CITY, Feb. 15.—"Lloyd's of London" led the town in comparative scoring for the second consecutive week at the Fox Uptown with a take of $4,500, which was $500 better than normal.

The weather moderated, but the flu epidemic still is at its peak, and none of the other first runs managed to equal par at the box-office. Some 30,000 attended four nights of Golden Glove finals during the week at the Municipal auditorium, which didn't help.

"More Than a Secretary" and "Devil's Playground" took the big money, $9,500, at the Midland, but this was $2,000 off the line. "A Doctor's Diary," starring John Trent, a home town boy, was well exploited by the Newman but was weak.

Total first run business was $35,500. Average is $37,500.

Estimated takings:

Week Ending Feb. 11:

"GOD'S COUNTRY AND THE WOMAN" (W. B.)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $7,800. (Average, $8,000)

"MORE THAN A SECRETARY" (Col.)
"DEVIL'S PLAYGROUND" (Col.)
MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $9,500. (Average, $11,500)

"A DOCTOR'S DIARY" (Para.)
NEWMAN—(1,900), 25c-40c, 7 days. **Gross:** $6,800. (Average, $7,000)

"SMART BLONDE" (W. B.)
TOWER—(2,200), 25c-35c, 7 days. Stage: The Harlemaniacs, Jess Libonati Trio, Mickey King, Ward Keith, Ted Cook, Lester Harding, The Dancing Darlings and Tower Orchestra. **Gross:** $6,900. (Average, $7,000)

"LLOYD'S OF LONDON" (20th-Fox)
UPTOWN—(2,000), 25c-40c, 2nd week. **Gross:** $4,500. (Average, $4,000)

"Great Guy" Omaha's Best With $14,500

Omaha, Feb. 15.—Local houses had the best business of the year last week. The A. B. Marcus shows, with "Great Guy" on the Orpheum screen, collected $14,500, or more than double the average of $7,200.

"The Holy Terror" and "Charlie Chan at the Opera" grossed $7,600 at the Omaha, or $2,100 over par. "Stolen Holiday" and "Devil's Playground" at the Brandeis garnered $5,700.

Several factors influenced the heavy take. The weather tapered off to new high temperatures for the winter at the close of the week, and the three houses played an extra show on Bank Night.

Total first run business was $27,800. Average is $16,700.

Estimated takings:

Week Ending Feb. 9:

"THE HOLY TERROR" (20th-Fox)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $7,600. (Average, $5,500)

Week Ending Feb. 10:

"STOLEN HOLIDAY" (W. B.)
"DEVIL'S PLAYGROUND" (Col.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $5,700. (Average, $4,000)

Week Ending Feb. 11:

"GREAT GUY" (G. N.)
ORPHEUM — (3,000), 35c-55c, 7 days. Stage: Marcus show. **Gross:** $14,500. (Average, $7,200)

"Million" High as Cincy Houses Open

Cincinnati, Feb. 15.—Everything considered, business was quite satisfactory last week after the theatres opened following a 11-day shutdown caused by lack of power during the flood. "One in a Million" went $950 over the line on a third downtown week at the RKO Grand.

"God's Country and the Woman" did $10,000 in six days at the RKO Palace, this being the seven-day average figure. "The Plainsman" came within shouting distance of par at the RKO Lyric, and moved across the street to the RKO Grand.

Total first run business was $51,400. Average is $58,700.

Estimated takings for the week ending Feb. 11:

"BELOVED ENEMY" (U. A.)
RKO ALBEE—(3,300), 35c-42c, 5 days. **Gross:** $9,000. (Average, 7 days, $12,000)
"GOD'S COUNTRY AND THE WOMAN" (W. B.)
RKO PALACE—(2,700), 35c-42c, 6 days. **Gross:** $10,000. (Average, 7 days, $10,000)
"UNDER COVER OF NIGHT" (M-G-M)
RKO SHUBERT—(2,150), 40c-60c, 7 days. Stage: "Greenwich Village Scandals." **Gross:** $11,000. (Average, $12,000)
"CAMILLE" (M-G-M)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $4,800. (Average, $6,500)
"THE PLAINSMAN" —(Para.)
RKO LYRIC—(1,400), 35c-42c, 7 days, 2nd downtown week. **Gross:** $6,400. (Average, $6,500.) Moved to RKO Grand.
"ONE IN A MILLION" (20th-Fox)
RKO GRAND—(1,200), 25c-40c, 7 days, 3rd downtown week. **Gross:** $3,700. (Average, $2,750)
"I COVER CHINATOWN" (Steiner)
RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,300. (Average, —$1,250)
"HOUSE OF SECRETS" (Chesterfield)
RKO FAMILY— (1,000), 15c-25c, 3 days. **Gross.** $1,300. (Average, $1,200)
"SING ME A LOVE SONG" (F. N.)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $3,900. (Average, $6,500)

Overseas Previews

"The Great Barrier"

(Gaumont British)

London, Feb. 3.—"The Great Barrier" is one of the best of recent G.B. efforts. Made in Canada, major producers in the United States would be proud to have it on their schedule. Further, there seems to be no reason why it should not go as well with audiences on your side as any of those American epics of the outdoors to which it has an affinity.

The historical background is the construction of the Canadian Pacific Railway. In the dramatic foreground is the struggle in company board room, bank parlor, and political cabinet to keep the enterprise Canadian instead of merging with American J. J. Hill. Even more prominently there is the sterner struggle with nature in the Rockies, where an all-Canadian route through the peaks is sought by a band of pioneers. The romantic element is provided by a gambler, reformed by a compulsory spell on the railroad and by the daughter of the working boss. A remittance man and a tough lady of the saloons help with contrast.

Richard Arlen, Antoinette Cellier, Barry Mackay and Lilli Palmer are all alive in these parts and talk a language as near American as matters; most emphatically it is not "Oxford." There is good human drama in their relations. Still, the real drama is that of the railroad, going forward although locomotives sink in swamps and financiers get cold feet, and of the motley crew who built it. There is the taste of real adventure and real achievement in the picturizing of this achievement. Thrills aplenty on the side, including a great canoe-spill in the rapids and a real old time Western bit when Arlen jumps from horse to locomotive cab, to stop the train from rushing into the swamp.

The story of a piece of historical pioneering, it screens finely as an example of the real life drama that leaves the fiction writers guessing. It will surely go on the record as one of the really big pictures to come from England. Running time, 100 minutes. "G." Allan.

("The Great Barrier" was briefly reviewed by cable Feb. 4)

Out Hollywood Way

Hollywood, Feb. 15.—Rochelle Hudson and Robert Kent will be teamed for the fourth time when they appear with Jane Withers in an untitled film to be started Feb. 18 by 20th Century-Fox.

Jan Rubini and his orchestra signed by 20th Century-Fox for "Cafe Metropolis". . . Universal delays starting date on "Love in a Bungalow" until end of March . . . Franz Waxman assigned to do music on "There Was a Lady" at M-G-M . . . Universal to start "Oh, Doctor" Feb. 24, with Edmund Grainger producing . . . Dr. William Axt and Gus Kahn of M-G-M have done two songs for "Song of the City" . . . Major David Hilton signed by M-G-M as technical director on army sequences of "They Gave Him a Gun" . . . Col. E. A. Schiller of Loew's leaves for Jacksonville.

Barbara O'Neill signed by Samuel Goldwyn . . . Edward Bernoudy assigned by Samuel Goldwyn as assistant to John Blystone on "The Woman's Touch". . . Frank Skinner, musical arranger, given term contract by Universal . . . First assignment may be on Deanna Durbin's next, "100 Men and a Girl" . . . John Wayne's next for Trem Carr to be "I Cover the War."

✚

Casting—Arline Judge, Arthur Treacher and Walter Catlett in "She Had to Eat," 20th Century-Fox . . . Harold Huber and Joseph Sawyer in "They Gave Him a Gun," Harlan Briggs in "The Old Soak," and Aubrey Asher in "Night Must Fall," M-G-M . . . Humphrey Bogart in "Dead End," Samuel Goldwyn . . . Lucille Gleason and Warren Hymer in "Navy Blues," Eddie Kane in "Hit Parade," Republic.

✚

William Farnum in "Git Along, Little Doggies," Sammy White and Rita LeRoy in "The Hit Parade," Republic . . . Zeni Vatori, on loan from Warners, in "The Stones Cry Out," Universal.

✚

Writers—Lester Cole doing the script of "The Cop" from Kubec Glasmon's original for Universal . . . Joseph Anthony working on the script of "Super Sleuth," Radio . . . Ernest Toller and Mordaunt Shairp given contracts by M-G-M . . . Toller will work on story about Lola Montez and Shairp to collaborate on "Once There Was a Lady."

✚

Story Buys—Alexander brothers acquire film rights to radio and magazine character "The Shadow," created by Maxwell Grant . . . Radio acquires the Victor Mapes play, "The Kangaroos," for Wheeler and Woolsey.

✚

Contracts — Spanky McFarland signed for another year by Hal Roach . . . Robert Dalton, actor, held for another six months by Universal.

✚

Director—Frank Borzage moves to M-G-M soon . . . His Warner contract settled by M. C. Levee, agent.

Coast Independents Meet for Law Talks

Los Angeles, Feb. 15.—One hundred and six independent exhibitors, including I.T.O. members, held a mass meeting at the Elks Club here today at the request of B. D. Russell, organizer of the New California Independent Exhibitors' Protective League. Russell outlined campaign plans for the passage of legislation banning block booking and designation of playdates on percentage pictures and told exhibitors he already had introduced a bill at Sacramento calculated to divorce production from exhibition and planned to introduce additional measures affecting production. Russell asked exhibitors to aid in the campaign for the measure, which closely parallels the Pettengill Bill.

Jack Berman, I.T.O. president, appointed a stearing committee consisting of himself, E. S. Calvi, Harry Vinnicoff, Lou Bard and J. Sutton to investigate the plan and confer further with Russell for a later report to the organization.

Many exhibitors already have signed pledges to aid the campaign.

Delay Albany Pooling

Further negotiations on the pooling of Warners' Ritz and Strand and Si Fabian's Palace and Harmanus-Bleeker Hall in Albany will be delayed until Fabian returns March 1 from a three-week vacation in Miami. A tentative working arrangement has been set, but classification of houses and other details will not be completed until next month.

Edward Davidow Dead

Edward Davidow, 67, agent and brother-in-law of Lee and J. J. Shubert, succumbed to a heart attack Sunday in his room at the Edison. He co-produced "Satellite" at the Bijou last year. Funeral arrangements will be completed today.

Loew's Remodel Office

Loew's is remodeling the reception sector of the seventh floor in the home office. The work is scheduled to be completed in the next few days.

Wall Street

Board Still on Decline

	High	Low	Close	Net Change
Columbia	37¼	37	37⅛	— ⅜
Consolidated	5	4⅞	4⅞	— ⅛
Consolidated, pfd.	16⅞	16¾	16¾	.....
Eastman Kodak	173½	173½	173½	—1½
Gen. T. Equip.	31⅜	30⅝	38⅞	—1⅛
Loew's, Inc.	77	75¼	76	—1
Paramount	26⅜	25⅝	25⅝	— ⅜
Paramount 2 pfd.	23¾	23	23⅝	— ⅛
Pathe Film	9	9	9	.....
RKO	8¾	8½	8⅝	+ ⅛
20th Century-Fox.	36½	36	36½	+ ¼
20th Century, pfd.	45	44¾	45	.....
Warner Bros.	16	15⅝	15⅝	— ⅜

Little Curb Change

	High	Low	Close	Net Change
Grand National	3½	3⅜	3⅜	— ¼
Sentry Safety	1	15/16	1	.....
Sonotone	2⅛	2⅛	2⅛	.....
Technicolor	20¾	19⅝	20⅝	.....
Trans-Lux	4½	4¼	4½	+ ⅛

Slight Bond Movement

	High	Low	Close	Net Change
Loew's 3½s '46	100½	100	100	.....
Paramount Pict. 6s '55	103½	103	103	.....
RKO 6s '41 pp	121	121	121	.....
Warner Bros. 6s '9 wd	98¾	98½	98½	— ¼

(Quotations at close of Feb. 15)

P. H. Pumphrey Gets Cecil, Warwick Post

Preston H. Pumphrey, well known in radio production circles, succeeds H. V. McKee as radio director at Cecil, Warwick and Cecil. Pumphrey will assume his duties at the agency beginning Feb. 26.

Pumphrey comes to Cecil, Warwick and Cecil from Chapman and Butcher. Previously he was for five years manager of the radio department at Fuller & Smith & Ross and more recently of Benton & Bowles.

McKee, who announced his resignation at Cecil, Warwick and Cecil several weeks ago, will leave for a South American cruise in two weeks. He will return in six weeks.

Smuggler Story on WMCA Time Tonight

"Through the Stage Door," WMCA series based on stage life, will dramatize the story of a chorine who exposed a band of smugglers tonight at 10:30 P. M., E. S. T.

Alfred Hall, program director at WMCA, is in charge of the program. The stories are supplied by Ray Midgley, veteran stage director, and are rewritten for the air by Lawrence Menkin.

Earnshaw Opens an Office in New York

Earnshaw Radio Prod., Hollywood transcription producers, have opened Eastern offices at 116 Broad St. here in charge of Charles Michelson.

Among the well-known transcribed air serials produced by Earnshaw Prod. are "Monte Cristo" and "Chandu."

Thomas Joins Taplinger

Dan Thomas, former NEA feature writer and recently head of the publicity staff for Walter Wanger, will form a new department for the Bob Taplinger publicity office in Hollywood.

Thomas will handle all film accounts for Taplinger and will co-ordinate the activities of radio stars appearing in films. Taplinger's is the first radio publicity office to form a film-radio division.

"Ma and Pa" Is Extended

"Ma and Pa," Atlantic Refining Co. program now heard Tuesdays, Thursdays and Saturdays, goes into a six-time-a-week schedule, Mondays through Fridays beginning March 1. The series is presented on the CBS network at 7:15 P. M., E.S.T. N. W. Ayer is the agency.

Sign Helen Wills Moody

Rockwell-O'Keefe has signed Helen Wills Moody for films and radio. Air auditions are now being set for the ex-tennis queen.

AP Switch

The AP radio department has been transferred from the feature to news department. The shift in divisions is as a result of the order of Ed Byron who recently left the Washington Bureau of the AP to become head of the news division in New York.

◂ Radio Personals ▸

GENE BYRON of Mutual's "Mollie of the Movies" series is now the wife of Ray Jones, the "Red Barker" in the air series of that title . . . Kay Wells, daughter of air scripter Billy K. Wells, blossoms as a radio singer on the Flippen show over WHN tonight . . . Pontiac's "Varsity Show" Feb. 26 will come from the Dartmouth campus . . . Bing Crosby will be among those attending the Paul Whiteman's "alumni" dinner which will be held in March . . . Tom McKnight has resumed scripting the Bea Lillie series . . . Peggy Conklin, star of the new comedy, "Yes, My Darling Daughter," will be interviewed on the *Theatre Guide* program over WINS at 11:30 A. M. today . . .

✚

Bob Ripley will be the guest speaker at the luncheon of the N. Y. Advertising Club Thursday . . . Jack Fulton, tenor on CBS's "Poetic Melodies," is now enrolled in a beginners' class of dramatics at De Paul University . . . Lloyd Griffin, CBS Chicago announcer, leaves the chain to accept an agency berth in Minneapolis . . . Sophie Tucker and the Abbe Kids will guest appear on Bing Crosby's Kraft "Music Hall" series Feb. 19 . . .

✚

Don Shaw, assistant to the president at McCann-Erickson, leaves for Washington today on agency business. . . . Ramona, who recently filed suit against Jack Lavin and Paul Whiteman, her managers, yesterday signed to guest appear on the Schaefer Beer program on WOR this Sunday. . . . Mary Astor will be Elza Schallert's guest artist this Friday night on NBC. . . . Fields and Hall, who have been broadcasting on WJZ for Skol Products, have been canceled. . . . Frank Dunham, educational director at NBC, leaves for New Orleans tomorrow to attend the convention of school principals in that city. . . .

✚

Bob Parrish, negro tenor, will guest sing on Eddie Cantor's program this Sunday. That day also marks the return of Deanna Durbin on the Cantor program, after a siege of illness. . . . Harry Savoy, it is understood reliably, has been signed to remain permanently on Cantor's program, succeeding Parkyakarkus. . . . Guy Lombardo opens at the Paramount tomorrow. . . . Nelson Eddy will re-appear on his Sunday "Open House" series, after a week's absence due to an operation. . . . The Philco dealers will convene in White Sulphur Springs March 14-16. . . . Marge Morin and Bob Casey, both of NBC, have announced their engagement. . . . Ditto Willie Fitts of the "Ma Perkins" cast and Mildred Tatz, non-pro. . . .

✚

Ben Gross, radio editor of the *New York Daily News,* is abed with a broken arm . . . Countess Olga Albani returns to the airwaves on the Ford "Universal Rhythm" program this Friday, after an absence from the airwaves of a year and a half . . . Erin O'Brien-Moore has been added to the cast of "Black Legion" on "Hollywood Hotel" this Friday. She will support Humphrey Bogart . . . Guest artists on Kate Smith's "Bandwagon" Thursday will be Pauline Frederick, Henry Hull, Margo, and Dudley Digges in a scene from "The Masque of Kings" . . . Helen Jepson and Buck and Bubbles will be heard on the "Speedshow" Feb. 20 . . . Dan Seymour, CBS staff announcer, who left for the coast with Milton Berle's unit, will be replaced on the Bowes show by Ralph Edwards pending Seymour's return from Hollywood.

✚

WBOW's Folly

An air version of the "I-didn't-know-the-gun-was loaded" technique was offered Terre Haute listeners recently when WBOW broadcast an amateur audition contest. From the script, one of the neophytes broadcast a warning that the Terre Haute dam had given way and that inhabitants must flee for their lives. The lines were put in the script to test the contestant on how he would broadcast such a warning.

Of course, listeners flooded the studio switchboard with calls to learn if their lives really were in peril, whereupon an announcer broadcast an explanatory statement and assured Terre Hauteans they were safe.

We could become thoroughly indignant about such a zany broadcast, but for the life of us we cannot think of anything strong enough to pen. And then again, we wonder if any comment is really necessary. BANNER

San Francisco Sidelights

SAN FRANCISCO, Feb. 15.—H. P. DREY'S KROW staff at Oakland has just issued another edition of the sales organ, *Krow Dial* . . . Gordon Owen is handling KYA's wrestling match broadcast from Dreamland Auditorium, San Francisco . . . Keith Kerby, formerly with KOIN in Portland, has joined KSFO, San Francisco, as an announcer . . . And Karel Pearson, KPO traffic manager, has been routed south to fill the same spot with NBC's Los Angeles stations . . . Ed Cohan, CBS chief engineer, was here looking over the KSFO plans for a new transmitter . . .

Dick Wynne, KYA announcer, is pinch-hitting for Ernie Smith during the latter's illness . . . John Nichols of the same studio left recently for Seattle, to visit his parents.

✚

Philadelphia Chit-Chat

PHILADELPHIA, Feb. 15. — Dave Mann and Gene Irwin, WFIL piano duo, take their keyboard capers to a new spot twice weekly over the Mutual net. . . . WIP will air Bob Ripley's guest talk at the Advertising Club lunch Thursday . . . Clarice Mayer, KYW's woman reporter gets an addition daily shot to be known as "A Woman Looks at the News" . . . Gill Babbitt has joined the *Radio Press,* Philadelphia fan weekly, as managing editor . . . Ben Greenblatt moves his piano rambling to KYW . . . Ayella Boys, accordion trio formerly heard on WPG, Atlantic City now air over WIP.

Buddy Rogers to Leave

Buddy Rogers definitely leaves the "Twin Stars" show following the Feb. 26 broadcast, to make a film in England. His band, however, will remain on the program.

Bondurant Is Made WHO Sales Manager

Hale Bondurant has been appointed sales manager of WHO, Des Moines station owned by the Central Broadcasting Co. Bondurant joined WHO in 1932 and has been assistant sales manager there during the past two years.

Bondurant is president of the Advertising Club of Des Moines, and a member of the executive council of the Sales Managers' Ass'n of the National Ass'n of Broadcasting.

Waltham-WBNX Suit On

An action by the Century Indemnity Co. was begun yesterday in Federal Court before Judge Clancy against the Standard Cahill Co., Inc., operators of WBNX, to recover $22,250 which the plaintiff was compelled to pay to the Waltham Watch Co. in Sept., 1931. The action is based on a contract which the Federal Broadcasting Co. entered into with Waltham whereby the former agreed to consolidate stations WBNX, WMFG and WCDA, operate on 1,000 watts and broadcasting a 50-word announcement 24 times a day. The stations failed to consolidated and Waltham obtained a $18,750 judgment which the plaintiff paid because it was liable on a surety bond. The case will resume today.

Sponsors for WMCA Shows

Golden Peacock, Inc., through Ruthrauff & Ryan, begins sponsorship of "Amateur Night in Harlem" beginning with tomorrow night's broadcast over WMCA, from 11 P. M. to midnight. The contract is for 13 weeks.

Additionally on WMCA, the Nature Friend, Inc., through Frank Presbrey Co. last week took over sponsorship of "Everywoman's Hour," heard Fridays at 11:15 P. M.

Ad Class Tours NBC

A group of over 100 members of the advertising course sponsored by the Advertising Women of New York, Inc., toured NBC's studios last night as a regular feature of their program of study.

John H. Bachem, eastern sales manager at NBC, addressed the women on "Radio as an Advertising Medium" prior to the tour. All of the members are employed in New York advertising agencies.

Stuart on Survey Trip

H. Malcolm Stuart, Chevrolet account head at Campbell-Ewald, left for a radio tour of the New England territory several days ago, it was learned yesterday.

Smith to Minneapolis

Fred Smith, publicity director at Batten, Barton, Durstine and Osborn left town yesterday for Minneapolis.

18 Different Ways

Hartford, Feb. 15. — Ray Barrett, new WDRC announcer, can say it in 18 different dialects, learned in vaudeville and stock. He was formerly with WIBO, Chicago and WBNX, New York, on production and writing before taking present position.

Warners on Air as KFWB Is Dedicated

Hollywood, Feb. 15.—Official dedication ceremonies of KFWB, Warner Bros. station, were held here today with Dick Powell, Warren William and Al Jolson alternating a masters of ceremonies. The program featured a parade of station talent from 6:00 to 8:00 P. M., after which studio talent went on the air from 8:00 to 10:00 P. M.

Jack Warner made a dedicatory address and introduced Hal Wallis, Mervyn LeRoy and Sid Grauman. George Jessel, Eddie Cantor and Walter Winchell contributed a comedy skit with Ben Bernie brought in by remote control from the Ambassador. Impromptu appearances were made by Joan Blondell, Ruby Keeler, Eleanor Powell, Sid Silvers, Lila Lee, Jean Madden, Errol Flynn, Olivia De Haviland, Rosalind Marquis, Patricia Ellis and Sybil Jason.

Harry Warner extended greetings from a theatre screen and his voice was rebroadcast to the air audience.

MacQuarrie Sued On Actor Air Show

Hollywood, Feb. 15.—Haven MacQuarrie today was sued for $500,000 damages by George D. Lyons, who also seeks an injunction restraining MacQuarries' production of his actor air show, and a division of profits. Lyons claims that he collaborated with MacQuarrie on the original show years ago.

A hearing was set for Superior Court by Judge Wilson, for Feb. 22.

Leon Rosebrook Gets KEHE Musical Post

Hollywood, Feb. 15.—Leon Rosebrook, formerly musical director of the Radio City Music Hall and the Roxy and executive assistant to Erno Rapee, has been named musical director of KEHE, Hearst station, effective Feb. 22. He succeeds Salvatore Santaella, resigned.

The demand for a full-time executive in the station's musical post led to the appointment of Rosebrook.

Neat Promotion

WMBG, CBS affiliate in Richmond, Va., did a neat promotional job on the premier broadcast of the Philip Morris show last Saturday when it gathered together some 75 tobacco jobbers in the studio to hear the initial offering and immediately following transcribed the opinions of the Richmond tobacconists as to their reaction to the programs. The records are now in the hands of the radio staff of the Biow Agency, New York, which handles the account.

Cardinet Co. Renews

The Cardinet Candy Co., sponsors of the NBC-Red Pacific network series, has renewed the program for 13 weeks beginning March 7. The program is aired Sundays at 9:15 P. M., P.S.T. over stations KPO, KFI, KGW, KOMO, and KHQ. To-

Paramount and NBC Sign a Weekly Show

(Continued from page 1)

and stock players will be used. The production will be under the direction of Boris Morros. Paramount writers will prepare the scripts which will be subject to the approval of the company's publicity department. A 30-piece studio orchestra will augment the program which is slated to start early next month and will be heard in the mornings commencing at 9:00 A.M., P.S.T.

The negotiations which were consummated today were started some time ago in New York.

Plenty of Jrs.

Indianapolis, Feb. 15.—WIRE's staff is topheavy with Jrs. They are Norman Perry, Jr., whose father owns the Indianapolis Indians ball club; Albert J. Beveridge, Jr., whose father, now dead, was U. S. Senator, and Eugene S. Pulliam, whose father, Eugene C. Pulliam, owns the station.

New Shows on the Air

"Brewster's Millions"

Jack Benny and Mary Livingstone went into their first so-called dramatic program last night as the stars of "Brewster's Millions" for Lux Radio Theatre, nationally broadcast over CBS and heard in New York over WABC 9 to 10 P. M., E.S.T.

It was a pleasing program, but it was also a disappointing program. Disappointing because of the promise held forth in an unusual combination of the air's leading film and dramatic program, which is the Lux hour, and the airwaves' leading comedy team as voted in Motion Picture Daily's recent nation-wide ballot of the nation's radio editors. The play, of course, was the stage adaptation of the original novel by George Barr McCutcheon, tricked up to allow for Benny and Livingston antics which came along at intervals rather too infrequent to keep the fun constantly aloft.

Benny on his regular 30-minute Jello program needs no analysis at this late date. But there, with his combination technique of gags and music and less formal plugs for the sponsor's product, he seems to be more at home than at any efforts to essay the rudiments of dramatic acting which the Brewster part occasionally required.

The quarterly interruptions for advertising spiels on behalf of Lux were of no help. They cut seriously into the continuity of the abbreviated play, although by the same token they tied new dialers into the proceedings and kept the sponsor's message going. The dragging in of two Los Angeles winners of a $50,000 sweepstakes prize with their concluding boost for the product was entirely pointless and got exactly nowhere.

The play itself, with station breaks and sales talks, ran 50 minutes and was followed by banter between De Mille and the stars to conclude with the usual announcement of next Monday's broadcast which will be "Captain Blood."

This reviewer, agog with anticipation, found himself only moderately amused. However, he may have expected too much.

"The Lone Ranger"

"The Lone Ranger" is a wild and woolly western script aimed at juveniles and, if we remember our own kid days, the youngsters will swallow the con-carne concoction whole.

The script deals with a mysterious masked individual (The Lone Ranger), a western Sir Galahad who rides the range meting out punishment to lawbreakers and helping deserving people who may be in distress.

Last night's episode concerned a broncho-busting cowpuncher named Jack Baker who suffers from a persecution complex because some years before his father had been hung as a horse thief. Baker falls in love with the daughter of a wealthy rancher and agrees to represent her father in a forthcoming rodeo. However, he can't stand the fancied jeers of the other cowpunchers and shortly before the start of the rodeo he announces that he is "pulling stakes."

It is here that the Lone Ranger enters the script. Hearing of the unhappy situation he prevails upon Baker to postpone his departure until after the rodeo. The Lone Ranger then enters himself as a contestant and "licks the pants off" Baker, on whom the entire town has bet. When Baker observes how the townsfolk stick by him loyally, even after his defeat, his complex is cured.

Sponsored by Silver Cup Bread, "The Lone Ranger" is presented on the Mutual network, 7:30 to 8:00 P. M., E.S.T.

"The Romancers"

With the Sunday airwaves cluttered with raucous comedians, Adelaide French conceived the idea of piecing together a smooth little "class" musical program in the belief that many listeners might turn to it, even if only for temporary respite from the noisy gagsters. Miss French has picked a winner in "The Romancers," which bowed in on the WOR wave length Sunday evening from 9:45 to 10 P. M., E.S.T., and sponsored by the Weston Biscuit Co.

The program offers individual vocals and duets by Willard Amison, tenor; Adelaide Norton, lyric soprano; incidental organ music by Louise Wilcher, and poetry readings by Erik Wolf. We heartily commend the artists for a thoroughly enjoyable little period. And to the sponsor we predict a bright future for "The Romancers."

"1937 Radio Revue"

Sunday night we tuned in again on the Feenamint-sponsored "1937 Radio Revue," of which we said some weeks ago that one could take it or leave it without making much difference either way. Our original verdict after the half-hour re-acquaintance with the show, still stands.

Save for Arnold Johnson's band spots and Ray Knight's "Firing Squad" bit, the period as a whole lacks variety and spontaneity. The fact is, the program's obviously labored movement is its greatest fault. Without benefit of television, one can almost visualize the pre-broadcast birth pangs that marked the script with the result that the listener becomes an arm-chair jockey and "rides" the sequences, with uncomfortable results.

Knight had two skits with basically good comedy elements, but neither quite succeeded in getting over, due to the obvious manner in which each was treated. One was based on an income tax investigation; the other, a burlesque on the romance of Capt. John Smith and Pocahontas. With a bit of imagination both might have achieved hilarity. As it was, the laughter was shuttered because the listener almost always was able to guess the lines before they came floating through the loudspeaker.

Johnson's band numbers, including "I've Got My Love to Keep Me Warm" from the picture "On the Avenue," and "Plenty of Money and You" were excellent. The "Firing Squad," designed to do away with pests, dealt with the extinction of the wife who won't permit her husband to read the evening newspaper in peace and also was excellent.

A dramatized commercial in which a mystic, named Ben Ali, looked into the crystal ball and saw 17,000,000 people made happy by the benefits of the sponsor's product, Feenamint, was laughable.

"1937 Radio Revue,"renewed Sunday for an additional period, is heard each week at 6 P. M., E.S.T. on the coast-to-coast Mutual network.

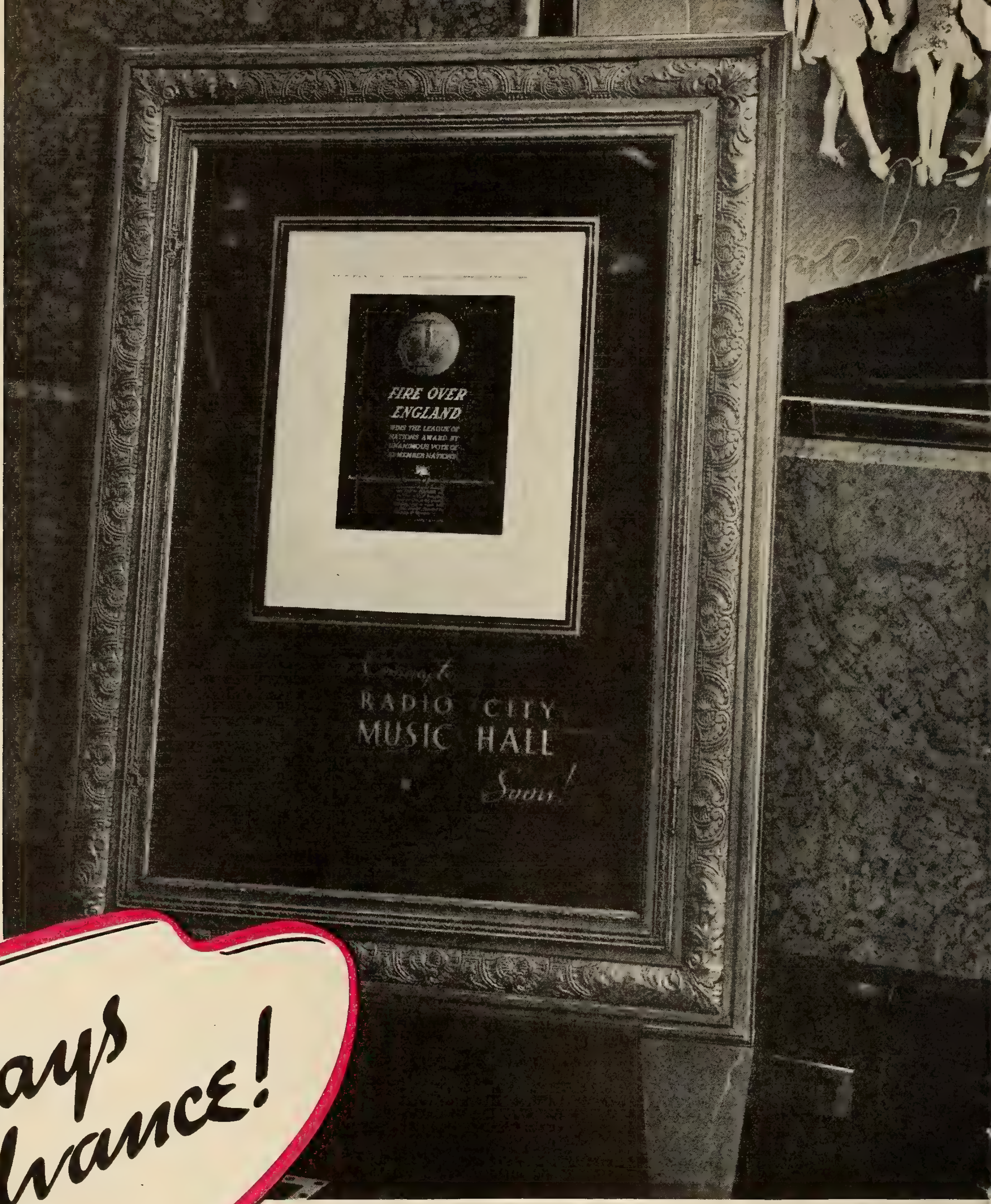
"Johnnie Presents"

Saturday's big inaugural was the Philip Morris program on the CBS network, featuring the music of Russ Morgan, vocals and chorals by Phil Duey, the Swing 14, the Six Diminuettes, Frances Adair, Glenn Cross, the Philip Morris Ensemble, and the dramatized re-enactments authored by Charles Martin taken from actual court records entitled "It Might Have Happened to You." And as extra measure for the opening broadcast, guest appearances by Ferde Grofe, Don Bestor, Walter O'Keefe, and the district attorney of New York County, William Copeland Dodge.

"Johnnie Presents," which is the program's title, is a gay hodge podge of melody and mellerdrama, and should rapidly win for itself an enthusiastic audience. It's main forte is variety and the sponsor dishes it out in copious quantities. The main claims to distinction are the factual, dramatized court records. These are prepared by Charles Martin, who is also one of the executives at the Biow Co., agency which handles the Philip Morris account. The details are carefully worked out and entertainingly presented. District Attorney Dodge was on hand to assure the listeners of the authenticity of the re-enactments.

The series is presented each Saturday at 8:30 P. M., E.S.T., on the CBS in the interests of Philip Morris cigarettes.

Banner


FIRE OVER ENGLAND
WINS THE LEAGUE OF NATIONS AWARD BY UNANIMOUS VOTE OF
MEMBER NATIONS
Coming to
RADIO CITY MUSIC HALL
Soon!

35 days in advance!

That is how W. G. Van Schmus, Managing Director of Radio City Music Hall, lends importance to his campaign on

FIRE OVER ENGLAND

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 40 NEW YORK, WEDNESDAY, FEBRUARY 17, 1937 TEN CENTS

Positive Film Exports 99% Sound Variety

80% of Negatives Reveal Year Sound Gains

By BERTRAM F. LINZ

WASHINGTON, Feb. 16.—Approximately 99 per cent of the film positives exported from the United States last year and 80 per cent of the negatives were of the sound variety, it is shown by additional figures made public by Nathan D. Golden, chief of the film section of the Dep't of Commerce.

The continued gains which are being made by the sound picture are demonstrated by Golden's report that only 2,143,939 feet of silent negative were exported last year against 9,904,111 feet of sound negative, as compared in 1935 with 3,025,950 feet of silent against 8,890,598 feet of sound.

In positives, it was shown, silent pictures were but 1,695,980 feet against 195,907,374 feet of sound, as compared in 1935 with 2,206,235 feet of silent and 185,567,838 feet of sound.

With the exception of Panama and Spain, film exports to the 10 most important markets all showed increases in 1936 over 1935. Panama, which in 1935 took 9,944,990 feet valued at

(*Continued on page* 6)

Canada Clamping Lid On All Chance Games

TORONTO, Feb. 16.—With the Bingo craze sweeping the country in a wild wave, protests have piled up on Canadian Government officials and municipal authorities with the result that the lid has been clamped down on games of chance in a number of cities and towns. The largest city to take action was Winnipeg where the police commission ordered all Bingo operators to cease immediately. Many of the games had developed into pseudo-charity rackets which had cut deeply into theatre receipts.

Municipalities in numerous sections have also taken action against gambling slot machines. Steep license fees, running as high as $300 per machine for a year, have been the chief

(*Continued on page* 6)

Skouras Takes Over 2 Westchester Spots

George Skouras of Skouras Theatres has taken over the operation of the Bronxville, Bronxville, and Scarsdale, Scarsdale, N. Y., from Nick Paley and Jack Rosenthal.

The policy of the two theatres, first

(*Continued on page* 11)

Networks Insisting Upon Quality in Air Programs

By JACK BANNER

With important evening spots sold and plenty of sponsors waiting to buy where current time users may drop out, NBC and CBS are reported registering protest where commercial programs are not up to snuff and, at the same juncture, insisting that entertainment and quality content be improved.

The angle ties in with prestige and reputation. The networks are feeding program to the public approximately 18 hours each day and are understood to feel that they have now reached the point in their operations where content rates consideration along with revenue, particularly now that revenue is running along at a level never before attained. More than ever before, they appear concerned over their standing as an entertainment and educational force, more especially the former, and are said to view it as entirely within their prerogatives to embark upon safeguard measures which will maintain and even enhance that standing.

The situation is construed as reflecting a stiffened attitude on the part of both networks. However, and seen coupled with it, is an intention of safeguarding the night periods not only as against the time when

(*Continued on page* 11)

Additional Radio—Pages 8-11

All of Louisville Theatres Now Open

LOUISVILLE, Feb. 16.—All Louisville's downtown houses were open for business yesterday after a three-weeks shutdown caused by the flood.

The Rialto was the first major house to open, lighting up Friday at 11 A. M. The Mary Anderson followed, being supplied with power about 3 o'clock. The Strand opened at 6 o'clock, with heat, light, and equipment in excellent shape.

Loew's State was the last first run to open, getting under way Sunday. The difficulty here was to get wiring

(*Continued on page* 5)

MPTOA Gets Set on Convention Talkers

The M. P. T. O. A. convention program committee yesterday completed its arrangements for speakers who will address the national meeting at Miami, March 16 to 18, on modern theatre design and construction, and general

(*Continued on page* 5)

Groups Will Attack Alien Measure Today

By CLARENCE LINZ

WASHINGTON, Feb. 16.—Screen and radio interests tomorrow will launch a joint attack against the Dickstein alien actor bill, hearing on which will start before the House Immigration Committee.

Members of the committee said tonight the list of persons desiring to be heard is the longest they have ever had on a measure of this nature. Included in the list are Charles Pettijohn, M.P.P.D.A., for which, however, Gabriel Hess, counsel, is ex-

(*Continued on page* 11)

Condor Offers First Common Stock Issue

An initial issue of 472,818 shares of common stock of Condor Pictures, Inc., recently formed, was offered yesterday by B. E. Buckman & Co. of Chicago and Chapman & Co. of San Francisco. The stock will sell at 3.25

(*Continued on page* 11)

M-G-M and the Navy Screen Film at Lat. ? ?, Long. ? ?

By J. M. JERAULD

Herb Morgan and Si Seadler and the U. S. Navy entertained yesterday afternoon. It's quite a combination. Herb is in charge of promotion for M-G-M shorts, Si has something to do with advertising and the Navy takes care of national defense—entirely unrelated fields of activity, but when they cooperate it's a party.

It developed that Herb had a short

(*Continued on page* 6)

Para. to Use 15 Millions Debentures

Issue of 3½% to Retire Present 6% Series

A $15,000,000 issue of 3¼ per cent convertible debentures has been authorized by Paramount Pictures, Inc., under the company's plan for refunding the bulk of the $22,500,000 of six per cent sinking fund debentures presently outstanding, it was disclosed yesterday in a statement from the company's board of directors.

The new issue of convertible debentures will be dated as of March 1, 1937, and will be due March 1, 1947. The debentures will be convertible until five days prior to redemption date or maturity into common stock of the company at $33⅓ per share until March 1, 1942, and thereafter until Feb. 23, 1947, at $40 per share.

They will be redeemable in whole or in part at any time on a minimum of 30 days published notice, at par plus accrued interest.

Holders of the present 20-year six per cent debentures are offered the right to exchange their debentures without an adjustment of interest for an equal face amount of the new 3¼ per cent debentures. The right to exchange expires March 9. In the

(*Continued on page* 6)

Paramount Shifts 3 Of Sales Personnel

J. E. Fontaine, district manager for Paramount with headquarters in Chicago, succeeds Harry Hunter as branch manager in Washington. Hunter replaces the late John Kennebeck as managing director for the company in Australia.

Allan Usher, now Chicago branch manager, becomes district manager succeeding Fontaine. Succeeding Usher in Chicago will be James Donohue, now Minneapolis branch manager. This leaves only Minneapolis as the unfilled gap. No decision on this post has been made. The changes will be effective next Monday.

The changes were announced yes-

(*Continued on page* 6)

Begin Discussion on Empire Union Merger

Discussions have been started looking to a consolidation of the Empire State Operators' Union, a Brooklyn organization, with Local 306, it was learned yesterday. There was no indication of the length of time which

(*Continued on page* 11)

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VIENNA: Neustiftgasse, 55, Vienna VII; Hans Lorant, Representative.
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Balsdon Gaining in California Hospital

LOS ANGELES, Feb. 16.—Although his condition is still regarded as serious, George Balsdon, National Theatres' booker, is showing signs of recovery, according to local offices of FWC which is in constant touch with the Stockton Hospital.

Balsdon is now taking food, dresses himself and also talks to people, although he does not recognize his family or associates. However, local FWC executives expect he will snap out of his semi-consciousness in a few days.

Meanwhile, Sumner Gambee, vice-president of National, and Nick Turner, also injured in the recent auto crash, are rapidly improving. There is no definite word when they will be discharged from the hospital.

Hammons Silent on Plans

HOLLYWOOD, Feb. 16.—E. W. Hammons today told MOTION PICTURE DAILY that he had no production plans to announce at the moment. A statement may follow a week's rest at Palm Springs, he said.

Although it is reported that Hammons is seeking additional finances, he stated that Educational's reorganization is now complete.

Momand Appeal Case Is Opened in Denver

DENVER, Feb. 16.—Oral arguments in case of A. B. Momand of Oklahoma City against distributors and theatre companies of that city alleging conspiracy and restraint of trade started here today in U. S. Circuit of Appeals after Momand had refused to amend his complaint and make it more specific in several instances.

The U. S. District Court, Western Division of Oklahoma, had dismissed Momand's case and Momand appealed in an attempt to force a trial in the case. Appellant distributors and theatres charged in their brief that Momand was trying to make an investment of fifteen dollars and other valuable considerations grow into a possible judgment of close to $5,000,000 by asking triple damages under the anti-trust laws. The record shows Momand had paid the $1 and other considerations for each of several claims similar to his and was combining them. The cases covered nearly twenty-five theatres in a dozen Oklahoma towns. In most cases Momand claimed other chains came in, making it hard for him to secure films on an equitable basis. Decision is not expected for several weeks.

Sues Columbia, Warners

Ferdinand Voteur, a writer, will ask permission of Justice Aaron J. Levy in N. Y. Supreme Court today to examine before trial officers of Columbia Pictures Corp. and Warner Bros. Enterprises, Inc., in connection with suits which he has filed against them. His suits are separate.

In one action, according to the plaintiff's attorney, Voteur asks $1,000,000 damages from Columbia charging that, after rejecting his play, "Resurrection Morning," they produced "The Man Who Lived Twice," which was substantially similar in plot and in its characterization with the plaintiff's work.

In the other suit Voteur asks $250,000 damages of Warner Bros. and its co-defendants, Intrastate Theatres Corp. He states that Warners reviewed his play, rejected it and then produced "Walking Dead," which was similar to "Resurrection Morning."

Ramona's Motion Denied

Justice Joseph M. Callahan in N. Y. Supreme Court denied the motion yesterday brought by Ramona for an order which will declare null and void her contract with Paul Whiteman and the Artists' Management Bureau.

Sue Over Song Use

Trial of a $100,000 damage suit brought by the Casino de Paree Prod., Inc., against Warner Bros. and Vitaphone, Inc., began late yesterday before Justice Julius Miller in the N Y. Supreme Court. The Casino alleges that in February, 1935, it produced a sketch entitled "The Postman Always Rings Twice" which contained a song "When I Hear My Door Bell." The defendants, it is charged, without permission used the song in their picture "The Doorman's Opera." In their answer the defendants said the song was written by Lew Brown and Harry Akst and was published by Harms, Inc., from whom they got permission to use it.

Grant Dillingham Petition

LOS ANGELES, Feb. 16.—On petition of Irving Trust Company of New York, trustee in bankruptcy for Charles Dillingham, U. S. District Judge Yankwich today granted a bankruptcy petition here. Ancillary proceedings to the action filed in New York were occasioned by R. H. Burnside, former Dillingham associate, who is now here and who has manuscripts in his possession listed in assets. Referee E. R. Utley has been assigned to clear up the details.

Films Top Stage

Providence, Feb. 16.—The talking picture has become the substitute for the theatre, according to Elmer Rice, who spoke to the Jewish Community Centre here. "Films," he said, "succeed because they are economically practical." The only hope of revival for the theatre, Rice thinks, is to treat it only as an art, an educational medium or a social force. Public subsidy, similar to that given through the WPA theatre projects, would be a help, the playwright said.

Manager Status Up in Suit

The question of whether the manager of a film actor also fills the role of an employment agent and, therefore, must have a license to comply with the New York state law on the operation of an employment agency appeared to be the principal issue in a case before Justice Samuel I. Rosenman in N. Y. Supreme Court yesterday.

The case was that of Sylvia Sander, who has sued Alexander D'Arcy for $314.58, charging that he owes that amount as commission for parts which she obtained for him with Warners last summer. D'Arcy has countered with an action for $517.60, alleging that Miss Sander owes that amount to him because of loans made by him to her. D'Arcy counsel asked Justice Rosenman to dismiss the manager's complaint because in agreeing to find employment for him she was violating the New York general business law in that she has no license to conduct an employment agency.

Barrymore Asks Extension

LOS ANGELES, Feb. 16.—John Barrymore today petitioned the Bankruptcy Court here for an extension of time to meet his debts. Debtors petition was filed under Sec. 74 of the Bankruptcy Act as amended. Barrymore was ordered to file assets and liabilities within 10 days.

Vocafilm Suit Postponed

Hearing on the action brought by Vocafilms against A. T. & T., Erpi and Western Electric, in Federal Court, has been postponed until April 15. The suit charges violation of the Sherman Anti-Trust laws and seeks $65,953,125 damages.

Tri-States in Lease Suit

CINCINNATI, Feb. 16.—Tri-States Theatres, Inc., lessees of the Empress, playing burlesque and pictures, have brought suit in Common Pleas Court against the Lasco Corp., owners of the building, seeking an injunction to restrain the owners from dispossession proceedings.

Iowa Group Attacks Bank Night Ban Bill

DES MOINES, Feb. 16.—The Iowa-Nebraska Allied-Independent Theatre Owners voiced strong disapproval of the Bank Night bill now before the Iowa House, in a business session of the two-day annual convention of the exhibitor organization here today. It was said the measure, if passed, "would knock out half of the independent theatres in the territory." About 75 are attending.

Another bill, to divorce production and exhibition, similar to that passed by the North Dakota House recently, was discussed by Al Steffes, Minneapolis, and H. M. Ritchey, Detroit, representing national Allied.

A proposal to enact a designated playdate bill similar to those drawn in Ohio and Wisconsin was discussed, this bill to give Iowa police power for its enforcement. Such a bill will be introduced at the present session of the legislature.

Commenting on the Senate bill providing that minors should not be permitted to attend film shows featuring players who have been divorced, President Leo F. Wolcott of Eldora said the theatre owners are opposed to this bill, as they could get few, if any pictures to present.

Resolutions were passed voting opposition to the publication of box-office receipts in trade papers, promotion by distributors of theatres in towns where they cannot sell product and the 10-point trade practice program of M. P. T. O. A.

All officers were reelected. They are: Wolcott, president; Charles Peterson of Hampton, Ia., secretary; H. A. Larson of Oakland, Nebr., vice-president; W. A. Dutton of Manchester and E. C. Potter of New Hampton, directors. M. L. Dickson of Mt. Pleasant, Ia., and Wesley Mansfield of Tama were named as new directors.

No New Ohio Levies

COLUMBUS, Feb. 16.—With a total of 955 new bills introduced in the Ohio legislature between the time it convened Jan. 4, and the deadline for filing late last week, many of the taxation measures affecting the film industry, the Inter-Organization Conference, backed by business interests, has gone on record with the statement that no new taxes would be required for 1937 and 1938.

Check Milwaukee Fee Bill

MILWAUKEE, Feb. 16.—Concerted action by Milwaukee county exhibitors has resulted in the pigeon-holing of the proposed ordinance to raise theatre license fees here from the present flat of $30 fee to a sliding scale of $30 to $100, depending upon seating capacity.

Bill Hits a Snag

BISMARK, N. D., Feb. 16.—The bill, sponsored by Allied of the Northwest and designed to divorce production from exhibition, has struck a snag in the Senate with introduction of an amendment to exclude theatres currently owned and operated.

Tax Measure in Wisconsin

MADISON, Wis., Feb. 16.—Among new tax measures proposed by the League of Wisconsin Municipalities to raise more than $14,000,000 annually, is a bill introduced in the state assembly providing for a 10 per cent tax on theatre admissions.

◂ Purely Personal ▸

JOE MOSKOWITZ, M. H. Aylesworth, the latter tanned by his recent coast visit; J. Savington Crampton and Robert Colwell among the diners at "21" yesterday.

•

Harry H. Thomas and Al Friedlander leave tomorrow for Philadelphia, Washington and other key centers, taking with them prints of "Cloistered," "Robber Symphony" and "Gulliver's Travels."

•

John Trent, former TWA pilot and now under contract to B. P. Schulberg, will leave with his wife Friday on an American Airline plane for Lynchburg, Va.

•

Felix Joachimson, writer, arrives today from Budapest on the *Ile de France* and will leave for the Universal studio on a writing assignment in a day or two.

•

Arthur Dickinson of the M.P.P.D.A. has returned from a three-week tour of exchanges in the south and southwest.

•

Leah Ray, through Lou Irwin, has been cast for a part in the Winchell-Bernie picture, "Wake Up and Live," for 20th Century-Fox.

•

Ned Depinet and W. G. Van Schmus engaged in intense conversation as they walked through the snow flurries on 6th Ave. yesterday.

•

W. Ray Johnston has purchased "Federal Bullets," George Fielding Eliot's novel, for Monogram's 1937-'38 program.

•

Virginia Verrill, who will appear in the "Goldwyn Follies," starts personal appearances at the Paramount tomorrow.

•

Bob Wolff, local RKO exchange manager, will leave Friday for a Miami vacation. His usual fishing trip is out this year.

•

Eugene Picker, his wife and brother, depart today by car for Miami.

•

James Clarke of Horlacher's Film Delivery Service of Philadelphia left town yesterday after a short visit.

•

Dennis O'Brien of O'Brien, Driscoll & Raftery will return tomorrow from Florida.

•

Marvin Schenck is due the end of the week from Miami.

•

Will H. Hays is expected back from the coast early next week.

•

Jessie Matthews has embarked from Rio de Janeiro for London.

•

William K. Howard is due from the coast tomorrow.

•

David L. Loew leaves for Hollywood tomorrow.

•

James R. Grainger due in from Universal City this morning.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Michael Strogoff"

(Radio)

Hollywood, Feb. 16.—This picturization of the Jules Verne classic reflects the spirit and mood of the original in all phases except the inclusion of Hollywood comedy. This departure, however, seems not unwise inasmuch as it engendered laughter which eased the dramatic tension of the story. Creditable also is the manner in which the French mass cavalry spectacle sequences have been interwoven with the locally produced episodes.

The film tells of the heroic alventures of Michael Strogoff, courier to the Tsar, making a perilous journey from St. Petersburg to Irkutsk in order to deliver the monarch's plans to the grand duke, thereby frustrating the invasion of the Tartars. The dramatic action is dominated by the forceful performance of Akim Tamiroff, who makes himself a savage character meriting general hatred.

Occupying the title role, as in the European version, Anton Walbrook acts with dynamic force fully in keeping with the tradition surrounding the Verne hero. Margot Grahame, as the alluring feminine spy who repented her betrayal of Walbrook, portrays the character sincerely and effectively, as does Elizabeth Allan in whom the hero found romance during his dangerous mission. Fay Bainter, who is seen as Walbrook's persecuted mother, offered a particularly effective characterization. The comedy contributions by Eric Blore and Edward Brophy, although irrelevant, were appreciated by the audience.

The production detail depicting Tartar terrorism by military might is awesome and in keeping with the theme of the original. Save in the introduction of comedy, the screenplay of Anthony Veiller, Mortimer Offner and Anne Morrison Chapin is a faithful transcription of the plot of the Verne novel. The direction of George Nicholls, Jr., is keyed to give the production modern appeal. Much credit is due Frederick Knudtson, film editor, for his skillful blending of the foreign-produced action with the domestic-created movement.

Production Code Seal No. 2,914. Running time, 85 minutes. "A."

New Prudence Plan Is Filed in Court

A reorganization plan for Prudence Co., Inc., was filed yesterday in Federal court at Brooklyn, and a hearing on the plan was set for April 16 by Federal Judge Grover M. Moskowitz.

The plan provides for the formation of two new companies, the first to be known as the R. F. C. Collateral Corp., which would take over the assets pledged as security for a $20,000,000 loan made to Prudence by the R. F. C. in June, 1932. All other assets would be taken over by the second corporation, the Prudence Holding Corp.

The company's balance sheet accompanying the plan shows for the period ending Dec. 31, 1936, free assets of $13,122,515, including $1,470,821 in cash and $8,714,400 of accounts receivable, together with $37,041,287 in assets pledged as security for loans, besides liabilities of $50,163,600.

ABFD Instituting Salary Reductions

By BRUCE ALLAN

London, Feb. 16.—Associated British Film Distributors has instituted drastic salary reductions throughout the company. The cuts include the salaries of company executives, and apply to everyone from Basil Dean down to the salesmen.

In some cases the wage reductions amounted to as much as 20 per cent. The executives of the Associated Talking Pictures studio at Ealing also were affected by salary reductions.

All of Louisville Theatres Now Open

(*Continued from page 1*)

in shape and approved by inspectors. Several rows of seats had also been removed, to be replaced by new chairs.

Tampa Theatres Contribute

Tampa, Feb. 16.—The theatres of Tampa have done their bit to put the local quota of the Red Cross flood relief fund over the top. In the lobby of each of the seven Sparks theatres is a contribution box. In one week the contents of the boxes totaled just under $1,000.

Estimates Big Kodak Net

The net income of Eastman Kodak for the year ended Dec. 31, 1936, is estimated by the *Wall Street Journal* at approximately $18,000,000, which would be the highest net since 1930. The 1935 net was $15,913,251, equal to $6.90 per share on the common stock. The estimated 1936 net would be equal to about $7.60 or $7.70 per share after all charges on the 2,263,150 shares of common outstanding.

Korson-General in Deal

Mack D. Weinberger, general sales manager for General Pictures, has sold the franchise for eastern Pennsylvania, southern New Jersey, Delaware, Maryland, District of Columbia and Virginia to Louis N. Korson of Masterpiece Film Attractions.

Another Play Folds

"Be So Kindly," which opened at the Little Feb. 8, closed Monday night.

MPTOA Gets Set on Convention Talkers

(*Continued from page 1*)

modernization of theatre equipment and furnishings. An entire business session of the convention will be devoted to the subjects.

The speakers selected are: Francis M. Falge, engineering division of the General Electric Co.; E. L. Patton, Pittsburgh Plate Glass Co.; E. M. Hartley, RCA Mfg. Co.; Ben Schlanger, architect; Willis H. Carrier, Carrier Corp.; Raymond S. Reed, Heywood-Wakefield Co., and J. T. Knight, Jr., Paramount Theatres.

Latta, Rubin Ill With Flu

Pittsburgh, Feb. 16.—The flu has felled two theatre men here in the last week. C. J. Latta, assistant zone manager for Warners, has been confined to his home for several days and Gabe Rubin, operator of the Art Cinema, is also a victim. Bert Stearn, U. A. district sales head, has been discharged from Montefiore Hospital.

Flash Previews

"With Love and Kisses"—Pinky Tomlin featured in a light comedy-drama projected against a radio background. Some good songs.

"Her Husband's Secretary"—Another film built on the husband-wife-secretary theme, quite suitable as a supporting feature and of particular interest to women.

These films will be reviewed in full in a coming issue of Motion Picture Daily.

English Report Denied

London, Feb. 16.—Dr. Leslie Edgar Burgin, Parliamentary secretary of the Board of Trade, declared in the House of Commons today, in reply to an assertion by a member that there was danger of four film companies passing to American control, "That is not in accordance with my information."

Wall Street

Most Board Issues Off

	High	Low	Close	Net Change
Columbia, vtc	37¼	37	37	— ⅛
Consolidated	5	4⅞	4⅞	.....
Consolidated, pfd.	16¾	16¾	16¾	.....
Eastman Kodak	172½	172½	172½	—1
Gen. T. E.	31¾	30⅝	31¾	+ ⅞
Loew's, Inc.	75¾	75	75	—1
Loew's, Inc., pfd.	107½	107½	107½	+ ⅝
Paramount	26	25⅝	25¾	+ ⅛
Paramount 1 pfd.	182	180½	180½	—1¾
Paramount 2 pfd.	23⅜	23	23	— ⅝
Pathe Film	9¼	9	9	.....
RKO	8¾	8½	8⅝	.....
20th Century-Fox.	36½	36¼	36¼	— ¼
20th Century, pfd.	44⅞	44⅞	44⅞	— ⅛
Universal, pfd.	103	103	103	—2
Warner Bros.	16	15½	15½	— ⅛

Light Curb Decline

	High	Low	Close	Net Change
Grand National	3½	3⅜	3½	.....
Sonotone	2	2	2	— ⅛
Technicolor	19¾	18⅝	19¾	— ⅛
Trans-Lux	4¼	4¼	4¼	— ¼

Paramount Bonds Only Gain

	High	Low	Close	Net Change
Loew's 3½s '46	100	99½	99½	— ⅝
Paramount Pict. 6s '55	104	102½	103½	+ ½
RKO 6s '41 pp.	121	121	121	— ½
Warner Bros. 6s '39 wd	98½	98	98	.....

(Quotations at close of Feb. 16)

Para. to Use 15 Millions Debentures

(*Continued from page 1*)

event that more than $15,000,000 in principal amount of the six per cent debentures are presented for exchange, the exchange will be "substantially on a pro rata basis," according to the company's statement.

No underwriting is involved in the proposed exchange and no commissions are to be paid by the company in connection with it, it was said. The new debentures will be issued in accordance with an indenture between Paramount and Manufacturers Trust Co., trustee, which provides in part for annual sinking fund payments to the trustee beginning April 15, 1941, equal to 15 per cent of the consolidated net earnings of the company for each fiscal year beginning with 1940. The indenture will provide that the payments may be made in cash or in debentures, with a credit to the sinking fund of the amount of debentures converted into common stock after Dec. 31, 1939.

No Scrip Planned

Paramount now has in its treasury $2,376,000 of the present six per cent debentures, which will not be exchanged under the offer.

Scrip, or fractions for new debentures in denominations of less than $100, will not be issued, the company stated, nor will the holders of scrip for the present debentures participate in the exchange. The six per cent debentures which are presented for exchange will not be reissued by the company, but will either be cancelled or tendered from time to time for retirement through the sinking fund under the present indenture with the City Bank Farmers Trust Co., as trustee.

Savings Seen

Paramount may save in interest charges, through a maximum exercise of the exchange right, approximately $410,000 per year. Earlier refunding of old six per cent obligations of English and studio subsidiaries at lower interest rates, increase the company's total savings from its refunding program to approximately $750,000 annually.

Earnings prospects for the company are expected to make the exchange attractive to the present holders of six per cent debentures. The new 3¼ per cent debentures will be convertible at the rate of three shares of common for each $100 face amount. Thus, an annual dividend of only $2.50 on the common would provide a better return than does the interest on the present six per cent debentures.

Paramount Shifts 3 Of Sales Personnel

(*Continued from page 1*)

terday by Joseph J. Unger, eastern divisional sales manager.

Hunter was the guest of honor at a testimonial dinner in Washington last night, attended by a number of executives there. Unger was among those in attendance from the home office.

M-G-M and the Navy Screen Film at Lat. ? ?, Long. ? ?

(*Continued from page 1*)

called "Servant of the People," which depicts the events leading up to the constitutional convention and the arguments which preceded the agreement on that well known document. He conferred with Rear Admiral Harris Laning and the admiral shot the works.

At 12 o'clock reporters, representatives of the Hays office and distinguished citizens clambered along a narrow runway at the edge of a dock at 24th St. and the East River and boarded the U.S.S. *Tattnall*, a destroyer. That's where some of the trade paper boys began to feel like J. P. Morgan starting a cruise on the *Corsair*.

Lieutenant Commander Wooldridge and three lieutenants greeted the guests and had them escorted to the officers' quarters. Promptly at 12:30 a whistle blew and officers and crew scurried to the rail. Rear Admiral Laning came aboard with a smart salute from everybody in uniform.

Mess Is Impressive

Two Filipino stewards and their assistants served a buffet lunch that would make Oscar of the Waldorf jealous. A recruiting officer could have signed up the entire party about that time. Bridges and shoreline passed as they do on ordinary boats, and when the press reached the point where it couldn't even absorb salted nuts any more some of the brave souls decided to go on deck and see what the skyline looked like through swirling snow below 42nd St., but they didn't spend much time looking.

Commodore Seadler of the MGM Lion turned to Able Seaman Cunningham of the *M. P. Herald* and shouted: "I think I'll go around to the leeward, if you'll pardon the expression."

Cunningham pardoned it and hurried down a companionway in spite of his sciatica and tested another chocolate peppermint and a cup of coffee.

In a short time a whistle blew—one of those boatswain's whistles, they said—and there was a roar and rattle that sounded as though the ship had collided with Staten Island. It was the anchor on its way into the bay mud. A U. S. Coast Guard tug came alongside and tied up, and the guests transferred to that. An officer explained that the *Tattnall* drew too much water to park—or maybe it was dock—at Bedloe's Island.

Bedloe's Island is where the Statue of Liberty stands. To the Army, which has control of most of the Island, it's Fort Wood; to the Dept. of the Interior National Park Service which controls the monument and the surrounding grass it's something else.

At the end of the dock, which is air conditioned at this time of the year, there was a Ford truck with a side of beef in it. Seadler looked at it and remarked: "Maybe we're going to have another little snack." He was wrong.

The picture was shown in the guard room of the old Revolutionary fort beneath the statue. Carved in the woodwork of one of the cell doors were these words: "Drunk again, by hell!" which was probably the quaint way a 1776 patriot had for working off a hangover.

It was a good picture. All those who sat near a big round coal stove enjoyed it. George Washington and Benjamin Franklin discussed Colonial problems. Arthur De Brea of the Hays office explained how everybody had cooperated.

Twenty-five minutes later the voyagers were again on the dock waiting for the seedy-looking SS *Hook Mountain* to get out of the way so the Coast Guard tug could come in again.

It certainly is strange how they keep the robes of Miss Liberty from blowing in a wind like that.

Snug Harbor Again

A half hour later the *Tattnall* was back at 24th St. with two big tugs pushing it into place. The officers saluted and shook hands—nice fellows, all of them. If the Hudson River Day Line could do things like that, everybody in New York would go to West Point every Sunday. A good time was had by all.

Among those present were: Admiral Laning, J. E. Manley, general secretary of the National Council of Youth; S. L. Frederick, National Council of Youth; Mrs. James F. Looram, International Federation of Catholic Alumnae; Mrs. Leon A. McIntire, national chairman of the D.A.R.; Leslie C. Stratton, Boy Scouts of America; Franklin C. Hoyt, retired judge; Mrs. Byran N. Fast, regent of the D.A.R.; Charles H. Strong of the American Bar Ass'n; Ruth H. Ottaway, president of the National Council of Women; J. A. Dreher, secretary of the Industrial Film Council; Mrs. Arthur E. Bestor, G. J. Zehring, and newspaper men.

Ampa Meets Tomorrow

The Ampa will meet tomorrow at the Hotel Edison with Gordon White presiding. The proposed awards for advertising and publicity will be discussed and a committee on arrangements for the awards will be named. John Mulholland, former president of the American Society of Magicians and editor of the *Sphinx*, and Dorothy Wilkins, accordianist, will entertain.

Dissolve Warner Firm

Dover, Del., Feb. 16.—Warner Bros. First National (South), Inc., has been dissolved here. Secretary of State Charles L. Terry, Jr., has issued a certificate of voluntary dissolution.

Seating Net $241,756

American Seating Co. and subsidiaries for the quarter ended Dec. 31, last, reported net profit of $241,756 after taxes and other charges, equal to $1.19 per share on 202,875 shares of capital stock. The net compares with $119,026, or 59 cents per share in the same period of 1935, and $230,963, equal to $1.14 per share, in the quarter ended last September.

Leads Republic Drive

The southern division is leading at the end of the fourth week of the Republic sales drive. The leaders in each division are: southern, Charlotte; eastern, Cleveland; central, Chicago; western, San Francisco.

Positive Film Exports 99% Sound Variety

(*Continued from page 1*)

$133,362, last year took but 9,823,975 feet valued at $123,126, while shipments to Spain dropped from 12,473,830 feet valued at $287,969 to 5,793,805 feet valued at $123,749.

The best revenue producing market was the United Kingdom, taking a total of 18,071,389 feet valued at $525,031 against 15,874,353 feet valued at $476,392 in 1935, but in footage Argentine led with 18,085,518 feet valued at $323,988 against 17,065,229 feet valued at $327,965 in 1935.

Other leading markets were: Brazil, 12,785,110 feet valued at $252,655 against 11,568,669 feet valued at $247,125; Panama; Mexico, 8,911,061 feet valued at $284,968 against 5,010,762 feet valued at $234,181; France, 8,163,358 feet valued at $178,949 against 7,732,772 feet valued at $177,871; British West Indies, 7,161,528 feet valued at $25,802 against 3,050,527 feet valued at $10,844; Australia, 5,885,000 feet valued at $132,951 against 5,333,509 feet valued at $121,208; Cuba, 5,445,359 feet valued at $107,600 against 5,108,138 feet valued at $97,847.

The report pointed out that a total of 1,454 standard gauge projectors valued at $383,078 were exported last year as compared with 1,243 valued at $353,216 in 1935, and 7,388 16 mm. machines valued at $304,278 against 1,981 valued at $124,933.

Canada Clamping Lid On All Chance Games

(*Continued from page 1*)

form of restriction, although the police of Toronto, Windsor, London and other places have destroyed many wheels.

Plan Third Loew Bank Night

Loew's will hold a third two-day Bank Night tieup with its 55 theatres in Greater New York on Feb. 23-24. Cash awards totaling $3,500 will be given away to patrons. The second of the two-day series will wind up tonight.

Affiliated Advises on Operation

Denver, Feb. 16.—Affiliated Enterprises, Inc., owners of Bank Night, have added an advice department, available to their customers at no added cost. The service will include consultation on any problem connected with theatre management.

Experts will be retained in exchange centers to whom problems in their lines will be referred. The department is starting with service on such questions as accounting, advertising, architecture, electric power rates, equipment, financing, insurance, physical operation, projection and sound, purchasing and valuations. Holden Swiger, formerly with Paramount, heads the department.

Barney Balaban to Fla.

Barney Balaban, Paramount president, is en route to Miami Beach, where he was called suddenly by the serious illness of his mother.

NOW IT'S 20th's 'ON THE AVENUE' PUTTING EXHIBS ON EASY STREET!

Another in the amazing run of smash attractions that mark 20th Century-Fox as the industry's leading maker of hits!

NEW YORK: Held over in pre-release run at Radio City Music Hall. 2nd week opening stronger than 1st.

●

PHILADELPHIA: Held over after first smash pre-release week.

●

ALBANY: Running way ahead of "Pigskin Parade."

●

BALTIMORE: 20% bigger in 5 days than whole week of "One in a Million."

●

WATERBURY: Out-grossing "One in a Million" and "Pigskin Parade."

●

SEATTLE: Absolutely sensational business!

●

SPRINGFIELD (Mass.): Beating "One in a Million's" record run.

●

BRIDGEPORT: Pulling ahead of "One in a Million."

MIAMI: Biggest single day in theatre's history. Necessary to turn away hundreds!

●

MEMPHIS: Hitting "One in a Million" grosses!

●

WORCESTER: Neck-and-neck with "One in a Million."

●

DALLAS: Ahead of "Pigskin Parade."

●

RICHMOND (State): Leading "One in a Million."

●

MINNEAPOLIS: Well ahead of "Pigskin Parade."

●

CLEVELAND: Topping "One in a Million" by 30%!

●

SALT LAKE CITY: Right up with "One in a Million's" smash run!

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE

—And there's no let-up in the top-gross pace of "One in a Million" and "Lloyds of London"!

DICK POWELL and **MADELEINE CARROLL** in **IRVING BERLIN'S "ON THE AVENUE"** with **ALICE FAYE, RITZ BROTHERS** and **GEORGE BARBIER,** Alan Mowbray, Cora Witherspoon, Stepin Fetchit, Sig Rumann. Directed by Roy Del Ruth. Associate Producer Gene Markey. Screen play by Gene Markey and William Conselman. Music and lyrics by Irving Berlin. Dances staged by Seymour Felix. **Darryl F. Zanuck** in charge of production

F. C. C. Orders Hearings For 10 Air Pleas

WASHINGTON, Feb. 16.—Hearings on 10 applications for permits for the construction of broadcasting stations today were ordered by the broadcast division of the F.C.C., as follows:

Press-Union Publishing Co., daytime station at Atlantic City, N. J., to operate on 1,200 kilocycles with 100 watts power.

Frank M. Stearns, daytime station at Salisbury, Md., to operate on 1,200 kilocycles with 250 watts power.

G. Kenneth Miller, full-time station at Tulsa, Okla., to operate on 1,310 kilocycles with 100 watts power.

Summit Radio Corp., full-time station at Akron, Ohio, to operate on 1,530 kilocycles with 1,000 watts power.

Arlington Radio Service, Inc., daytime station at Arlington, Va., to operate on 850 kilocycles with 250 watts power.

Clark Standiford and L. S. Coburn, full-time station at Fremont, Nebr., to operate on 1,420 kilocycles with 100 watts power.

George W. Young, full-time station at St. Paul, Minn., to operate on 920 kilocycles with power of 1,000 watts at night and 5,000 watts during the day.

John D. Hughes, daytime station at Phoenix City, Ala., to operate on 1,310 kilocycles with 100 watts power.

Full Time Asked

Philadelphia Radio Broadcasting Co., full-time station at Philadelphia to operate on 1,570 kilocycles with 1,000 watts power.

Archie E. Everage, full-time station at Andalusia, Ala., to operate on 1,310 kilocycles with 100 watts power at night and 250 watts during the day.

Hearings also were ordered on the applications of KTEM, Temple, Tex., for authority to change power to 100 watts at night and 250 watts during the day; KFXM, San Bernardino, Cal., to increase its day power from 100 to 250 watts; KGFJ, Los Angeles, to change its frequency from 1,200 to 1,170 kilocycles and to increase its power from 100 watts to 250 watts at night and 500 watts for daytime operation, and WHK, Cleveland, to increase its day power from 2,500 to 5,00 watts.

The F.C.C. today refused to reconsider the application, previously denied, of KGB, San Diego, Cal., for an increase in day power from 1,000 to 5,000 watts.

Award Confirmed

The commission reaffirmed its order of July 2, 1936, which had been protested, awarding a construction permit to O. Lee Stone for a new station at Florence, S. C., to operate daytime only on 1,200 kilocycles with a power of 100 watts and also granted to Albert Lea Broadcasting Corp., a permit for a new station to operate at Albert Lea, Minn., on 1,200 kilocycles with 100 watts power, daytime only.

KHSL, Chico, Cal., was granted permission to change its frequency from 950 to 1,260 kilocycles and increase the time of its operation from daytime only to full-time. Construction of a new station was authorized to Winona Radio Service, Winona, Minn., daytime only, to operate on 1,200 kilocycles with 100 watts power.

Other orders by the commission included construction permits to WBRC, Birmingham, Ala., to increase day power from 1,000 to 5,000 watts; KRRV, Sherman, Tex., to increase day power from 100 to 250 watts; KGKB, Tyler, Tex., to increase day power from 100 to 250 watts and to WTAG, Worcester, Mass., to increase its power from 500 to 1,000 watts.

Construction permits for relay broadcast stations to operate on low power were granted for Southeastern Broadcasting Co., Stromberg Carlson Telephone Mfg. Co., WSMB, Inc. and Allen T. Simmons.

Crampton, Colwell Switch at Thompson

J. Savington Crampton, assistant account executive handling Lux at the J. Walter Thompson Co., and Robert Colwell, general idea man at the agency's New York office as well as one of its chief executives on radio, have switched posts.

Crampton will continue his activities in Lux copy and the Lux Radio Theatre, in the development of which he has played a considerable part, but will gradually concentrate more of his time on radio. Colwell moves over to the copy department and will write under the rearrangement.

WENR Asks a Permit On New Type Antenna

Application for permission to erect a new type of vertical radiator antenna has been filed with the F. C. C. by WENR, Chicago outlet of the basic Blue NBC network.

Meanwhile, construction of vertical antennas is now under way at two other NBC stations—WDAF, Kansas City, and WXYZ, Detroit. Additionally, contracts for the erection of a fourth antenna at KOIL, Omaha, are to be let within a few days.

Frank Dahm Sells Script

Frank Dahm, former scripter for Blackett-Sample-Hummert, has sold a new script series entitled "Pretty Kitty Kelly" to Benton and Bowles, and it is understood the agency will use the script to replace "Renfrew of the Mounted," serial now heard three times weekly on the CBS network. The latter, sponsored by the Continental Baking Co., is understood to be fading from the air shortly. Whether Continental or a different sponsor will back "Kitty Kelly" is not known at the present moment.

CBS-Knox Gelatine Review

While the Federal Advertising Agency is withholding confirmation until Thursday, it has been learned on good authority that the CBS Knox Gelatine program, heard Tuesdays and Thursdays at 11:15 A. M., E.S.T., has been renewed for an additional period. The series stars East and Dumpke.

Johnson Renews Series

"Tom Powers Life Studies," broadcast Sundays at 5:30 P. M., E.S.T. over WOR, has been renewed for 13 weeks beginning March 21. Series is sponsored by Johnson's Floor Wax and is placed through Needham, Louis and Brorby.

Report Benny Deal

A well-founded report has it that one of radio's most elaborate long term contracts involving several million dollars is now being set up for Jack Benny and Mary Livingstone. The contract is now being whipped up, according to the report, by Lyons and Lyons, agents for Benny; General Foods, for which Benny is now broadcasting; and Young and Rubicam, agents handling the account. The details are expected to be made public in several weeks.

Pearl Time Change Effective March 19

The time change in the Jack Pearl broadcasts, already reported in these columns, goes into effect Friday, March 19, and weekly thereafter on the NBC-Blue from 10 to 10:30 P. M., E.S.T. The series, sponsored by the Brown Williamson Tobacco Corp., is now heard Mondays from 9:30 to 10 P. M., E.S.T. on the Blue. The present time period concludes with the broadcast of March 8, and will be absent from the air from that date until March 19.

Unofficial reason for the change in time is that there will be a more natural division of the radio audience in the new period, with the Pearl show bucking the "First Nighter" on NBC-Red and the Philadelphia Orchestra on CBS. In its present niche it opposes the highly popular Lux Radio Theatre for the last half-hour.

Extend "Nesbitt Parade" Hookup

"John Nesbitt's Passing Parade," a popular NBC west coast feature, which recently gained for itself a network hookup as far east as Chicago, will be heard on the complete NBC-Red network under the sponsorship of the Duart Art Sales Co., Ltd., beginning March 1. The series will be heard Mondays and Tuesdays at 7:45 E.S.T.

The Monday show will be known as the "Passing Parade of Yesterday," and will concern itself with highlight events and characters of the previous week. The Tuesday broadcast will be labeled as the "Passing Parade of Today" and will offer current topics.

To Air Bout Signing

NBC will broadcast a description of the signing of the contract for the Joe Louis-Jim Braddock fight from the Hotel LaSalle, Chicago, this Friday at 1:30 P. M., E.S.T. on the Blue network. Louis and Braddock will talk on the air after the document has been signed.

McCarthy for Louis-Brown Fight

The Joe Louis-Nat Brown prizefight in Kansas City tonight will be broadcast exclusively over the NBC-Blue beginning at 11:10 P. M., E.S.T. Clem McCarthy will handle the mike assignment.

McCann Back from Coast

H. K. McCann, president of McCann-Erickson, is back in his New York office after spending several months in California. Several important radio deals are expected to materialize out of his west coast survey.

To Increase Weekly Time In Dominion

OTTAWA, Ont., Feb. 16.—An early jump in the time on the air by the Canadian Broadcasting Corp. has been promised by Major Gladstone Murray, general manager, under a new policy of operation. The present schedule in each of the five time zones across the Dominion is 70 hours per week, but this is to be raised to 84 hours weekly.

Speaking on the policy of the CBC, Murray offered a disturbing note, however, when he declared that the corporation "is entirely against the use of advertising in radio but present conditions force it to take a certain amount of it." He added the Government network was looking forward to the day when there would be no advertising programs over Canadian stations under the corporation's auspices. There would be no increase in commercial time in the enlarged schedule to become effective in the near future.

One hindrance to be overcome in the expansion program was the cost of line charges which now amounted to $500,000 annually. It was hoped to get a reduction in these tolls.

Canadian Pioneer Dies

VANCOUVER, Feb. 16.—J. G. McMurtrie, 57, radio pioneer of the Dominion, died here after a short illness. He installed the first radio station of the Canadian National Railways and had established studios in both the east and west since 1924, becoming general manager of the technical department at the head office when the Canadian Radio Commission was created by the Federal Government to supervise all broadcasting.

Flamm Must Submit To Probing by Hoy

Justice Lloyd Church in N. Y. Supreme Court yesterday granted T. Benson Hoy permission to examine Donald Flamm, president of the Knickerbocker Broadcasting Co., Inc., before trial of Hoy's $50,000 damage suit against Knickerbocker. The plaintiff, a former ensign in the U. S. Navy Reserve Corps and now a commercial aviator, charges that on Aug. 18, 1935 the defendant broadcasted over WMCA a sketch which allegedly depicted an event in the plaintiff's life and was so presented as to hold Hoy up to public ridicule and contempt. The broadcast, the plaintiff said, was given without his permission.

To Change Name Later

The firm name of Cecil, Warwick and Cecil will not be changed to Cecil, Warwick and Legler for at least another two months, a spokesman at the agency said yesterday. Henry Legler recently resigned his position at J. Walter Thompson to become vice-president of the first mentioned agency. He has been actively identified at his new post for the past 10 days.

More Radio—Page 11

◂ Radio Personals ▸

DICK FISHELL, WMCA sports and special events head, back from Syracuse where he checked with sports authorities for special events broadcasts for the station . . . Don Davis, president of WHB, Kansas City station, in town to confer about Mutual programs with Fred Weber of that chain . . . Armand Tokatyan, Met. tenor, has been signed to an exclusive contract at WOR-Mutual . . . Robert L. Ripley, it is understood, has already been signed by another sponsor for a series in the fall . . .

✚

Jack Arthur's Revue, heard on WOR, fades from the air March 1 . . . Johnny Johnston, press chief at Mutual, returns from Washington today . . . Radio artists are rallying to another great charity, the Warm Springs Foundation's Winter Sports Carnival at the Polo Grounds Feb. 20-22. Harry Sosnick, Kate Smith, George Hall, Lennie Hayton, Mary Small, are among those who have volunteered to date . . . WHN will broadcast exclusively the Steele-Risko championship bout at the Garden Friday night beginning at 9:45 P. M. . . .

✚

Harriet Hilliard makes her last appearance on the "Baker's Broadcast" next Sunday, Feb. 21. A few days later she leaves for Hollywood and picture work . . . Benny Leonard, Stepin Fetchit, Suzanne Fisher and the Cabin Kids will be guest featured on the "Shell" show next Saturday night . . . Jimmy Melton returns for the second week as "em cee" on the Saturday night "Sealtest" program . . . Alice Frost is back in the cast of "Big Sister" after a Florida vacation . . . Ray Sinatra this week celebrates his third anniversary as a bandleader . . . Howard Barlow back as music director of "March of Time" after six weeks of illness . . .

Networks Insisting Upon Good Programs

(*Continued from page* 1)

a current sponsor whose program may be different or downright bad may make way for a replacement but also to give a protective cloak to the periods immediately preceding and following.

When the networks were developing and filling in their available time, commercial programs said almost anything they wanted to say within the general tenets of good taste and the chains were not particularly concerned with the calibre of the shows. Now, however, they have turned discriminating as part of a general move in the described direction of maintained quality and reputation.

Patterson Quits WCAE

PITTSBURGH, Feb. 16.—Pat Patterson, publicity director of WCAE for the last two years, is leaving this weekend to join the news staff of the *Washington Herald*. He will be replaced by James Murray, former Pittsburgh newspaperman and until recently the *Sun-Telegraph* Globe-Trotter on the Hearst station here.

Murray was made head of the continuity department at WCAE a short time ago.

Montreal Station in Bingo Series on Air

MONTREAL, Feb. 16.—Capitalizing on the current craze for Bingo, Keno, Lotto or Housie-Housie, Vickers and Benson Agency have adapted the game to the air. The 15-minute program, "Radio-Bingo," is heard over CKAC every Friday night and is sponsored by Les Pharmacies Leduc, local drug store chain.

Usually two games can be completed in the 15-minute period. If none is completed, prizes are doubled for the following week.

During the first week of the broadcast 14,000 responses were recorded. On the second week 20,000 were noted and last week over 30,000 potential customers entered the 16 branches of the Leduc chain as a result of the program.

Although the program is in French and on a French station, demand forced the repetition of the numbers in English for the benefit of English-speaking listeners. Henri Gonthier, of the Vickers and Benson staff, conceived the program. It is scheduled for 13 weeks with an option for 13 more.

Ask Washington Ban On Sport Sponsoring

SEATTLE, Feb. 16.—Commercial broadcasts of athletic events in which tax-supported educational institutions of the state of Washington have teams participating will be banned from the air, if a bill introduced this week in the state legislature in Olympia is passed.

The bill is aimed primarily at the "sportcasts" of the Associated Oil Co. This sponsor pays the Pacific Coast Conference for the privilege of broadcasting the weekly college football games on the Pacific Coast.

It is considered very probable that the bill will die in committee.

Studebaker to Shift Time

The Studebaker Champions, sponsored by the Studebaker Corp., now broadcasting over the NBC-Red network Mondays at 9:30 P. M., E.S.T., will shift to a new period beginning March 8, at which time they will be heard on Mondays at 10 P. M., E.S.T. on the Blue network. Roche, Williams & Cunnyngham is the agency.

Signs for CBS Series

J. B. Ford & Son of Wyandotte, Mich., have contracted for a new series of programs to begin March 2. The details are still unsettled, but the series will be aired Tuesdays, Thursdays and Saturdays from 2 to 2:15 P. M., E.S.T. on the CBS network. N. W. Ayer & Son is the agency.

New Educational Series

A series of 13 weekly educational programs dramatizing the struggle of the human race to win civil liberties and entitled "Let Freedom Ring" will be inaugurated over WABC-Columbia Feb. 22, from 10:30 to 11:00 P. M., E.S.T., in co-operation with the Office of Education of the U. S. Dep't of Interior.

Asks Power Increase

CLEVELAND, Feb. 16.—WHK has applied to the F. C. C. for modification of its license to permit an increase in its power from one to five kilowatts for night broadcasts.

Name Gross, Sherman In Action by Agent

Superior Radio Artists, Inc., Charles Sherman and Milton Gross are named defendants in a suit asking a total of $7,000 which was filed in N. Y. Supreme Court yesterday by Norman Miller. The plaintiff states that for many years he was Sherman's personal representative and that in April, 1936, Sherman and Gross wrote a script titled "But It's My Town." The following month, it is alleged, Miller persuaded Superior Radio Artists to dispose of the script for Sherman and Gross and also to find employment for the writers.

Miller claims that he was to get half of what Superior got out of the proposition and 10 per cent of what Sherman and Gross realized. Superior, it is alleged, sold the Sherman-Gross script for $20,000 and got a $15,000 contract for the writers in addition. Therefore the plaintiff claims half of what Superior earned from these transactions, or $3,500. It is also charged that the negotiations netted $35,000 for Sherman and Gross so that the plaintiff should get $3,500 from them. Today, the plaintiff will ask Justice Aaron J. Levy for permission to examine Robert Goldstein, president of Superior Radio Artists, before trial of the action.

Goldenkamp in New Series

Goldenkamp Stores, Inc., will sponsor a new detective series over a split Pacific coast NBC-Blue network beginning March 5. Stations KGO, KECA, KERN, KWG and KMJ will carry the program, which will be aired from 7 to 7:30 P. M., P.S.T. Long Advertising Service, San Francisco, is the agency.

Begin Discussion on Empire Union Merger

(*Continued from page* 1)

would be required for the development of specific terms of a possible agreement, similar to that recently concluded between Local 306 and the Allied Union, which has ceased to exist, its members all having been absorbed into Local 306.

The absorption became final with no possibility of a break when Justice Rosenman in N. Y. Supreme Court denied an injunction, sought by Harry Harris, circuit operator, to restrain the I. T. O. A. from interfering with the employment of Allied men by Harris theatres.

Condor Offers First Common Stock Issue

(*Continued from page* 1)

per share. The net proceeds of the issue will be used as working capital.

The company has only one class of stock and on the completion of this financing there will be outstanding 591,069 shares of $1 par value common of an authorized issue of 1,000,000 shares, and in addition 408,930 shares will be reserved for issuance upon the exercise of stock purchase warrants. There is no funded debt. Through its wholly owned subsidiary, Schuyler Securities Corp., Condor owns 50 per cent of the outstanding Class A stock of the Van Beuren Co., which is deposited under a voting trust agreement together with RKO, holder of the remaining 50 per cent.

Plan Communication For Flood Emergency

NEW ORLEANS, Feb. 16.—WDSU, has been granted permission by the F. C. C. to organize an emergency flood communication system, between New Orleans and Memphis, Tennessee, comprising 19 amateur radio stations in the Mississippi Valley.

It is understood that this system will not be put into effect unless an emergency arises. In the meantime, WDSU is bending every effort to have a complete communication system should an emergency arise. All of the stations will be keyed through local New Orleans amateur radio station W5FPO, owned by Jean Treadaway and Alfred Thomas. The local amateur station is linked to the WDSU studios in the Monteleone Hotel through the use of local telephone wires, so that transmission and reception may be conducted from WDSU's main studios. Several tests already have been made. The entire plan is being organized by Joseph H. Uhalt, president of WDSU under the jurisdiction of Adjutant General Ray Fleming of the U. S. National Guard.

Group Will Attack Alien Measure Today

(*Continued from page* 1)

pected to make the major presentation; Jean Hersholt, Robert Rubin, M-G-M vice-president, and Joseph Seidelman, foreign head for Columbia.

For the radio industry, a long list of witnesses is scheduled, headed by Walter Damrosch, who is expected to present the situation from the artists' point of view, and including a number of attorneys and executives of the major networks, and Sidney Kay copyright expert.

Leave for Hearings

Gabriel L. Hess and Sidney Schreiber of the M.P.P.D.A. legal department and Joseph Seidelman, Columbia foreign manager, left for Washington yesterday where they will attend committee hearings today on the Dickstein alien actor bill. Jean Hersholt is expected to testify at the hearing tomorrow and other industry representatives may be called also. Radio broadcasters are also sending representatives to the hearings to protest against the measure in its present form.

Skouras Takes Over 2 Westchester Spots

(*Continued from page* 1)

run single features, will be continued for the time being, it was stated yesterday at the Skouras office. Management of the houses changed hands last Sunday.

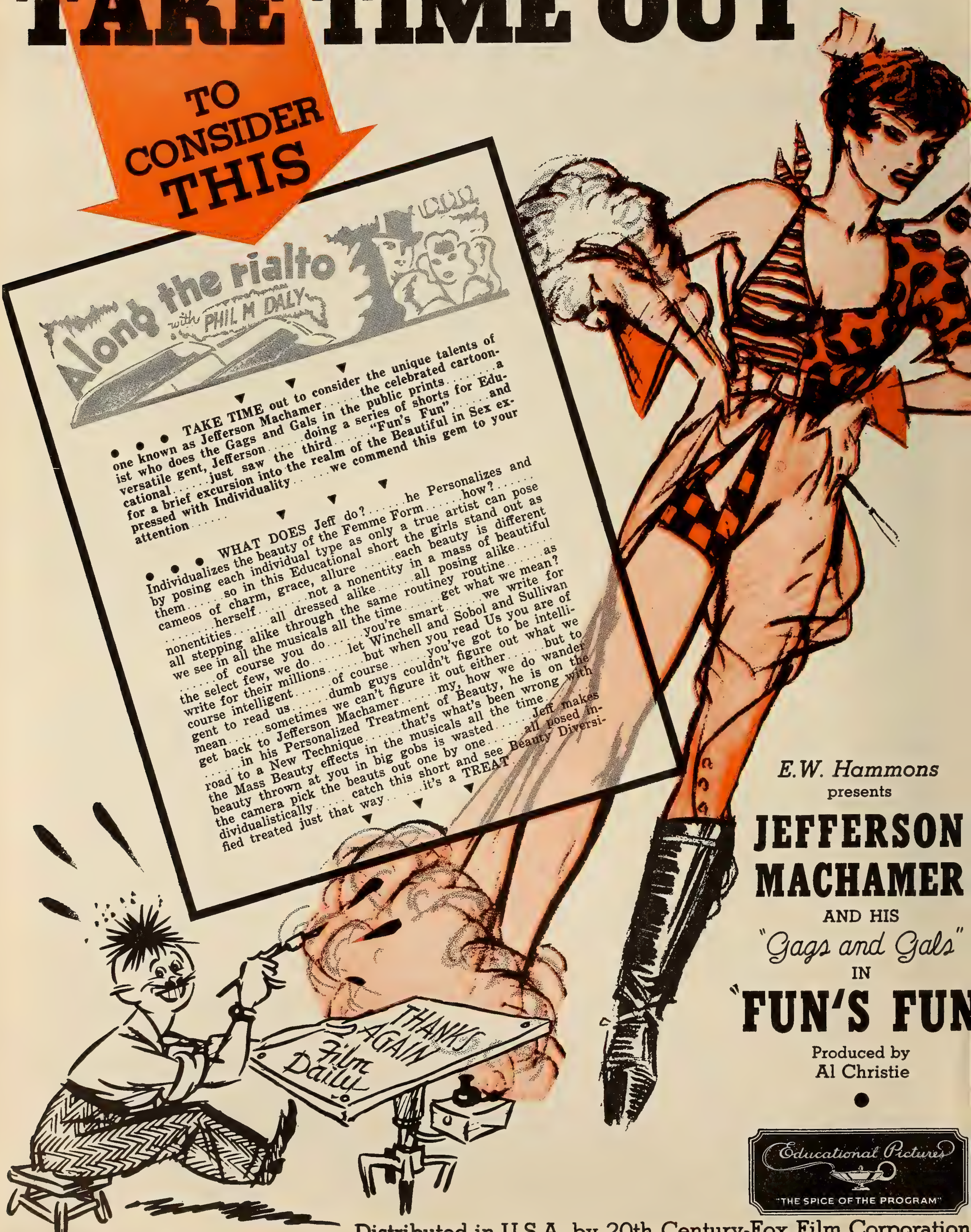
On Feb. 6, MOTION PICTURE DAILY exclusively reported the deal was under way.

Rogers to Come East

Charles R. Rogers, Universal vice-president in charge of production, leaves the coast next Monday for a week or 10 days of conferences at the home office. James R. Grainger, general sales manager, arrives today from the studio. J. Cheever Cowdin, Universal chairman, is due here Monday on the *Queen Mary* following an extended European business trip.

TAKE TIME OUT

TO CONSIDER THIS



Along the rialto
with PHIL M DALY

▼ ▼ ▼

● ● ● TAKE TIME out to consider the unique talents of one known as Jefferson Machamer......the celebrated cartoonist who does the Gags and Gals in the public prints........a versatile gent, Jefferson......doing a series of shorts for Educational......just saw the third......"Fun's Fun"......and for a brief excursion into the realm of the Beautiful in Sex expressed with Individuality......we commend this gem to your attention......

▼ ▼ ▼

● ● ● WHAT DOES Jeff do?......he Personalizes and Individualizes the beauty of the Femme Form......how?......by posing each individual type as only a true artist can pose them......so in this Educational short the girls stand out as cameos of charm, grace, allure......each beauty is different ......herself......not a nonentity in a mass of beautiful nonentities......all dressed alike......all posing alike......all stepping alike through the same routiney routine......as we see in all the musicals all the time......get what we mean? ......of course you do......you're smart......we write for the select few, we do......let Winchell and Sobol and Sullivan write for their millions......but when you read Us you are of course intelligent......of course......you've got to be intelligent to read us......dumb guys couldn't figure out what we mean......sometimes we can't figure it out either......but to get back to Jefferson Machamer......my, how we do wander......in his Personalized Treatment of Beauty, he is on the road to a New Technique......that's what's been wrong with the Mass Beauty effects in the musicals all the time......beauty thrown at you in big gobs is wasted......Jeff makes the camera pick the beauts out one by one......all posed individualistically......catch this short and see Beauty Diversified treated just that way......it's a TREAT

▼ ▼ ▼

E.W. Hammons
presents

JEFFERSON MACHAMER

AND HIS

"Gags and Gals"

IN

"FUN'S FUN

Produced by
Al Christie

●

Educational Pictures
"THE SPICE OF THE PROGRAM"

Distributed in U.S.A. by 20th Century-Fox Film Corporation

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 41 NEW YORK, THURSDAY, FEBRUARY 18, 1937 TEN CENTS

Para Expected To Call in All 6% Debentures

Turning in of One-Third By Holders Predicted

The calling in of all of Paramount's outstanding six per cent debentures and the placing of the company's common stock on a dividend basis for this year is anticipated in financial quarters as a direct result of the issuance by the company of $15,000,000 of new 3¼ per cent convertible debentures for exchange, it was learned yesterday.

Financial sources estimate that approximately one-third of the outstanding $22,500,000 of six per cent debentures due in 1955 will be presented by holders for exchange on a bond-for-bond basis for the new 3¼ per cent debentures, due in 1947 and convertible into common stock of the company at $33 1/3. The remaining one-third of the new debentures, or $7,500,000 of face amount, could be sold by the company and the proceeds applied to calling in the $7,500,000 of six per cent debentures which it is estimated, would be outstanding on March 9 when the exchange right expires. This procedure ultimately

(*Continued on page* 5)

Figure Para. Quarter Earnings 4 Million

Paramount's net for the last quarter of 1936 is estimated in downtown financial quarters at approximately $4,000,000. The report for the quarter will be ready for submission to the company's board of directors at the monthly meeting next Thursday.

If the Wall St. reports are accurate, a 1936 profit of approximately $6,000,000 is indicated for Paramount, taking into account certain year-end adjustments. Profit for the first three quarters amounted to approximately $2,250,000. The 1936 figures, however, reflect the benefit of a special inventory reserve of $2,500,00 set up out of 1935 earnings. The company's profit for the current quarter is estimated to be continuing at an average of about $1,000,000 per month.

Balaban Is Expected To Enter St. Louis

St. Louis, Feb. 17.—Indications are that Balaban Theatres, recently organized by Jules Rubens, Sam Meyers, Fred Bartman and Arthur Greene of Chicago, will definitely enter the local theatre field.

Following a meeting with Harry C.

(*Continued on page* 5)

Alien Talent Ban Is Hit by Screen, Stage

Lambs Club Delegation Only Ones in Favor

By **BERTRAM F. LINZ**

Washington, Feb. 17.—Screen, stage and music interests today presented a united front of opposition to the Dickstein alien actor bill as hearings on the measure opened before the House Immigration Committee.

Of the dozen or more witnesses who testified during the day, only the representatives of the Lambs Club urged enactment of the measure. Witnesses were called in a haphazard manner by Chairman Dickstein, who exhibited belligerent opposition whenever a witness attacked the bill, contending that it would not keep out any star talent, but was directed at second string actors of whom, he said, Hollywood last year imported 1,100.

Dickstein's statement was challenged by Representative Kramer of California, who asserted that the eight large producers last year gave contracts to only 534 aliens and only 61 foreign actors are now working in their studios. With considerable industry talent awaiting an opportunity to be heard, the only film witness called today was Ed Kuykendall,

(*Continued on page* 11)

Omaha Mayor Seeks Bank Night Action

Omaha, Feb. 17.—Mayor Dan Butler today called upon the City Council to consider again the problem of Bank Night in Omaha. He declared some of the theatre men themselves are anxious to drop the plan.

"It looks like a syndicate having a copyright on Bank Night is getting all the gravy," he said. "Some of the theatre men tell me it is actually hurting their business on all days except Wednesdays, and they would like to get out from under."

Just recently City Attorney Seymour Smith's ruling that Bank Night

(*Continued on page* 10)

Will Test Australia Gift Night in Court

By **CLIFF HOLT**

Sydney, Jan. 26. (*By Air Mail Via London*) — The Distributors' Ass'n here has decided to test the legality of Gift Nights in the courts. The action has arisen out of the refusal on the part of some exhibitors to abide by

(*Continued on page* 10)

Argentine Subsidy

Buenos Aires, Feb. 17.—The President of Argentina granted an audience yesterday to a group of local producers for a discussion relative to the Government proposal for a subsidy for Argentine production. No specific action was indicated as a result of the meeting.

Elek Ludvigh Dies; Ill for Long Time

Elek J. Ludvigh, former general counsel of Paramount and prominent in the company's legal and financial affairs for more than 20 years, died early yesterday of bronchial pneumonia at his residence, 300 Park Ave. He was 68 years old.

Ludvigh is survived by his wife, Rene Ludvigh. There are no children. Funeral arrangements had not been completed at a late hour yesterday afternoon.

Ludvigh had been in ill health for more than a year and his condition had been regarded as critical since last September, when he suffered an attack of cerebral thrombosis. A native of New York, he was a practicing attorney and from 1910 to 1912 was a N. Y. State Civil Service commissioner. With the formation of Famous Players Corp. in 1912, Ludvigh began to handle legal work for Adolph

(*Continued on page* 5)

RKO Hearings Will Get Started Today

Initial hearings on the RKO reorganization plan are scheduled to get under way today at a creditors' meeting before Federal Judge William Bondy. The hearing will be the first since the filing of the plan with the Federal court last November.

Indications are that a variety of legal matters related to the plan and the RKO reorganization may be heard by Judge Bondy first, which may defer actual hearing of creditors on the plan itself until a later date. Regardless of how much progress is

(*Continued on page* 10)

Conspiracy Action Names 7 Companies

Atlanta, Feb. 17.—Charging seven of the larger producers and two individuals with price discrimination among Florida film distributors, B. E. Gore and Mrs. Gore, owners and operators of a Tampa theatre, have filed

(*Continued on page* 5)

Local Boards Set Back by Law Outlook

Congress' Action Might Scrap New Plan

The prospect of new Federal legislation for the regulation of industry, together with opposing distributor views on the functions and maintenance of the local conciliation boards proposed under the M. P. T. O. A. 10-point trade practice program, threatens the collapse of at least the major portion of the M. P. T. O. A.'s year-old effort to set up machinery for the internal settlement of trade practice problems, it was admitted in official quarters yesterday.

Efforts to establish four or five local conciliation boards for trial purposes already appear to have been stalemated by divergent distributor attitudes, on the one hand, and inertia on the other. Moreover, even the champions of the local boards within M. P. T. O. A. and distribution ranks view the present legislative outlook as unfavorable for a launching of the conciliation machinery through which the national exhibitor organization hoped that seven-tenths of its trade practice program might be accomplished.

These sources believe that President Roosevelt's proposals for the reform of the judiciary will be culminated successfully within the next few weeks

(*Continued on page* 5)

Independents Adopt New 2,000-Ft. Reel

Independent distributors such as Republic, Grand National and G. B., are adopting the new standard 2,000-foot reel and new releases from the companies are being received at exchange centers on the larger spools, Arthur Dickinson of the M.P.P.D.A., who returned recently from a tour of southern and middle western exchanges, said yesterday.

Dickinson reported that official notification has been received from the

(*Continued on page* 5)

Fox Case Postponed Until Wed., Feb. 24

Atlantic City, Feb. 17.—Examination of witnesses in the $9,535,000 William Fox bankruptcy, scheduled to resume today before Federal Referee Robert E. Steedle, again has been

(*Continued on page* 2)

Radio—Pages 8-9

MOTION PICTURE
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Schenck Going South For a Vacation Trip

Joseph M. Schenck, chairman of the 20th Century-Fox board, will leave the coast the end of the month on a two and a half month vacation during which time he will visit his brother Nicholas M., in Miami and then sail on his yacht, *Caroline II*, for a cruise to the Bahamas and then to the coast.

Schenck is due in Miami on March 1 to spend a week with his brother. His yacht is now in Florida waters. In addition to the Bahamas, Schenck will cruise to the West Indies and through the Panama Canal. He will not visit New York.

ITOA Moves to Get Members' Loan Fund

Leon Rosenblatt, Abram Cohen and S. Traversi yesterday were named by the I. T. O. A. at a meeting at the Astor as a committee to raise a special fund for local exhibitors who may have to apply for loans to pay increased wages for operators.

The increases in projectionists' salaries were brought about with the merger of Allied and Local 306. The committee will meet immediately and study all requests for loans.

Labor Play Good in Parts, But Generally Loses Out

By PLAYBOY

Four stories closer to a Heaven to which he probably was appealing for justice, in the archaic reaches of the Bayes Theatre John Howard Lawson last night let loose an indignant play. He described his handiwork with the title, "Marching Song" and relieved the righteous steam from his chest with a plea for the workers of America to unite.

By this time, Lawson has made his allegiance clear. For years, his plays have aligned him on the side of the brawny-armed and their union. He makes his stage and their characters parade and stomp with speeches and endeavors to populate his cast with a fine and uplifting courage against industrial oppressors and machine gun rule. We are for it; an ennobling idea and laudable purpose in the theatre.

Yet not quite enough. One of the difficulties about others of Lawson's plays and again evident in his newest is the manner in which his emotionalism gets in the way of his playwrighting. Emotionalism has a rather disturbing habit of not usually being synonymous with rationalism. Throw in a propaganda effort and the consequences not only become one-sided, but lop-sided to boot.

In "Marching Song," the subject matter concerns itself with a strike in an automobile town. In point of progressive action, the play is virtually static. Lawson centers the impact of the walkout and its results on a handful of characters and proceeds to show how each is affected. They fight a losing battle against imported gangsters plentifully provided with artillery and tear gas and the curtain finally falls to the rat-tat-tat of machine guns and an observation that the streets are crowded with people and "people are power."

Resentment Dominates

This is no personalized drama. All the workers in one way or another obviously feel the pinch and reflect a sullen and rising tide of resentment, but the interest of the spectator, of necessity therefore, spreads itself completely over the crowded stage. It occurs that, had Lawson been less content with his undeniably powerful background and more intent on making his principal characters vital, his play would have been better.

His "Marching Song," likewise, makes the error usual with propaganda endeavor. All of his labor characters are to be sympathized with; all of his representatives of capitalism are heels. But such heels! His police inspector, for instance, becomes entirely far-fetched to a point completely unbelievable and somewhat silly as well. Shadings are lacking.

This is a one-set show, the scene the interior of an abandoned factory. Anthony Brown's setting for it is dramatic in the extreme. Of the large cast, Rex Ingram, the colored performer who played De Lawd in "Green Pastures," and Curt Conway, who was flogged in Texas for walking with a Negro and shot in Imperial Valley, impressed this reviewer as the best.

The regret of the evening was that this Theatre Union endeavor was not better. The chance was present, if Lawson's play was not.

Gold a Grandpappy

Movietone News, first in everything else, so they say, now claims a first on which it expects no dispute by its competitors. Movietone News claims the first newsreel cameraman to become a grandfather.

Al Gold is the lensman to give his reel its new honor. His daughter, Mrs. Milton Goichman, has just become a mother at the Royal Hospital, New York.

St. Louis Building Code Views Sought

St. Louis, Feb. 17.—Unions and theatre owners here have been asked to submit their views relative to a model theatre safety ordinance, following a conference today on theatre safety called by the mayor at the city hall. The views will be submitted to Associate City Counsel Louis McKeown for final study.

From the reports McKeown plans to draft a theatre measure to be included in the new city building safety code now in the process of development. Attending today's meetings were Fred Wehrenberg, Clarence Kaimann, Leo Hill, Harold W. Evens and Louis Ansell for the theatre owners, and John Nick and Clyde Weston for the unions. Also present were Director of Public Safety George W. Chadsey and Building Commissioner Charles A. Welsch.

Present Foreign Awards

Hollywood, Feb. 17.—Members of the Foreign Press Society of Hollywood presented awards to winners of "1936 Bests," selected by poll, at a luncheon today. The correspondents voted "Fury" the best picture, Luise Rainer the best actress in "The Great Ziegfeld," and Paul Muni the best actor for "The Story of Louis Pasteur." Rouben Mamoulian's direction of "The Gay Desperado" received an award for the best direction.

Grainger Gets Back

J. R. Grainger, general manager of Universal's distribution, arrived from the coast yesterday where he attended conferences on next year's product. The conferences will continue in New York with R. H. Cochrane and Charles R. Rogers in attendance.

Advance Alabama Tax

Montgomery, Ala., Feb. 17.—The Alabama House today accepted Senate changes in the proposed two per cent sales tax bill and it has been sent to Governor Graves for signature.

Files Picketing Bill

Albany, Feb. 17.—Under the provisions of a bill introduced by Assemblyman Stephen J. Joy of Rochester and referred to Codes Committee, picketing will not be disorderly conduct unless accompanied by acts of violence or breach of the peace.

Fox Case Postponed Until Wed., Feb. 24

(*Continued from page 1*)

postponed. This time the tentative date set is next Wednesday, Feb. 24.

It has been learned that the delay is the result of a desire on the part of both counsel to wait until some of the network of related Fox court actions, at least two of which are being carried to the U. S. Supreme Court, are settled.

Additionally, there has as yet been no decision on whether Mrs. Eva Fox, wife of the bankrupt, and Herbert Leitsteen, Fox family bookkeeper, are in contempt of court for refusing to answer questions during the examination which was held here recently.

Commission Decision Reserved

Decision was reserved yesterday by Justice Aaron J. Levy, in N. Y. Supreme Court, on a motion made by Norman Miller to examine Robert Goldstein, president of Superior Radio Artists, Inc., before trial, in a suit which he asks for $7,000 from Superior, Charles Sherman and Milton Gross. Miller charges that the defendants failed to pay him commission agreed upon for his services in selling a script produced by Sherman and Gross and for finding them employment. The company allegedly was a party to the negotiations.

Voteur Ruling Delayed

Justice Aaron J. Levy in N. Y. Supreme Court reserved decision yesterday on a motion made by Ferdinand Voteur, a writer, for permission to examine before trial officers of Columbia Pictures Corp. and Warner Bros. Enterprises, Inc. Voteur has sued Columbia for $1,000,000 and Warners and Intrastate Theatres Corp. for $250,000, alleging that he wrote a play entitled "Resurrection Morning," submitted it to the defendants and that after each company rejected it, they produced pictures which presented the same plots and characterizations contained in the plaintiff's work.

RKO Restores Shows At K. C. Mainstreet

Kansas City, Feb. 17.—The RKO Mainstreet will return to stage shows Feb. 20, with Ethel Waters and her troupe. The change coincides with dissolution of the Fox Midwest first run pool which included the Fox Uptown, the Fox Tower, the B. & K. Newman and the Mainstreet. The latter two houses will continue under a pool arrangement of their own, although it is considered unlikely that RKO will open the Orpheum with a film policy.

David Loew Outlines Plans to RKO Force

David L. Loew, independent producer for RKO, yesterday outlined plans for the second Joe E. Brown picture to eastern branch managers of the company meeting at the Astor. Prior to his talk he screened "When's Your Birthday?" at the Astor.

Numerous home office executives spoke to the sales force on liquidation of contracts and unsold situations. The two-day sessions are expected to be concluded today.

You've Got Something There!

...Something to start your female patronage palpitating and your marquee mazdas glowing with a great new name! He's here fresh from Continental honors—very fresh—and *voilà*, such a lover! (50 million Frenchwomen can't be wrong)! You'll get what we mean when you get

Fernand Gravet

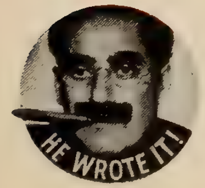
in

"THE KING AND THE CHORUS GIRL"

By Groucho Marx and Norman Krasna with

JOAN BLONDELL • EDW. EVERETT HORTON • Alan Mowbray • Mary Nash
Jane Wyman • Kenny Baker • Luis Alberni

The songs 'For You' and 'On the Rue de la Paix', by Werner R. Heymann and Ted Koehler
First of the MERVYN LEROY PRODUCTIONS for **WARNER BROS.**



"Wings" Tops Los Angeles' Gross Pickup

Los Angeles, Feb. 17.—"Wings of the Morning" led a general improvement of grosses last week by getting $5,778 in the 900-seat 4 Star and topping par by $2,528.

"Sea Devils" and "Criminal Lawyer," dualled at the Hillstreet and Pantages, took $10,000 up by $2,000, at the former and $8,500, over the line by 500, at the latter. "On the Avenue" and "Under Cover of Night" were strong at both the Chinese and Loew's State.

"God's Country and the Woman" and "Two Wise Maids" pulled well at Warners Downtown.

Total first run business was $115,545. Average is $107,950.

Estimated takings for the week ending Feb. 17:

"THE GOOD EARTH" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 3rd week. **Gross:** $17,500. (Average, $17,000)

"ON THE AVENUE" (20th-Fox)
"UNDER COVER OF NIGHT" (M-G-M)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $13,356. (Average, $12,500)

"WINGS OF THE MORNING" (20th-Fox)
4 STAR—(900), 30c-55c, 7 days. **Gross:** $5,778. (Average, $3,250)

"THE YELLOW CRUISE" (French)
GRAND INTERNAT'L.—(750), 35c-40c, 7 days. **Gross:** $2,300. (Average, $1,200)

"SEA DEVILS" (RKO)
"CRIMINAL LAWYER" (RKO)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $10,000. (Average, $8,000)

"ON THE AVENUE" (20th-Fox)
"UNDER COVER OF NIGHT" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $15,611. (Average, $14,000)

"SEA DEVILS" (RKO)
"CRIMINAL LAWYER" (RKO)
PANTAGES — (3,000), 30c-65c, 7 days. **Gross:** $8,500. (Average, $8,000)

"DEVIL'S PLAYGROUND" (Col.)
"CLARENCE" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Rube Wolf and orchestra, F. & M. revue. **Gross:** $12,500. (Average, $18,000)

"GOD'S COUNTRY AND THE WOMAN" (W.B.)
"TWO WISE MAIDS" (Republic)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days. **Gross:** $12,000. (Average, $14,000)

"GOD'S COUNTRY AND THE WOMAN" (W.B.)
"TWO WISE MAIDS" (Republic)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days. **Gross:** $14,000 (Average, $12,000)

Unit Names Law Group

New Haven, Feb. 17.—Allied Theatres of Connecticut appointed a special legislative committee at its meeting here, consisting of Maurice Bailey, Dr. J. B. Fishman, and Ralph Pasho. This committee will meet with the Connecticut M. P. T. O. committee on legislation, headed by Irving Jacocks, and including Edward G. Levy, Arthur Lockwood, Samuel Weiss and Edwin Raffile. A special meeting of exhibitors of both organizations has also been planned for Feb. 25, at the Hotel Bond, Hartford, preceding the first hearing by the Judiciary Committee of bills affecting the industry.

To Reproduce 52nd St.

Hollywood, Feb. 17. — Walter Wanger will reproduce 52nd St. from 5th to 6th Aves. in a forthcoming musical called "52nd St." In the picture, Wanger will introduce the night club personalities on the street. Gene Towne and Graham Baker will write the screenplay. The idea was suggested by Hal Horne.

Censor Revenge

Seattle, Feb. 17.—Theatre censors here, relegated to last row gallery seats by Mrs. Cecilia Schultz, theatre manager, have retaliated by demanding private previews of all pictures exhibited by Mrs. Schultz.

The law requires "proper" seats for censors. To Mrs. Schultz this meant rear row.

"Rainbow" Dual 2d Week Buffalo Lead

Buffalo, Feb. 17.—"Rainbow on the River" and "Without Orders," held for a second week at the Century, continued to do the best business downtown. They grossed $10,000, bettering average by $4,200.

"God's Country and the Woman," at the Great Lakes, took $9,700, "North of Nome" and "The Lady from Nowhere," dualled at the Lafayette, grossed $8,300. Both were over $2,000 above normal.

A return engagement of "One in a Million" at the Hippodrome held up with a take of $8,200, over the line by $900.

Total first run business was $47,200. Average is $38,400.

Estimated takings for the week ending Feb. 13:

"STOLEN HOLIDAY" (W. B.)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $11,000. (Average, $12,000)

"ONE IN A MILLION" (20th-Fox)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $8,200. (Average, $7,300)

"GOD'S COUNTRY AND THE WOMAN" (W. B.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $9,700. (Average, $7,300)

"RAINBOW ON THE RIVER" (Radio)
"WITHOUT ORDERS" (Radio)
CENTURY—(3,000), 25c, 7 days. **Gross:** $10,000. (Average, $5,800)

"NORTH OF NOME" (Col.)
"THE LADY FROM NOWHERE" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $8,300. (Average, $6,000)

"Million" Reaches $5,300 at Spokane

Spokane, Feb. 17. — Moderating weather was the biggest factor last week in keeping grosses above par. "One in a Million" grossed $5,300 in eight days at the State, $500 over par.

"Three Smart Girls" and "Man of Affairs" pulled a strong $5,000 in six days at the Fox. Average is about $4,500.

Two duals at the Orpheum were close to par. "Jungle Princess" and "Wanted: Jane Turner" grossed $2,400 in four days, $200 over par, and "Once a Doctor" and "Sinner Takes All" took $1,000 in three days.

Total first run business was $13,700. Average is $12,500.

Estimated takings:

Week Ending Feb. 4:

"THREE SMART GIRLS" (Univ.)
"MAN OF AFFAIRS" (G.B.)
FOX—(2,300), 25c-40c, 6 days. **Gross:** $5,000. (Average, $4,500)

"ONE IN A MILLION" (20th-Fox)
STATE—(1,000), 30c-40c, 8 days. **Gross:** $5,300. (Average, $4,800)

"JUNGLE PRINCESS" (Para.)
"WANTED: JANE TURNER" (Radio)
ORPHEUM—(1,200), 20c-30c, 4 days. **Gross:** $2,400. (Average, $2,200)

"ONCE A DOCTOR" (F.N.)
"SINNER TAKES ALL" (M-G-M)
ORPHEUM—(1,200), 20c-30c, 3 days. **Gross:** $1,000. (Average, $1,000)

"Lloyds" Only Good Grosser San Francisco

San Francisco, Feb. 17.—Business has failed to respond to the ending of the maritime strike. "Lloyds of London" was the only downtown first run to make a showing and this was not impressive. The gross at the Warfield was $14,000. Normal is $13,000.

"More Than a Secretary," with "The Mighty Treve," at the Orpheum went $700 over the line on a take of $10,200, and "Criminal Lawyer" at the Golden Gate managed to get $300 into the profit column on a take of 16,300, but business elsewhere lagged.

Total first run business was $83,400. Average is $85,000.

Estimated takings:

Week Ending Feb. 9:

"FORBIDDEN ADVENTURE" (Roadshow Att.)
EMBASSY—(1,400), 15c-30c-35c-40c, 7 days, 2nd week. **Gross:** $4,200. (Average, $4,500)

"CRIMINAL LAWYER" (Radio)
GOLDEN GATE—(2,850), 15c-30c-35c-40c-55c, 7 days. Stage: Vaudeville. **Gross:** $16,300. (Average, $16,000)

Week Ending Feb. 10:

"GREAT O'MALLEY" (W. B.)
"DANGEROUS NUMBER" (M-G-M)
FOX—(5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $16,200. (Average, $16,000)

"MORE THAN A SECRETARY" (Col.)
"MIGHTY TREVE" (Univ.)
ORPHEUM—(2,440), 15c-30c-35c-40c, 7 days. **Gross:** $10,200. (Average, $9,500)

"CHAMPAGNE WALTZ" (Para.)
"CAREER WOMAN" (20th-Fox)
PARAMOUNT—(2,740), 15c-30c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $12,600. (Average, $13,000)

"AFTER THE THIN MAN" (M-G-M)
"HATS OFF" (G. N.)
ST. FRANCIS—(1,400), 15c-30c-35c-40c, 7 days, 5th downtown week. **Gross:** $5,600. (Average, $6,000)

"GARDEN OF ALLAH" (U. A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days, 4th week. **Gross:** $4,200. (Average, $6,000)

Week Ending Feb. 11:

"LLOYDS OF LONDON" (20th-Fox)
"OFF TO THE RACES" (20th-Fox)
WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $14,000. (Average, $13,000)

Week Ending Feb. 12:

"SKI CHASE" (Kraska)
CLAY—(400), 15c-35c, 7 days. **Gross:** $1,500. (Average, $1,000)

East Heads Film Board

Seattle, Feb. 17.—Neal East, manager of the local Paramount exchange, was re-elected president of the Northwest Film Board of Trade at the annual meeting here this week. Al Oxtoby, Warner branch manager, was re-elected vice-president.

New trustees chosen were: J. T. Sheffield of Sheffield Exchange System, Neal Walton of Columbia Pictures, and Butch Wingham of M-G-M.

Korson in GP Deal

The General Pictures franchise for the eastern Pennsylvania, southern New Jersey, Delaware, Maryland, District of Columbia and Virginia territories has been sold to Louis N. Korson of Masterpiece Film Attractions. Mack D. Weinberger, general sales manager, negotiated for General Pictures.

Van Praag Gets Third

Morton Van Praag, head of the Arlibar Corp., has acquired the Hastings, Hastings, N. Y., third in his rapidly growing local circuit.

"Plough" and Ritz Brothers Chicago High

Chicago, Feb. 17.—"The Plough and the Stars" at the Palace, with the considerable aid of the Ritz Brothers on the stage, brought the house $26,400, $7,400 over average to lead the Loop houses.

"Camille," in its second week at the United Artists, went $3,800 over par to gross $18,800. "Champagne Waltz" at the Chicago took $35,500 to beat average by $3,500. Vaudeville with "More Than a Secretary" at the Oriental gave the house $19,300 against a par of $15,000, and "Lady From Nowhere," also aided by vaudeville, grossed a strong $16,600 against an average of $13,000.

Rain, sleet and cold weather hurt during the first of the week while the last days of the week were warm and spring-like. Several conventions in town helped Loop business generally.

Total first run business was $139,900. Average is $118,000.

Estimated takings:

Week Ending Feb. 9:

"CAMILLE" (M-G-M)
UNITED ARTISTS—(1,700) 35c-55c-75c. 7 days. 2nd week. **Gross:** $18,800. (Average, $15,000)

"THE BLACK LEGION" (W.B.)
ROOSEVELT—(1,591) 35c-55c-75c. 7 days. **Gross:** $10,000. (Average, $11,000)

Week Ending Feb. 11:

"THE PLOUGH AND THE STARS" (RKO)
PALACE—(2,509) 35c-55c-75c. 7 days. Stage: Ritz Brothers and revue. **Gross:** $26,400. (Average, $19,000)

"CHAMPAGNE WALTZ" (Para.)
CHICAGO—(4,000) 35c-55c-75c. 7 days. 2nd week. Stage: Veloz and Yolanda in person and revue. **Gross:** $35,500. (Average, $32,000)

"MORE THAN A SECRETARY" (Col.)
ORIENTAL—(3,490) 35c-55c. 7 days. Stage: Vaudeville revue. **Gross:** $19,300. (Average, $15,000)

"REMBRANDT" (U.A.)
APOLLO—(1,400) 35c-55c-75c. 7 days. 2nd week. **Gross:** $6,500. (Average, $6,500)

"AFTER THE THIN MAN" (M-G-M)
GARRICK—(900) 35c-55c-75c. 7 days. 6th loop week. **Gross:** $6,800. (Average, $6,500)

Week Ending Feb. 12:

"LADY FROM NOWHERE" (Col.)
STATE-LAKE — (2,776) 20c-35c-40c. 7 days. Vaudeville Revue. **Gross:** $16,600. (Average, $13,000)

Hummel Due Friday

Joseph S. Hummel, foreign general sales manager for Warners, is due tomorrow from Vancouver following a seven-month tour of the company's Far East exchanges. He arrived at Vancouver on the *Empress of Canada* on Monday and is now en route here.

Offices visited by Hummel included those in the Philippines, Japan, China, Singapore, Java, Australia and New Zealand.

Seek Censor Fee Jump

Columbus, Feb. 17.—House Bill No. 218 seeks to repeal the present $3 per reel censorship fee, and impose a tax of two cents per foot for every foot of film shown in Ohio. This, it is estimated, would raise approximately $1,200,000 towards the $20,000,000 needed for flood relief and rehabilitation.

House bill No. 238 seeks to increase censorship fees from $3 to $5 per reel.

Local Boards Set Back by Law Outlook

(*Continued from page* 1)

and, in addition, anticipate the introduction and passage of new Federal legislation for the regulation of industry shortly thereafter. The new legislation, it is believed, would empower Federal agencies to regulate trade practices, among other things, which would bring about enforceable trade codes for all industries. The administration and enforcement bodies within industries probably would be comparable to the former NRA code boards, it is assumed, and hence would require the immediate scrapping of whatever local conciliation boards might be set up by this industry within the next few months.

Delays Asked

The fact that the Administration's aims with respect to industrial legislation may be known within the next two months or less is being advanced in several exhibition as well as distribution quarters as an argument against the setting up of even the four or five trial conciliation boards which were contemplated. The boards were to be established in Philadelphia, Kansas City, Dallas or Seattle, and Charlotte. The first of these was to have been at Philadelphia, with the U. M. P. T. O. and branch managers agreeing upon a slate of conciliators as soon as Paramount, the last of the major distributors cooperating with the M. P. T. O. A. program, had formally approved the local boards. Paramount's reply was given on Feb. 6 and estimates were made in official quarters that home offices would authorize their Philadelphia branch managers immediately to participate in the selection of a slate of conciliators and that a board would be in existence there within seven days thereafter.

Distributors Still Aloof

It was ascertained officially yesterday that not only has no authorization been issued by a major distributor for the participation of its branch managers in the setting up of the local boards, but that home offices themselves are far from agreement on such vital matters as the nature of complaints which the boards may hear and the procedure to be followed, without which it is inconceivable that any board could begin to function.

Several distribution companies state outright that unless and until the complaints to be handled by the boards have been listed and the procedure clearly understood they will take no part in their establishment. Others assert that unless provision is made for exhibitors to bear a part of the cost of maintaining the boards they will not participate in their activities. From the current welter of disagreement, apart from the general attitude of inertia and disinterestedness in the boards by other companies, it is apparent that weeks of discussion would be necessary before any definite organizing step can be taken. In the meantime, the Administration's legislative program would be nearer to completion, further discouraging the setting up of trial boards.

The M. P. T. O. A. trade practice program was conceived by the organization's board of directors a year ago, was first broached to distributors last May and acknowledged only this month by the last of seven major distributors.

Purely Personal

Joe Pollak entertained about 25 of his friends at an Essex House luncheon yesterday to mark his safe return to New York following his accident near Budapest some months ago. Film men present included Frank C. Walker, Colvin Brown, Herman Robbins, Hal Young, Paul Benjamin, David J. Chatkin and E. M. Fay.

•

David L. Loew, who leaves for Hollywood today, played host to home office RKO executives and many local exhibitors yesterday morning at a special screening of his first picture, "When's Your Birthday?" at the Astor.

•

Bob Wolff of the local RKO exchange wants it known that he most certainly will do some fishing in Miami. He leaves tomorrow for the Florida resort where he hopes to land a couple of record-breakers.

•

Ruth Chatterton, who returned from Europe Tuesday night on the *Ile de France,* will leave tonight for the coast via American Airlines.

•

Herman Becker of the Rugoff & Becker circuit is in Miami. Edward Rugoff will head for the same resort next month.

•

Bernard Sholtz, Photophone sales executive, has returned with his family from a three-week tour of Florida.

•

Will Morrissey, musical comedy and vaudeville writer, left yesterday for Universal City.

•

Helen Sheridan of NBC will fly to Washington Saturday for the weekend.

•

J. Edward Bromberg arrived here yesterday for a three-week vacation.

Milt Kussell, Paramount district manager and eastern drive head for the Zukor Jubilee, will leave tonight for Atlanta, Jacksonville, New Orleans, Charlotte, Memphis, Dallas, Oklahoma City and San Antonio. He will make the entire trip by plane, as usual.

•

Sam E. Morris, head of the Warners foreign activities, will sail next month on his semi-annual trip abroad. Harry M. Warner, president, may accompany him.

•

Michael Bartlett is en route to the coast to appear in a Grand National picture under Victor Schertzinger's direction.

•

Martin Gosch, handling Warners radio publicity, will leave for Hollywood the early part of next week.

•

Willard McKay of Universal is expected back here tomorrow from a brief vacation at his Miami home.

•

Ed Kuykendall, M.P.T.O.A. president, is due here tomorrow from Washington.

•

Harry Conn, former script writer for Jack Benny, left via American Airlines for the coast last night.

•

John Hay Whitney will fly to the coast tonight. It's one of his periodic trips.

•

D. A. Doran of Columbia's editorial force, will leave Sunday by train for the coast.

Douglas Fairbanks, Jr., will not leave for the coast for another few days.

•

Claude Ezell has delayed his arrival from Miami.

Independents Adopt New 2,000-Ft. Reel

(*Continued from page* 1)

Commissioner of Public Safety of Massachusetts that regulations permitting the use of the 2,000-foot reel in that state had been adopted. The Massachusetts action removed the last official obstacle in the way of national adoption of the new reel by the industry, it was stated.

Definite interest in the large reel on the part of the British film industry's bureau of standards, which has been evidenced by requests for detailed information on the changeover received here, indicates that the 2,000-foot reel may be adopted by the British industry at some future date, Dickinson said.

Joins Lehman Bros.

Waddill Catchings, member of the board of directors of Warner Bros. Pictures, will become associated with Lehman Bros., banking house, it was reported in financial quarters yesterday. Catchings was formerly a partner in Goldman, Sachs & Co. and more recently headed several investment subsidiaries of Atlas Corp.

Elek Ludvigh Dies; Was Ill Long Time

(*Continued from page* 1)

Zukor, president, whom he met through Zukor's partner, Daniel Frohman. In 1924 he was made general counsel of Paramount, devoting his entire time to the post. He resigned in January, 1932, and reentered private law practice.

Fred F. Creswell Dead

Atlanta, Feb. 17.—Fred F. Creswell, 52, died here Feb. 12.

For the past three years he had been with United Artists as salesman in north Georgia and eastern Tennessee. Previously he had been district supervisor for Southern Enterprises.

George Hassell Passes

Hollywood, Feb. 17.—George Hassell, 56, died suddenly today in an automobile en route to the Chatsworth location of "Wee Willie Winkie," Shirley Temple picture. Hassell is survived by a daughter, Virginia, an actress.

Stroke Kills Paul Graetz

Hollywood, Feb. 17.—Paul Graetz, German film actor, is dead following a stroke. Graetz was 47 and had been cast for a part in "Madame Walewska," Garbo's next.

Para Expected To Call in All 6% Debentures

(*Continued from page* 1)

would result in fully retiring the six per cent debentures whether the volume of exchange is greater or less than that estimated. The six per cent debentures are callable by the company at par plus accrued interest at any time on reasonable notice.

Placing the company's common on a dividend basis is looked for in order to make the conversion of the new debentures into common attractive. This is regarded as particularly likely in view of the fact that the new debentures are convertible into common at $33 1/3, whereas the common is now selling at slightly more than $26.

The new debentures are also callable by the company at par and accrued interest at any time with notice. Their ultimate conversion and retirement would effect annual interest savings of $1,350,000 for the company. An interest saving of approximately $635,000 is made possible immediately.

Balaban Is Expected To Enter St. Louis

(*Continued from page* 1)

Arthur of F. & M., some time ago the Chicago group is said to have made tentative arrangements to associate with Louis K. and Joseph C. Ansell, operators of the Ritz and Empress in this city, and the Varsity, University City, Mo.

The Chicago syndicate, in which A. J. Balaban is said to be interested, has purchased a site at Hodiamont and Easton Aves. for the construction of a large theatre.

However, no definite action will be taken until Balaban returns from Switzerland and Greene from South America. The Ansell Brothers have another meeting scheduled with the Windy City interests for March 1.

Conspiracy Action Names 7 Companies

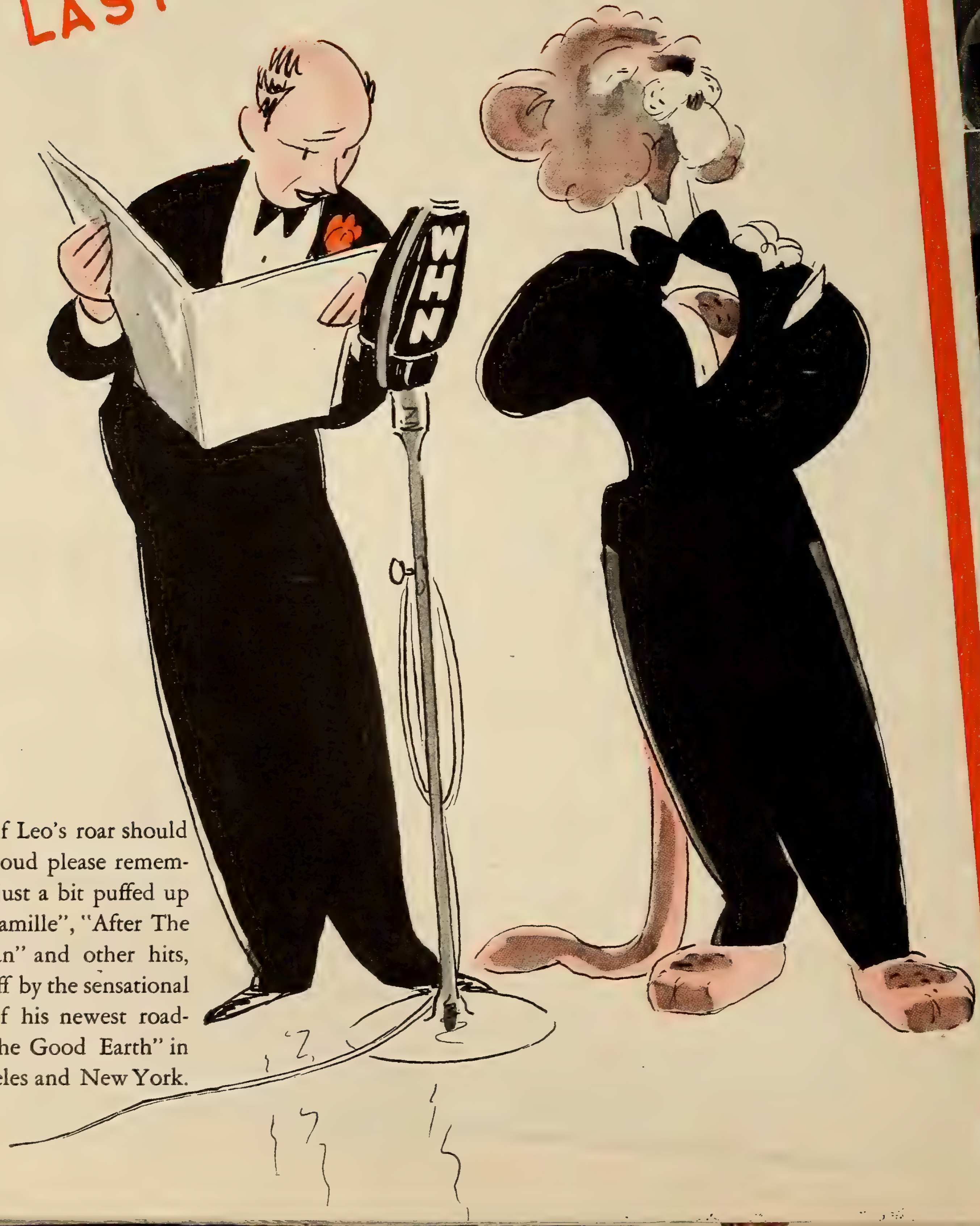
(*Continued from page* 1)

a petition for a preliminary injunction in U. S. District Court here. Judge Bascom S. Beaver has taken the petition under advisement.

The Gores, stockholders of Broadway Theatre, Inc., allege that the defendants have "combined and conspired to create a monopoly in interstate commerce in the rental and the use of films, in behalf of the Sparks chain and against the independents" in violation of the Sherman anti-trust law and Clayton act.

The defendants are United Theatres, Inc., Florida circuit operated by E. J. Sparks and Frank Rogers of Jacksonville, Vitagraph, Inc., 20th Century-Fox, Paramount, M-G-M, United Artists, Universal and RKO.

Defense counsel Augustine Sams of Atlanta said the Gores contend only one company, Vitagraph, Inc., furnish them films and that those are second run, which had previously been shown in other Tampa theatres. Judge Gober of Tampa and Whitaker and Whitaker, also of Tampa, are associated with Sams in the defense.


"When you hear the ROAR it will be Leo of M-G-M bringing you his grand new hit 'THE LAST OF MRS. CHEYNEY'!"
WHN

Note: If Leo's roar should be extra loud please remember he's just a bit puffed up about "Camille", "After The Thin Man" and other hits, topped off by the sensational success of his newest roadshow "The Good Earth" in Los Angeles and New York.

Previ
"When the sign
twice—I'll be rea
pearls!"
AN
Joan
Robert

r! THE SEASON'S BIG STAR-STUDDED SHOW!

The Duke saw Mrs. Cheyney first—but Bob and Bill don't agree that finder's keepers.

The 5 and 10 cent store beauty who decided to steal or marry a million.

What a cast! And they all help to make your entertainment merry and exciting!

He intercepts the girl he loves stealing a string of pearls! What a spot for Bob!

"You have more chivalry in your little finger than all the men I've ever met!"

HER BRILLIANT *All-Star* HIT BY M-G-M!

It's Bigger and Better, Faster and Funnier, than M-G-M's Previous *All-Star* Hit, "Libeled Lady"!

CRAWFORD *William* **POWELL**

MONTGOMERY *Frank* **MORGAN**

Starts
FRIDAY
at

The LAST OF MRS. CHEYNEY

with
JESSIE RALPH · NIGEL BRUC

A Metro-Goldwyn-Mayer Picture

From the Play by Frederick Lonsdale • Directed by Richar
Boleslawski • Produced by Lawrence Weingarten

Above from the seat-selling newspaper campaign

EMI's System Used by BBC In Television

By BRUCE ALLAN

London, Feb. 9. — The British Broadcasting Corp. has begun transmitting its television programs by E.M.I., following elimination of the Baird system.

Explanations of the adoption of the one-system plan, though unofficial, agree on one point. The selection of the E.M.I. system was largely due to the merits of the Emitron Camera, which is regarded as on the same plane of efficiency as a film camera and to be equally effective in the studio and in the open.

One result of the selection of E.M.I. at the expense of Baird will be that direct transmission by this camera will be increasingly used in the place of intermediate film transmission.

Illustrating the possibilities of E.M.I.'s camera, the BBC has televised, by direct methods, the England-Ireland amateur boxing contests. This was the first ambitious "outdoor broadcast" attempted by the television service and was a completely successful demonstration of the possibility of taking news events direct to the viewer. It is regarded as a definite proof of the feasability of broadcasting television pictures of the coronation to British homes and also of the practicability of including in the television program the transmission of pictures of the Derby race and other events at the actual moment of their occurrence.

At present all television receivers sold to the public have been planned for reception either from E.M.I. or Baird, a switch bringing either system into use.

Statements from Baird that the establishment of a single standard by the BBC does not imply the permanent adoption of any single system have been followed by a similar statement from Scophony, Ltd., which states that a uniform system was advocated in its evidence before the television committee. Both Baird and Scophony emphasize that they will market receivers capable of reproducing the BBC transmissions on larger screens.

Philadelphia Papers Taking Radio Names

Philadelphia, Feb. 17.—The rate at which local papers are tagging radio personalities for columning makes it hard to figure who is going to be left to do the reading. *Irish Press* has Pat Stanton of WDAS penciling a bit daily. *Radio Press,* fan weekly, rotates the byline among the radio names.

Boake Carter, Philco editorialist, is the latest to pick up the side money, starting a daily news column for the *Evening Ledger.* He formerly did the same stint for the *Daily News* before turning to radio. The *Public Ledger Syndicate* will carry the Carter column, building him up as a successor to the late Arthur Brisbane's niche.

Runs Announcer Classes

Kansas City, Feb. 17.—Dick Smith of WHB, Mutual system, is conducting pronunciation and enunciation classes for station announcers.

Film Theatre Passes Aids WFIL Program

Philadelphia, Feb. 17.—Film theatre tickets for the giveaway on a contest tie-in have not only doubled the listening audience on the WFIL "Classified News of the Air" program heard four times daily featuring musical transcriptions and spot announcements, but have also doubled the group of participating sponsors from seven to 14.

New accounts to the classified series include Dawn Donuts for 52 weeks through the Harkins Agency; J. Frank & Sons, soft drinks, 15 weeks, E. A. Brickley Agency; Lichtey Jewelry, 52 weeks, the Frank Wellman Agency; Circus Gardens, roller skating rink, four weeks, the Frank Wellman Agency; Wanamaker & Brown, men's clothes, 20 weeks, Mathason Agency; Stromeyer & Co., syrups, 13 weeks, and Square Deal Furniture Co., 26 weeks, Gallagher & Moyer Agency.

The contest calls for best sentences, using key words given daily, describing sponsored products. The Carman, Fay's, Nixon-Grand, Arcadia, Trans-Lux and Europa, contribute 100 pairs of passes weekly getting a plug for the current attraction in return.

Dismiss Patent Appeal

Cincinnati, Feb. 17.—The U. S. Circuit Court of Appeals has dismissed a suit of Ephriam Banning, Winnetka, Ill., vs. Sears, Roebuck Co., in which the plaintiff claimed infringement of a patent whereby radio receiving sets may be connected directly to household electric circuits instead of using "B" batteries. The court ruled no infringement existed.

The case previously had been tried before Judge Fred F. Raymond in August, 1934, and was dismissed at that time.

KCKN, Theatre in Tieup

Kansas City, Feb. 17.—KCKN, *Kansas City Kansan* station, and the Fox Granada today inaugurated a community sing program. The program will go on the air from 8:30 till 9 P. M. every Wednesday night hereafter, with the "sing" coming at the end of the Granada's first show. The Gorman Furniture Co. is sponsoring.

Karl Willis, KCKN program director, is master of ceremonies. The theatre organ accompanied the singers.

To Broadcast Tailors' Meet

Philadelphia, Feb. 17.—KYW will do a special events broadcast for the NBC-Red Sept. 18 in connection with the annual convention of the American Merchant Tailors' Ass'n. The station will pick-up the convention report which will indicate the tailors' choice as to the best dressed American citizen, the best dressed film star and the dapperest radio personality. The program arranged by John B. Geraghty agency.

Broun 3 Times Weekly

Philadelphia, Feb. 17.—Heywood Broun moves to Philadelphia to be on hand for his tri-weekly news chats over WCAU for the Pep Boys, auto supply house. The talks are carried over the station's short-wave station, W3XAU, for distant listeners.

Shumate Is Waxing

Des Moines, Feb. 17.—Gene Shumate, sports announcer for KSO, is in Chicago making transcriptions.

Homer Helps 'Em

Houston, Feb. 17.—One of the most popular local programs on the air is "Helpful Homer," a genial commentator who gives helpful hints to housewives on many things from how to "triangle the baby" to how to launder fragile lace tablecloths.

"Helpful Homer's Helpers" furnish musical interludes for the program, an original written by station KPRC which guards the identity of "Homer."

Butler Plays 10,000 Programs in 7 Years

Omaha, Feb. 17.—Seven years ago yesterday Eddie Butler started playing the organ at KOIL. This set him to figuring with the following results:

He has played more than 10,000 organ programs, has run through 56,000 pieces of music, has played a total of 5,000 hours, has had his name mentioned more than 105,000 times on the programs, has played six organs in six different places, all for KOIL, and has worked for three station owners, still at KOIL.

Most of the time his program-partner has been Kenny Golden, a tenor, who has sung his way to local fame, an education as a mortician and finally to ownership of his own mortuary.

Butler is on two KOIL programs at present: his own at 11:15 A. M. weekdays and with Golden on the appropriately-named Golden Hour at 1 P. M. weekdays and 9 A. M. Sundays.

When organs were still being used in local houses, Butler made the rounds of the three Tri-States Theatres here—the Paramount (now dark), the Omaha and the Orpheum.

Boston to Have New Series

Boston, Feb. 17.—A new dramatic series entitled "Hello Peggy" will be aired over WBZ and WBZA every Tuesday and Friday morning at 10:45. The skits will contain action, humor and romance. Each episode features the adventures of Peggy, alert switchboard operator of a large metropoliton hotel, and Ted Hopkins, ace reporter for the *Blade,* whose pulse beats only for Peggy and the possibility of landing a "scoop."

In another show the veteran radio team of Dan and Sylvia are now presenting a new serial entitled "Romance, Inc." over WBZ and WBZA, week day evenings at 11:15.

G. M. Has Mexico Program

Mexico City, Feb. 17.—For the first time in this country, an automobile manufacturer is advertising by means of a series of radio symphony concerts. It is General Motors of Mexico which is running a series of 12 Sunday concerts, played by an orchestra of 50 and broadcast by Station XEW here.

Hedges Moving to Cincy

Cincinnati, Feb. 17.—William S. Hedges, recently named vice-president and general manager of Crosley Radio Corp., is moving his family here from New York.

Boggs Joins WGN

Chicago, Feb. 17.—Norman Boggs has joined the sales staff of WGN, *Chicago Tribune* station.

More of AP Features Are Moved by Price

In addition to transferring the radio department of the AP to the new division, Byron Price, AP's new news editor, has shifted the foreign news features and science departments to the news division, it was learned yesterday. The transfers, according to a well-founded report, were effected to facilitate the sale of timely new features of all three departments to radio interests.

KYW Leads NBC Feeders

Philadelphia, Feb. 17.—KYW is now feeding the NBC red network more shows than any other station managed or operated by the chain. Are all musical sustaining shows, including the Tell Sisters, harmonizers; Three Naturals, masculine instrumental vocalists; Arthur Hinett, organ; Music for Moderns; Savitt's Serenade; Invitation to Romance; Campus Capers; and five programs by the Top-Hatters, KYW studio band.

Amelia Earhart on "Showboat"

Benton and Bowles have completed arrangements for the appearance of Amelia Earhart on the "Showboat" broadcast of March 4. Earhart will be piped in from the NBC studios in Hollywood and will be interviewed from the New York studios by Lanny Ross. The flyer will discuss her forthcoming flight around the world.

Iowa Would Restrict Amateurs

Lincoln, Neb., Feb. 17.—A bill was introduced last week allowing village boards and city councils in towns of 25,000 population to set up regulations on radio interference. The bill is aimed at the amateur broadcasting stations which have been increasingly disastrous to radio reception in some towns in Nebraska.

Asks $5 Tax on Radio Sets

Salem, Ore., Feb. 17.—A tax of $5 on each radio receiving set in the Oregon is provided for in a bill introduced in the Senate. It is similar to a bill now pending in Maryland.

The first year's tax would be paid by the radio retailer and thereafter by the owners of the radio.

KXA Advances Latham

Seattle, Feb 17.—Jack Latham has just been appointed program director of KXA, independent outlet. He succeeds Robert Spence who resigned to become head of operations at KROY, Sacramento. Latham comes here from Spokane, where he had been a member of the KHQ announcing staff.

Ask New Montana Permit

Washington, Feb. 17.—Authority to construct a new radio broadcasting station at Bozeman, Mont., was asked of the F. C. C. today by the Gallatin Radio Forum. The station would operate on 1,420 kilocycles with a day power of 250 watts.

McLaughlin Goes to WBRY

New Haven, Feb. 17. — Paul McLaughlin has been added to the WBRY staff as account executive. McLaughlin was formerly with Eastern Advertising Co. of Boston as Connecticut representative.

New Recorders for WDRC

Hartford, Feb. 17.—WDRC, CBS-basic, has installed new recording equipment to improve transcriptions.

Radio Personals

JEAN SABLON, who arrived from France yesterday will be rushed into the Vallee cast tonight . . . Stanley Roberts, advertising director of the Carnation Milk Co., returned to the Chicago company office last night after looking over radio possibilities here . . . The Bobby Benson series, which left the networks a short period ago after a long and successful stay under Hecker H-O sponsorship, will show up as a comic strip shortly . . . An Eskimo, Moo-Soo-Nuk, will be featured on the Iodent "Dress Rehearsal" to be broadcast Sunday . . .

+

Poppy Cannon, who authors the commercials heard on the Heinz "Magazine of the Air," returned to her desk at Maxon, Inc. yesterday after visiting the Heinz officials in Pittsburgh . . . George Mulroy, production manager at Maxon, now en route to California for a two-week vacation . . . WPA Federal Theatre Players, via WHN, will present a dramatization based on Washington's life Feb. 22 at 5:15 P. M. . . . Major Charles E. Russell, New Jersey State Police criminologist, will broadcast on the CBS Philip Morris show this Saturday . . .

+

Chester Bowles, executive of Benton & Bowles, is home abed, ill . . . Two more members of the original screen cast have been added to the cast of the "Lux Radio Theatre" production of "Captain Blood," to be broadcast next Monday. They are Basil Rathbone and Henry Stephenson, who join Errol Flynn and Olivia De Havilland . . . Arthur Vinton, of "Frederika," will be interviewed over WMCA next Tuesday at 1:45 P. M. by Charlotte Buchwald . . . George M. Cohan, Albert Spalding, Eddie Duchin, Frederick Jagel, will be guest starred on Sunday's "Magic Key" program . . . Jean Arthur is a last minute addition to tomorrow night's Rudy Vallee guest cast . . .

Father Coughlin on WMCA

WMCA will carry the Father Coughlin talks for the duration of the air priest's contract, beginning this Sunday, Feb. 21, from 3 to 4 P. M., E.S.T.

The Mutual network will feed the talks to WMCA.

To Give "Penrod" Series

The "Big Brother" series, heard coast-to-coast on Mutual, will present excerpts from "Penrod and Sam" for three successive Sundays, beginning Feb. 21. The excerpts will be given in two 10-minute periods.

NBC-"Strike" Half Renewed

NBC half of the two-network Lucky Strike "Hit Parade" series has been renewed for 13-weeks beginning March 10. Series is heard Wednesdays at 10 P. M., E.S.T. on the Red. Lord and Thomas is the agency.

Re-Sign "Recitals"

"Fireside Recitals," aired Sundays at 7:30 P. M., E.S.T. has been renewed for 13 weeks, effective as of March 14. The program, sponsored by the American Radiator Co., is a network oldster. Blaker Advertising Co. is the agency.

NBC Daytime Income Sets January Mark

NBC's weekday daytime revenue last month amounted to $961,866, an increase of 94 per cent over the same month last year and above all previous January daytime figures.

The Sunday daytime gross for January was $297,577, an increase of 78 per cent over January '36.

NBC to Handle This Year's Derby Airing

The May 8 running of the Kentucky Derby, for the past two years broadcast exclusively over the CBS network, this season will be aired by NBC for a commercial client whose identity has not yet been revealed. The past two Derby races over CBS were sponsored by the Brown and Williamson Tobacco Corp., which is currently sponsoring the Jack Pearl series on NBC. Batten, Barton, Durstine and Osborn, agency for Brown and Williamson, were unable to state whether their client was the firm signed for this year's Derby sponsorship.

Socony to Broadcast Yale Football Games

Sponsorship of the Yankee Network broadcasts of the Yale University football games for the 1937 season has again been contracted for by the Socony-Vacuum Co., starting over WICC, Bridgeport and New Haven, and Yankee network stations Saturday, Oct. 2.

The complete broadcast schedule will include the games with Maine, Oct. 2; Pennsylvania, Oct. 9; Army, Oct. 16; Cornell, Oct. 23; Dartmouth, Oct. 30; Brown, Nov. 6; and Princeton, Nov. 13.

Arrange Hawaii Salute

Hawaii will salute President Roosevelt on the NBC-Blue network Feb. 24, from 10 to 10:30 P. M., E.S.T. All leading Hawaiian musical organizations, including the U. S. Army, Navy, and Marine Bands stationed there, will participate.

The program was arranged by Lorrin P. Thurston, president of the *Hawaii Advertiser*, and owner of KGU, NBC station in Hawaii.

Confer on Quinine Program

Harry B. Goldsmith, president of the Bromo Quinine Co., and J. R. De Saxe, assistant to the president, are now in New York visiting at Stack-Goble, agency handling the account.

Bromo Quinine's last air series featured Gabriel Heatter on WOR.

Self-Sponsored

NBC will sponsor itself in a new series of institutional programs, according to an authentic report. Details are expected to be made public in a few days.

The programs will probably be variety in nature and will feature, according to the report, topflight NBC artists. The series, of course, is intended to sell NBC to the listeners.

General Foods Gets Option Upon Ripley

Robert L. "Believe It or Not" Ripley, present feature on the Fleischmann sponsored "Bakers' Broadcast," is now under option to General Foods Corp. for a new fall program, it was admitted by Benton and Bowles yesterday.

Ripley's Fleischmann contract runs out in June, at which time the "Bakers' Broadcasts" fade from the air for the summer months.

Get "Sidewalk" Repeats

Stack-Goble Agency has secured a weekly half-hour repeat period on the Pacific Coast NBC-Red network for the "Sidewalk Interviews" series beginning March 8. The repeat broadcasts will be aired 12:30 to 1 A. M., E.S.T.

Odd part of the setup is that the repeat broadcasts will be aired a day earlier than the regular program, which is heard Tuesdays at 9 P. M., E.S.T.

C. O. Langlois Returns

C. O. Langlois, president of Langlois and Wentworth, production and transcription agency, returned to New York yesterday from Toronto, where he attended the Canadian Ass'n of Broadcasters convention.

Atlanta Radio Club Elects

ATLANTA, Feb. 17.—The Atlanta Radio Club has elected Henry Reid as president. Other officers are: Harry Cole, vice-president, and R. H. Bewick, secretary-treasurer.

Crosley Stations Reopened

CINCINNATI, Feb. 17. — The main plant of Crosley Radio Corp., damaged in a fire during the flood, has been reopened. WLW and WSAI programs have been broadcast through the Crosley downtown studio since the fire.

New Shows on the Air

Rector Starts Series

George Rector, famous restauranteur, opened in a new 15-minute series yesterday at 1:30 P. M., E.S.T., in an innocuous little program which should win an immediate audience with the housewives of America who, to judge by the calibre of the morning and afternoon programs which are regularly and successfully fed them, are none too finicky about their air entertainment.

Main features of the series, judging by the opening broadcast, are the high-geared and lengthy commercials in behalf of Phillips Delicious Soups and the recipe contest in which the best recipe received by the company will win a $10 award. A wrapper torn from a can of Phillips Soups must, of course, accompany the recipe.

The few bright moments were supplied when Rector broadcast a resume of a typical meal ordered by Diamond Jim Brady, to wit: two or three dozen oysters, a dozen crabs, four hard-shell lobsters, a double order of porter house steak and the usual dessert trimmings.

The series will be presented thrice weekly—Wednesdays, Thursdays and Fridays.

BANNER

Prepare New Series For Luxembourg Use

Production on a new transcribed series for Procter and Gamble, to be broadcast over Radio Luxembourg in the Duchy of Luxembourg is now nearing completion at the RCA transcription studios. Erwin Wasey & Co. is the agency. The first four platters will be shipped March 3. The series stars the Four Ink Spots, Juano Hernandez and Ed Matthews.

That Procter and Gamble have found this new foreign market profitable is evidenced by the fact that Morton Downey, who recently finished 13 platters for Luxembourg broadcasts, has been renewed by the soap company for a second series. Renewed also by Procter and Gamble are Carson Robinson and his Buckaroos, whose platters in Luxembourg have been popular for some time past.

All the above platters are aired from the powerful Radio Luxembourg and are easily heard in England, where the BBC does not allow commercially sponsored shows to be broadcast.

Radio Luxembourg is believed to be controlled by the Ostrers of Gaumont British.

Standard of Indiana To Have CBS Series

Standard Oil of Indiana, through McCann-Erickson, will sponsor a variety series, probably over the CBS network in the near future, according to authoritative word received by MOTION PICTURE DAILY. The show will be a 30-minute affair, with probably a Chicago point of origin.

Standard Oil of Indiana's last network program, about a year ago featured Jack Hylton's band on a split CBS network which did not reach the east.

Four Announcers Are Honored as Speakers

SAN FRANCISCO, Feb. 17.—Four radio announcers appear on Prof. Gerald E. Marsh's list of the 10 best public speakers of 1936. Marsh is instructor in public speaking at University of California.

Hugh Conrad, March of Time announcer; Conrad Nagel, California House master of ceremonies; David Ross and Milton Cross, were the four network men named.

Others on the list were Edward VIII, President Roosevelt and President Robert Gordon Sproul of the University of California.

Philco's Injunction Plea Heard by Court

WILMINGTON, Feb. 17.—Argument was started before Chancellor Josiah O. Wolcott in Chancery Court here today on the injunction plea filed by Philadelphia Storage Battery Co., parent company of Philco Radio and Television Corp., to prevent Radio Corp. of America from terminating the licensing agreement involving the RCA-owned basic patents in the radio industry. Argument is expected to be completed tomorrow.

In the suit heard last September,

(*Continued on page 10*)

More Radio— Page 10

RKO Hearings Will Get Started Today

(Continued from page 1)

made on the accumulated motions and petitions relating to the reorganization, however, today's session will be the first legal move toward the advancement of the RKO plan for the court's consideration.

Among the matters which may be heard and disposed of in advance of the hearing on the plan is a petition by Irving Trust Co., RKO trustee, for permission to retire by a cash payment, the approximately $650,000 of RKO gold notes now outstanding. Provision for treatment of the notes is included in the reorganization plan and, for this reason, the trustee's petition will be opposed by the proponents of the plan and leading creditors.

In addition, there are three motions before the court attacking the reorganization plan and the status of the present RKO common stock which were brought by holders of the old RKO Class A stock; a petition by the preferred stockholders of Orpheum Circuit for leave to intervene in the RKO reorganization, and the presentation of orders to Referee Oscar W. Ehrhorn for signing in connection with his recent decision accepting RKO's $700,000 cash bid for Orpheum assets.

Indications are that all of these matters may be heard or disposed of before the court actually turns its attention to the reorganization plan. Opposition to the plan probably will be headed by the general creditors committee and an independent committee of RKO stockholders.

Allows RKO Claim Appeal

Federal Judge Robert P. Patterson yesterday signed an order permitting the Hippodrome Co. of Ohio to appeal from an order reducing its $888,666 claim against RKO to $88,666. A hearing on the appeal was set for March 12. The claim is for rent on the Hippodrome, Cleveland, which RKO leased in July, 1930, and abandoned in Feb., 1933. The Hippodrome Co. stated that it would be willing to accept $451,666 in settlement of its claim.

U. A. Dates "History"

United Artists has day-and-dated "History Is Made at Night" in more than 200 situations, starting April 2, it was stated at the company's home office yesterday.

Monroe Greenthal will add a number of field exploitation men to cover some of the openings. There will be a series of national radio broadcasts on the picture in addition to the placement of serializations in a number of newspapers.

Caplan Ill Again

Lakeland, Fla., Feb. 17.—M. J. Caplan, Detroit industrial film producer, has been rushed to Johns Hopkins Hospital, Baltimore, by 'plane for an emergency operation. Ill for some time, it was only a few days ago that his condition was reported improved.

Central Policy Shifts

The Central on Broadway will take over the first run policy formerly operated by the Globe on Feb. 27. The Globe has been taken by Columbia for the two-a-day run of "Lost Horizon," which opens March 3.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Her Husband's Secretary"

(Warners)

Hollywood, Feb. 17.—The triangle theme of husband-wife-secretary again serves as the story basis here. Only the addition of a forest fire sequence brings novelty to the familiar situations.

Jean Muir, the efficient office aid to Addison Richards, resigns to marry Warren Hull, a steel worker. When Hull is suddenly transformed into a building tycoon, Beverly Roberts, Miss Muir's best friend, becomes Hull's secretary. Clara Blandick, an aunt, resents Beverly's feminine appeal and attempts to foment trouble between husband and wife. Miss Muir, having herself been a secretary, refuses to credit the aunt's suspicions until she finds Hull and Miss Roberts alone in a hunting lodge while supposedly on a business trip. The forest fire, through the medium of some poor stock shots, is then introduced to extricate the characters from the embarrassing situation and bring about a happy ending.

Frank McDonald's direction would suggest that his main desire was to finish the picture as quickly as possible. Nor does the Lillian Hayward screenplay offer much refreshing dialogue. The supporting cast includes Joseph Crehan, Minerva Urecal and Harry Davenport. The film is suitable only as a supporting feature and will appeal principally to women.

Production Code Seal No. 2,930. Running time, 60 minutes. "G."

Honor Harry Hunter At Washington Party

Washington, Feb. 17.—More than 150 members of the Variety Club, exchangemen and exhibitors gathered last night in the small ballroom of the Willard to pay tribute to Harry Hunter, newly appointed managing director of Paramount in Australia and New Zealand.

Out-of-town Paramount executives who came in for the dinner included: Vice-president John W. Hicks, in charge of the foreign department; Vice-president Neil F. Agnew, general sales manager; Eastern Division Manager Joseph J. Unger; Philadelphia Branch Manager Earle Sweigert, and Cincinnati Branch Manager Joseph J. Oulahan, once a salesman here.

Representatives of major circuits, independent operators, drama critics of Washington, the trade press, Horlacher Delivery Service, as well as agents of associated businesses, were present.

Brylawski Toastmaster

Rudolph Berger, chairman of the committee, was assisted by John J. Payette, A. Julian Brylawski, Charles Kranz, W. Vincent Dougherty, Sam A. Galanty, Frank H. Durkee and Lawrence Schanberger. Carter T. Barron introduced Brylawski, who acted as toastmaster.

Hunter was presented a trunk and two traveling bags and a scroll signed by all present. Entertainment was furnished by acts from the Earle and Loew's Capitol.

Among the guests were: Frank H. Durkee, Herman A. Blum, Norman Goldstein, Morris Mechanic, Walter Pacy, Charles Nolte, Jr., J. Louis Rome, William K. Saxton, Isador Rappaport, Hunter Perry, H. Graham Barbee, William S. Wilder, John Bachman, William J. Clark, Jay Emanuel, Nathan A. Stiefel, Samuel Bendheim, Jr., A. Frank O'Brien, Morton G. Thalheimer, Elmore Heins, Lee Insley, George A. Crouch, Robert H. Denton, James B. Fitzgerald, Hardie Meakin, Harry E. Lohmeyer, Abraham M. Tolkins, Samuel N. Wheeler, William E. S. Wilcox, Guy Wonders and W. B. Hines.

The proceedings were recorded by electrical transcription and presented to Hunter.

Hunter leaves shortly for New York, thence to his home in Seattle, and to Hollywood. He will sail from Vancouver about March 17.

Will Test Australia Gift Night in Court

(Continued from page 1)

the Film Board of Trade's edict that gifts must cease. What action the distributors will take to end the policy if the court finds against them is a matter for conjecture at this stage.

The Board of Trade's ban on Gift Nights has been extended to prizes which theatres might promote for exploitation competitions. The Melbourne Regent promoted an automobile at no cost as a prize, but the management was told that the stunt offended the spirit of the ban and it was dropped.

* * *

Film writers here have formed the Film Critics Guild of Australia with one of its objects to "maintain and develop harmonious relationships between the picture industry and the press." The guild will make annual awards for the best imported picture of the year and the best Australian-produced film in that period.

Omaha Mayor Seeks Bank Night Action

(Continued from page 1)

is conducted legally here stifled another City Council attack on Bank Night, which was started mainly by the opposition of a group of ministers and declarations by the city fire and police commissioners that fire hazards were being created.

Boleslawski Left $18,675

Los Angeles, Feb. 17.—The estate of Richard Boleslawski, filed here for probate, amounts to $18,675.

Philco's Injunction Plea Heard in Court

(Continued from page 9)

P. S. B. seeks to have RCA enjoined from terminating an agreement whereby it is licensed to use RCA patents in the manufacture of radios. RCA contends that the complainant has violated the agreement by sharing the patents rights with Philco. P. S. B. claims that it has paid more than the due amount of royalties to RCA while RCA insists that it has not been adequately compensated.

The suit involves the basis on which royalties should be computed. In this consideration, the question of the independence of Philco is a major factor.

Lawyers for RCA include John W. Davis, Manton Davis, Porter R. Chandler, Robert D. Callghan of New York and Clarence Southerland of Wilmington. Representing the plaintiff are C. J. Hepburn, Charles S. Norris, Jr., Philip Deckert of New York and Robert H. Richards and Caleb S. Layton of Wilmington.

Patent Suit Ruling Upheld

Philadelphia, Feb. 17.—A ruling has been handed down by the U. S. Circuit Court of Appeals which in effect says the court has no power to compel patent pool syndicates to issue licenses. The ruling upheld dismissal by U. S. District Judge John P. Nields of a suit of F.A.D. Andrea, Inc., against RCA.

The Andrea company had charged RCA with violating both the Sherman anti-trust law and the Clayton act through a monopoly of radio patents.

Amis on Baltimore Deal

Lew Amis, radio production chief of Erwin Wasey, left for Baltimore yesterday to discuss radio program possibilities with the heads of the Gunther Beer Co. for a local series.

Wall Street

Columbia, Paramount Best Board Gains

	High	Low	Close	Net Change
Columbia	37½	37	37½	+ ½
Columbia, pfd	45⅞	45¾	45¾	+1¼
Consolidated	4⅞	4⅞	4⅞	.....
Consolidated, pfd.	16⅝	16⅝	16⅝	— ⅛
Eastman Kodak	173½	172	173	+ ½
Eastman, pfd.	161	160¼	160¼	— ¾
Gen. T. Equip.	32	31½	31½	— ¼
Loew's, Inc.	75½	74	75¼	+ ¼
Paramount	27¼	25¾	26⅜	+ ⅝
Paramount 1 pfd.	187½	181¾	186	+5½
Paramount 2 pfd.	24½	23	23½	+ ½
Pathe Film	9½	9⅛	9½	+ ⅜
RKO	9½	8⅝	9⅜	+ ¾
20th Century-Fox	36⅜	35⅝	36	— ¼
20th Century, pfd.	45¼	44¾	45¼	+ ⅜
Universal, pfd.	103	103	103	.....
Warner Bros.	16	15⅜	15⅝	+ ⅛

Curb Rises Slightly

	High	Low	Close	Net Change
Grand National	3½	3⅜	3½	+ ⅛
Sonotone	2⅛	2	2⅛	+ ⅛
Technicolor	19⅝	19⅛	19⅛	+ ⅛
Trans-Lux	4¼	4¼	4¼	.....

RKO Leads Bond Increases

	High	Low	Close	Net Change
Loew's 3½s '46	100¼	99¾	100¼	+ ¾
Paramount B'way 3s '55	74½	74½	74½	— ⅛
Paramount Pict. 6s '55	104	102½	103	.....
RKO 6s '41 pp.	123	121½	123	+2
Warner Bros. 6s '39 wd	98¾	98	98¾	+ ¾

(Quotations at close of Feb. 17)

Alien Talent Ban Is Hit by Screen, Stage

(Continued from page 1)

president of the M.P.T.O.A., who expressed fear of the effect on exhibitors of the enactment of the bill.

"A bill of this kind," he told the committee, "would bring about retaliatory measures by theatres of foreign countries and by the Governments themselves, and in so doing, would preclude the showing in foreign countries of hundreds of American-made films, thereby increasing the negative cost of the American exhibitors because of the lack of revenue the producers would receive by loss of this foreign patronage. Therefore, at the very beginning, it would tend to increase the cost of films to American exhibitors."

Called Unworkable

The proposed law, Kuykendall contended, would be unworkable, since admission of an alien would depend upon the similarity of his professional qualifications with those of American artists, which can actually be tested only by public performance.

"We know that the importation of foreign stars into this country does not have a detrimental effect upon our own American citizens because the studios are frantically searching for new talent all the time throughout the country and are spending fortunes annually in giving potential stars and artists screen tests to determine their ability," he said. "The only proponents I have heard for this bill have been mainly people who have had their trial and failed. American-made pictures are supreme the world over. American-made films have done more to sell American goods in Europe and to make Europe American-minded than any other one factor. This would be adversely affected by this bill because it would hurt the distribution of American pictures in foreign countries."

Asks New Talent

The theatres today are getting the best pictures in the history of the industry, largely because of the unhampered flow of new talent to the studios, Kuykendall said, adding that restriction upon the importation of talent would curtail progress.

"There is no question in our minds but that this bill would seriously hamper the spirit for improved business and increased employment that now prevails among the theatre owners of this country," he concluded. "Every possible encouragement should be given the producers of pictures that they may not be hampered in making a product that will draw patrons to the theatres of this country. New art, personalities and faces are vital in this respect."

The early part of the day-long hearing was enlivened by frequent clashes between members of the committee as witnesses criticized the measure, but as the day wore on the monotony of the opposition quieted their objections to statements that the measure was impracticable and that aliens had not displaced domestic talent in any of the arts.

Led by Lawrence Tibbett and Walter Damrosch, the musical organizations of the country attacked the bill as being more harmful than beneficial to Americans, Damrosch suggesting that it would be as sensible to require foreign countries to play an American composition for every performance here of the works of Wagner, Brahms or other great composers as to require a reciprocal exchange of artistic talent.

Proponents Heard

On the other hand, E. J. Blunkill and John Seager of the Lambs' Club, New York, urged enactment, the former asserting that 789 legitimate actors are on the WPA rolls in New York City alone although he admitted that the employment of aliens probably had little to do with this situation. Segar urged that every possible job be conserved for Americans and presented figures to show that, while in the 1927-28 season, 80 theatres operated in New York there are only 34 now open.

Suggesting that the final outcome of the legislation might well be to trade Katharine Cornell for two Swiss yodelers or ship manufactured goods to Norway and take in return two actors, a musician and a conductor, Representative Celler of New York, in a stormy appearance, submitted a report of the State Dep't which, he said, demonstrated that no barriers are placed in the way of English appearances of American actors.

American orchestras, he admitted, were given a less favorable reception, but he read a letter from the British Ministry of Labor in which it was pointed out that the United States excluded British bands and the suggestion was made that if our law was abandoned our musical organizations would be permitted to appear.

Reading from the *London Times,* Celler declared two weeks ago American pictures were showing in 12 of London's 19 theatres and asked: "How long do you think we would be able to pre-empt British theatres with our films if you pass a bill of this kind?" Giving the real lowdown on the legitimate stage situation, Gilbert Miller, noted New York and London producer, who is now running "Victoria Regina" and "Tovarich" in New York, declared that in the 26 plays running in that city at the beginning of the month, employing 1,121 actors, only 52, or 4.7 per cent, were aliens. Miller asserted free entry of talent was needed because the film companies "snatched" promising actors as soon as they appeared. Further he declared, there is no need for the bill since Equity, with its rules and assessments on foreign actors, adequately protects American talent.

Theatre Managers Oppose

New York theatre managers are united in opposition to the bill, it was declared by William R. Weinberger of the League of New York Theatres, because they have been seriously handicapped by pictures and fear that the legislation would make it still more difficult to cast plays.

When Hollywood makes a picture for the British Empire, which is an important market, it cannot be sold if it is an English story, without having a certain number of English actors, the committee was told by Sydney Howard of the Dramatists' Guild. Foreign parts must be played by foreign actors if they are to be adequately portrayed, he added.

The committee on Thursday will hear the representatives of the film industry and then give time to the witnesses from the broadcasting group.

Overseas Previews

"Elephant Boy"

(London-United Artists)

LONDON, Feb. 9.—This Robert Flaherty production, with which Zoltan Korda is associated as joint director, has been two years in the making and all the scenes that matter are against authentic Indian backgrounds. The fidelity of setting is equalled by a praiseworthy respect for the literary original, Kipling's "Toomai of the Elephants," the film, like the story, being a straightforward narrative of an Indian boy's achievement of his ambition to be recognized as a mighty hunter. There is no woman part and the appeal is that of a nature film, plus the boy's dramatic story.

The outstanding assets are the personality of the boy Sabu, discovered by Flaherty, the equally impressive individuality of Kolonai, giant elephant which he tends, and the many scenes of elephant herds, culminating in a giant drive of the mammoths, after Sabu's discovery of their mountain retreat, where he witnesses the fabled "elephant dance."

The death of Sabu's father at the claws of a tiger, his feud with the cruel new keeper of Kolonai and the boy's flight into the jungle with the elephant to prevent its being shot for attacking its enemy provide story continuity for the predominantly spectacular values of the picture.

Of outstanding realism are the scenes showing the big elephant running amok after its ill treatment and its submission to its boy master and the gathering of the trumpeting herds of elephants into the compound, although one seems to recognize among these untamed giants a sportive cub seen earlier in a tame herd. Of wide appeal also will be scenes showing the boy sleeping safely in the jungle beside his huge friend and the many others illustrating the affection and sagacity of the elephant. The sound effects certainly do convince that the trumpeting of a herd of a hundred is a lot of noise; when music is used it is fortissimo.

The white parts do not matter greatly. The only one of importance is that of the hunter, presented as a very typical British "Sahib" by Walter Hudd, who enables Sabu to realize his dreams by taking him along on the elephant hunt, which the boy ultimately turns from failure to success.

The beautifully formed and engaging Sabu should make it a picture for women, and its merits as a study of wild nature will recommend it to men. The great big certainty is that those of school age will eat it.

Running time, 100 minutes. "G." ALLAN.

[*"Elephant Boy" was reviewed briefly by cable on Feb.* 9]

Variety Club

Kansas City

KANSAS CITY, Feb. 17.—Variety Club will have a George Washington jubilee party at the clubrooms February 20, with an orchestra and dancing. DOUGLAS DESCH, booker for G. B., is in charge of ticket sales, and HOMER BLACKWELL, Independent Poster Exchange, is handling arrangements.

Checking up on results of the recent Variety Club-Film Row annual charity ball Feb. 12, ARTHUR COLE, general chairman discovered that the profit each year for the past four years has differed less than $5 each year.

Variety Club has let the contract for remodeling 108 W. 18th St. into the new clubrooms to Larry Larsen, theatre architect and builder.

Out of town exhibitors are expected to take an interest with the clubrooms where they can use them through non-resident memberships.

Japanese Exhibitors Attacking Tax Plans

By TETSUYA MORI

TOKYO, Jan. 25. (*Via Air Mail*)—Japanese exhibitors at a meeting here took steps to strengthen their united protest against the proposed new taxes on amusements which are expected to be presented to the Japanese Diet in the near future. An initial session was held several months ago.

Petitions are being prepared for presentation to the Government, and there is some indication that the opposition will result in the dropping of the proposed taxation program. The meeting was attended by about 50 of the country's leading exhibitors, headed by K. Yamamoto, chairman of the committee of exhibitors which has been formed to lead the opposition.

Asks Epidemic Closings

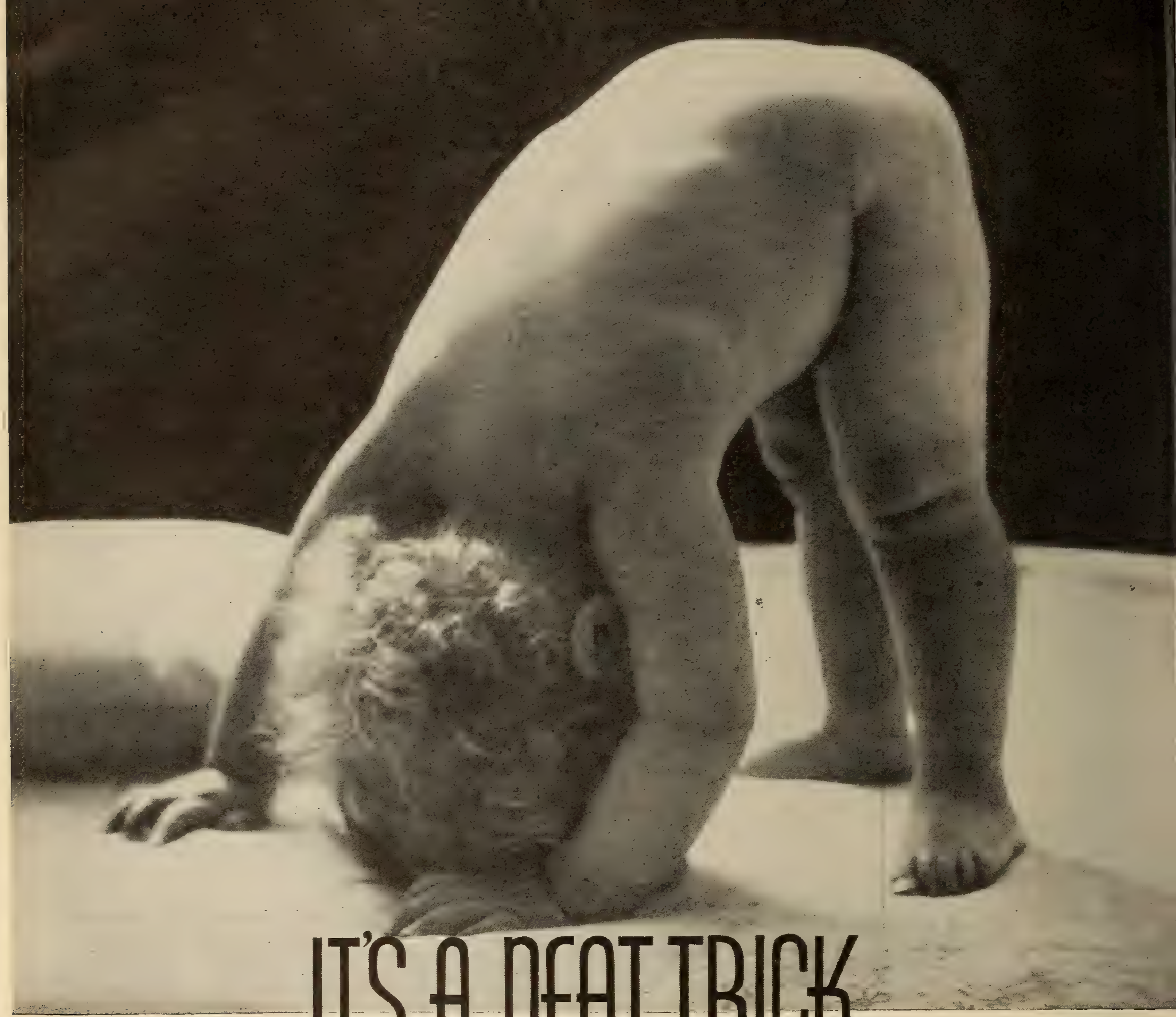
LONDON, Feb. 9.—The Worsley, Lancashire, education committee is to make representations to the Government departments concerned in the closing of schools during influenza epidemics, suggesting that it shall be illegal for children of school age to attend theatres while schools are so closed.

C. V. Hake Promoted

Clarence V. Hake, 20th Century-Fox foreign sales official, has been appointed assistant to Walter J. Hutchinson, foreign manager. Hake was formerly manager of the company's Japan office.

To Build at Sunnyside

A theatre is to be erected at Queens Blvd. and 43rd St., Sunnyside, by the Greater New York Management Corp. Stores and an apartment house also will be erected on the property.



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VOL. 41. NO. 42 NEW YORK, FRIDAY, FEBRUARY 19, 1937 TEN CENTS

Erpi Planned Revamping of Industry: FCC

Congress Gets Agency's Report on Inquiry

By CLARENCE LINZ

WASHINGTON, Feb. 18.—The financial influence of the Bell System in the film industry had become so pervasive by the end of 1932 that the Erpi management initiated plans for a directed reorganization of the industry, it was asserted today by the Federal Communications Commission in a three-volume report submitted to Congress. The report covered that phase of commission's investigation of the A. T. & T. devoted to Erpi's film operations.

The plans developed for reorganization, it was said, were carried on with Chase National Bank, a large factor in the industry, the report said, and called for a "horizontal" reorganization: the separation of the artistic and promotional activities of the producer from the actual physical operations of studios which were to be operated on a service basis; separate organization

(*Continued on page 7*)

Fox Theatre Claim Allowances Filed

Special Master Courtland Palmer in the Fox Theatres receivership filed his second temporary report in Federal Court yesterday as follows:

In the claim of Halsey, Stuart & Co. for $1,000,000 he recommended settlement in the amount of $200,000 which the company agreed to accept. This claim was based on two promissory notes for $500,000 each dated Sept. 1, 1930, in favor of Halsey,

(*Continued on page 7*)

Poster Men Discuss Warner Rental Move

Members of the executive committee of the National Poster Service Protective Ass'n met yesterday at the Lincoln to discuss plans for counteracting Warners' recent decision to rent accessories.

Attending the session were Simon Libros, president, and George Aarons, secretary, of Philadelphia, and Louis Weinzimmer, Edward Behrens and Harry Schlit.

A meeting of all members will be held in New York, probably at the New Yorker Hotel, on March 12-14.

Radio—Pages 14-15

Negotiations Start On Para.-Blank Deal

Negotiations on a new operating agreement for the A. H. Blank circuit were begun by Paramount yesterday, with conferences getting under way between Blank and Y. Frank Freeman, Paramount vnce-president in the Paramount home office.

Efforts are being made to effect an agreement to replace the present operating partnership deal which expires March 6 in time to present the new agreement to the Paramount board for approval at its monthly meeting next Thursday. Paramount's present operating deal with Blank is the only one which retains a provision under which the company may repurchase the operator's half interest in the circuit.

Condor Names Four Firms on Finances

RKO, M-G-M, Grand National and 20th Century-Fox have contractual agreements to advance funds to Condor Pictures for production purposes and to distribute certain portions of the company's output, it is stated in a prospectus distributed by Condor in connection with the offering of its new securities.

A detailed statement included in the

(*Continued on page 13*)

Lou Berman Resigns Imperial Sales Post

Lou Berman has resigned as general manager of Imperial Pictures. E. J. Smith, sales manager, is on a trip to the midwest.

William Pizor, president of the company, will assume Berman's duties. Set for release are 12 features and 24 shorts.

Nine More Fined for Chicago Bank Nights

CHICAGO, Feb. 18.—Nine new convictions for violations of the Chicago ordinance prohibiting the holding of Bank Night and other prize award games were added to the local court record today.

Municipal Judge Sonsteby levied fines of $15 each against the owners of the Ridge, New Drake, Illington, Elmo, Tiffin, West, Logan, Lawndale and Harvard. Additional cases are scheduled to be tried Feb. 26.

Assistant Corporation Counsel William V. Daly represented the city at today's hearings, after his return from Springfield where he opposed theatre owners' applications for injunctions

(*Continued on page 13*)

Loew to Make Three Browns Next Season

David L. Loew will produce three Joe E. Brown pictures next year for release through RKO, he stated yesterday. The deal with RKO is for two years.

The tentative title for Brown's next is "All Is Confusion." The third will be "Flirting With Fate." The first, "When's Your Birthday?," is now ready for distribution.

Illinois Corporation Sues MGM on Sound

LOS ANGELES, Feb. 18.—Suit against M-G-M was filed in Federal Court here today by Sound Pictures Patents Co., an Illinois corporation, which is claiming infringement of two recording patents and asking an accounting of profits and royalties as well as damages.

The patents in question involve the

(*Continued on page 2*)

Dickstein Alien Actor Bill Is Scored by Gabriel Hess

By BERTRAM F. LINZ

WASHINGTON, Feb. 18.—Flat opposition of the film industry to any legislation restricting the entry of alien actors was voiced today by Gabriel L. Hess, counsel for the M. P. P. D. A., who told members of the House Immigration Committee that the Dickstein bill would result in sharp restriction of the foreign market for American films and the country would lose more than it would gain.

Hess presented figures showing that out of a total of 534 contract players only 61 were aliens admitted under visas or quotas. Further, he said, 90 per cent of the 22,000 extras employed last year were American citizens.

The use of foreign actors in parts in which they are required has contributed materially to the success of our pictures abroad, he told the committee. "Today," he pointed out, "in most countries into which pictures are imported, American films by far exceed the number of pictures of any other country."

From 30 to 40 per cent of the gross of the industry comes from foreign

(*Continued on page 13*)

Holders Make Attack Upon RKO's Stock

Court Indicates Ruling Prior to March 18

Attacks on the validity of the outstanding RKO common stock and its position in the company's reorganization, together with the pressing of a petition having a bearing on the secured position of the RKO debentures, marked the first RKO creditors' hearing in connection with the reorganization of the company before Federal Judge William Bondy yesterday.

Arguments on the status of the common stock and other motions pertaining to the reorganization precluded discussion of the RKO reorganization plan itself, so the court set March 18 for the first hearing on the plan and indicated that the preliminary motions argued yesterday would be disposed of at that time or shortly before.

The attack on the status of the RKO common stock was led by Ernest R. Stirn of Milwaukee, holder of 1,264 shares of the old RKO Class A stock, which under a recapitalization plan adopted in Dec., 1931, was

(*Continued on page 12*)

Lincoln's Birthday Tips Broadway Takes

Lincoln's birthday perked up business along Broadway last week. The Music Hall on the second week of "On the Avenue" garnered $85,000, or approximately $3,000 less than the first week. "Champagne Waltz" in its second week at the Paramount tallied $39,000. The Roxy took in $45,300 for the first seven days of "Head

(*Continued on page 7*)

Grand National Ups Production Budgets

HOLLYWOOD, Feb. 18.—A third production budget increase has been approved by Edward L. Alperson, president of Grand National, here for studio conferences. An increase in the budget on "Hot Oil," starring James

(*Continued on page 8*)

No Paper Monday

***Motion Picture Daily* will not publish Monday, Feb. 22, which is Washington's Birthday and a legal holiday.**

MOTION PICTURE
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London Films Plans 8 Specials for Year

London Films will make eight big films next season, Stephen Pallos, general manager, stated yesterday. The number may be increased to 10, but this will not be determined until Pallos holds conferences with Alexander Korda on his return to England.

Pallos will sail tomorrow on the *Ile de France*. He said he talked to Korda yesterday over the transatlantic telephone on "Elephant Boy," the first print of which has just arrived from the other side.

Korda may visit here again after he completes "I, Claudius," which has just been started. Pallos' wife is still in Hollywood and is due back the end of March.

Ludvigh Services Held

Private services for Elek J. Ludvigh, former Paramount general counsel, who died of bronchial pneumonia at his home here on Wednesday, were held yesterday at 1:30 P.M. at the Universal Funeral Chapel, 597 Lexington Ave. Only members of the family and close friends were in attendance. Burial was at Woodlawn Cemetery.

Play of Yesterday Is Only Quaint Today; Music Helps

By PLAYBOY

A small portion of the comedy of yesterday dropped into today last night at the newly repainted Vanderbilt, where the odor of fresh paint was still strongly discernible as the curtain went up.

The play was "London Assurance," done at the age of 17 by Dion Boucicault, first produced in London in the 1840's, last revived in New York in 1911 or thereabouts by the Yale Dramatic Society, and re-revived last night in an adapted form—and with lyrics by Ethel Barrymore Colt.

To record that it is a drawing room comedy of the last century, which means about 100 years ago, and that it contains its full quota of "Yoicks," "Poltroon" and the like, should tell its own story. However, we missed an "Odds Bodkins" or two.

The lyrics, in the fashion, almost, of Gilbert and Sullivan, are entertaining, the play on the whole a nostalgic bit of now ancient theatre quaint and with moments of charm, amusement and general good-humored foolery. But of the latest of the Barrymores, toothsome Ethel Colt, unfortunately, the same cannot be said. She tries hard to look coy and enticing, struggles valiantly to sing light-hearted lyrics, but she is not too successful.

Supporting Players Good

The cast otherwise is excellent. One young miss, Dorothy Hinkley by name, is "Pert" in the cast and pert in appearance and performance. Another able and enticing bit of work came from Ellen Love, who might have given the play more than it has had she been in the role essayed by Miss Colt.

The story is one of a roue father, a similar son, a week in the country and the son's double-crossing of his daddy. The son steals the girl, while Miss Love, a galloping, horse-loving lady, assists by keeping daddy occupied.

It happened long before the screen was born, which describes its adaptability thereto perfectly.

It will have its revivified day or two on Broadway, then lose itself —perhaps for another 25 years.

Phyllis Flanagan did the incidental music, Robert Bell staged it, the painted backdrops and antique furniture were part of Louis Kennel's settings, and it was a presentation of Barbara Robbins. Maurice Nitke, we are told, conducted the unseen orchestra.

Join Reel Federation

LONDON, Feb. 9.—The Ass'n of Cine-Technicians, through its newsreel section, has affiliated with the Union Internationale de la Presse Filmee, a federation of those professionally engaged in newsreel photography, which has been formed in Paris.

Try New Hartford Show

HARTFORD, Feb. 18.—The Cameo, vaudeville spot, will change policy in about 10 days. Jean Bedini will produce units using permanent line girls and added acts probably to be booked for two-week stands.

From Cash to Cows

Tampa, Feb. 18.—Ramon Diaz, one of five bandits who carted the 2,000-pound safe of the Ritz into the woods and emptied it, and who was paroled after 19 months of a five-year sentence, is at it again.

This time he stole a cow, and was removing it from the premises of a negro farmer when the latter caught up with him. Diaz was stopped in his tracks by a well-directed load of birdshot.

Schwartz Elected by Exhibitors in Ohio

CLEVELAND, Feb. 18. — Ernest Schwartz, for the third successive year, today was reelected by acclamation as president of the Cleveland M. P. Exhibitors' Assn. All present officers were reelected as follows: Vice-President, Albert E. Ptak; treasurer, John D. Kalafat; secretary, G. W. Erdmann. The board of directors comprises Henry Greenberger, P. E. Essick, Frank Gross, L. G. Baldwin, Frank Poroznyski and Morris Berowitz.

The association unanimously voted to show the Shirley Temple Red Cross film during the Red Cross membership drive at every local independent theatre.

Illinois Corporation Sues MGM on Sound

(*Continued from page 1*)

application of magnetic light beams and the synchronization of sound upon film. The plaintiff lays claim to the first patent, issued to the late Henry C. Bullis, Mar. 13, 1920, and the second, issued to Bullis Dec. 15, 1915. The plaintiff asserts that these patents were acquired from the Bullis estate.

Shearer Buys Slipper

LOS ANGELES, Feb. 18.—The B. F. Shearer Co. has purchased the business of J. Slipper & Co., supply dealers. Guy Slipper, head of the latter company, is retiring, with his son, Glenn Slipper, remaining to be assistant to C. Frank Harris, head of the local Shearer office.

Forum to Hold Benefit

Consolidated Amusements' Forum in the Bronx will hold a benefit tonight for the Red Cross flood relief fund. A net of approximately $2,000 is expected.

Among the stars scheduled to appear are Bob Hope, Harry Hershfield, half of Borrah Minevitch's band, Ben Nelson and his band, the Three Little Sachs, Vaughn de Leath, Mitzi Green and Baby Rose Marie.

Pep Club Dances Tonight

The Paramount Pep Club will hold their first annual informal dinner and dance tonight at the Hotel Astor.

See Extra Session On Ohio Tax Bills

COLUMBUS, Feb. 18.—With many bills having been tossed into the legislative hopper after the deadline last Friday, establishing an all-time record of 1,036, or 68 more than the previous high, a plan is being advocated to speed up the legislative machinery and dispose of all other matters as quickly as possible, leaving the various taxation problems for a special session strictly limited to that subject. A special committee would be created to propose a tax program for the special session.

Governor Davey is said to be preparing a message to the General Assembly in which he is expected to detail his ideas on fiscal legislation, and the advocacy of new taxes, many of which will affect the film industry.

Asks Kansas Tax Action

KANSAS CITY, Feb. 18.—Governor Huxman went to the Kansas legislature with a special message yesterday to get action on taxation. He recommended a one per cent sales tax earmarked for social security, which, it is said, would produce around $5,000,000 each year; a two and one-half per cent gross production tax on oil and gas, which would bring in about $1,500,000; increases in the personal income tax to make it two per cent on the first $1,000 to six per cent on $8,000, which would produce around $1,300,000, and an increase in the corporation tax to five per cent, which would raise $950,000.

Nothing was said about the 10 per cent tax on amusements, which has been suggested, and which, it is estimated, would bring in $500,000 a year.

Massachusetts Bills Beaten

BOSTON, Feb. 18.—The House Committee on Taxation has turned in a report of "no action necessary" on Representative Albert Rubin's bill to apply a 10 per cent tax to theatre admissions, and has given Assemblyman Charles Hiller leave to withdraw his bill to classify all prize games as lotteries.

Seek Nebraska Ticket Tax

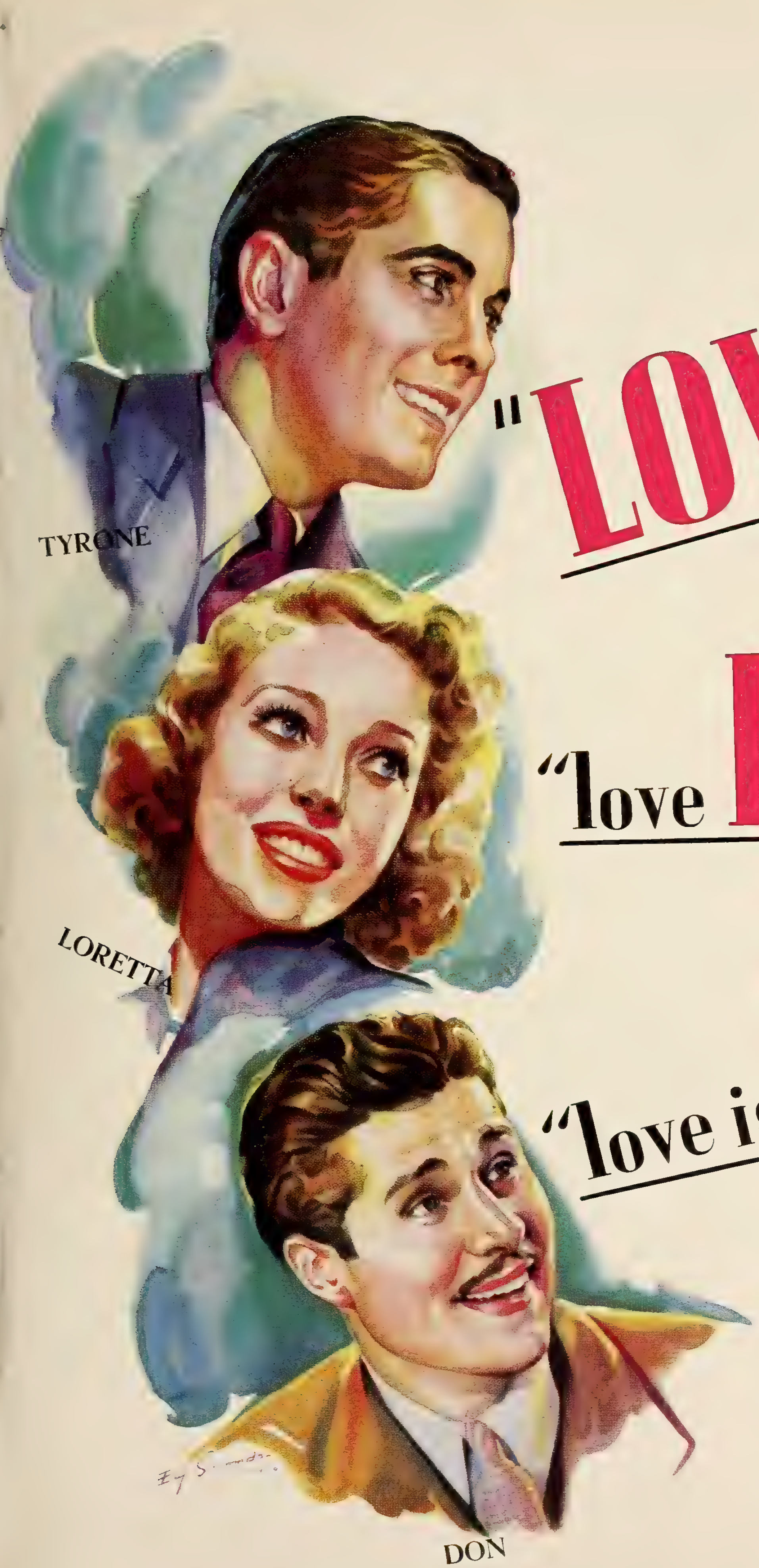
LINCOLN, Neb., Feb. 18.—Senator Tracy Frost has introduced into the Nebraska unicameral legislature a bill calling for a 10 per cent tax on gross income from film rentals, and a 10 per cent tax on admissions. The two levies are seen as having a potential cost to the industry of $600,000.

Wanted: Film Bd. Head

CHICAGO, Feb. 18.—The Chicago Film Board of Trade, which elected Allan Usher, Paramount branch manager, as its president several weeks ago, is in the market for a new chief executive. Usher's promotion this week to district manager for Paramount here, automatically disqualifies him for the Film Board post, as district managers are barred from membership on the boards.

Australian Plans Trip

MELBOURNE, Jan. 28. (*By Air Mail Via London.*)—His first trip since taking office, Cresswell O'Reilly, chief Australian censor, will leave for London on Feb. 19. He will later visit the United States and call in on Hollywood for a brief stay. Stanley S. Crick, managing director in this market for 20th-Century Fox, will leave on a world tour a week later.

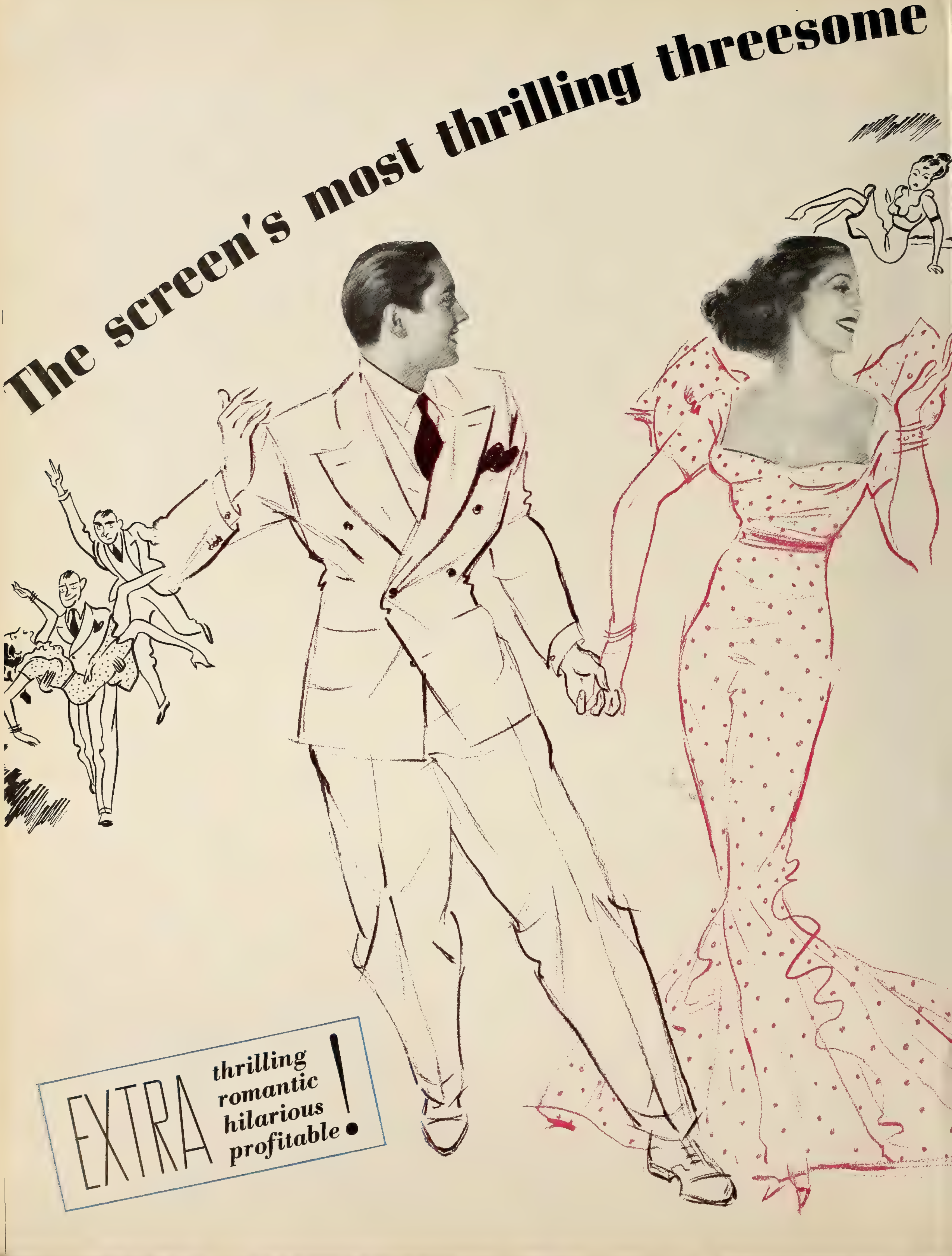

TYRONE
LORETTA
DON

"LOVE is news"

"love IS news"

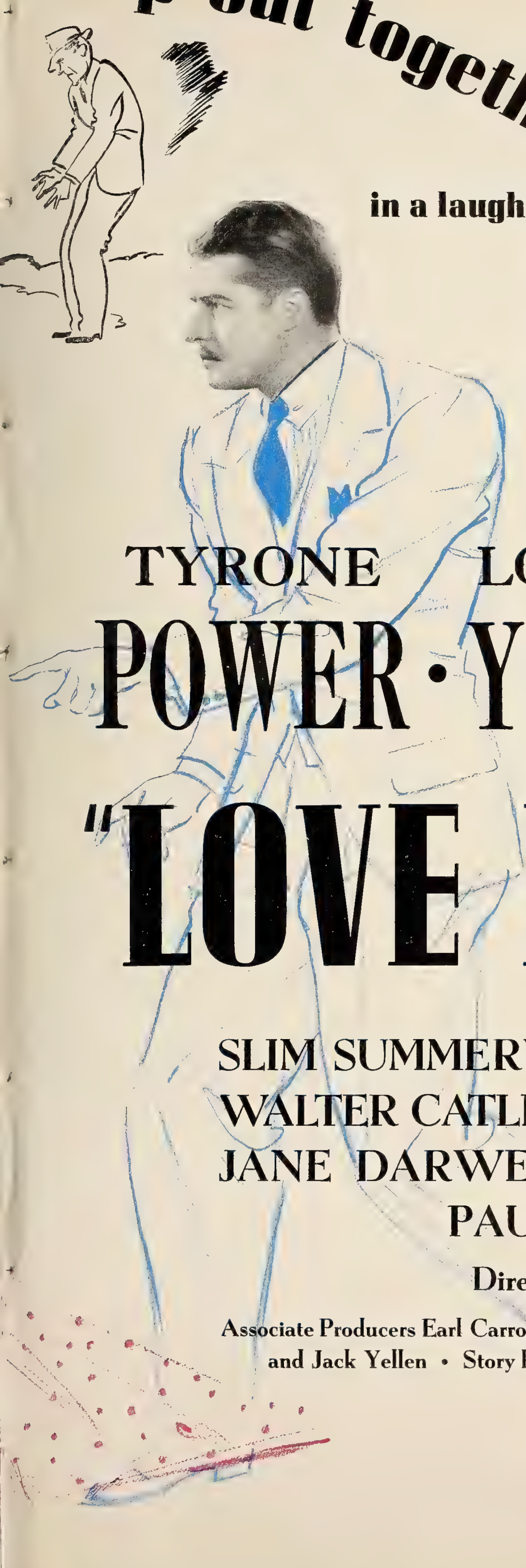
"love is NEWS"

No matter how they say it, when you play it you'll know it means "another hit from 20th"!


The screen's most thrilling threesome
EXTRA
thrilling
romantic
hilarious
profitable!

step out together

in a laugh-sparking, sky-larking, kiss-and-run romance!



Tyrone of "Lloyds of London" fame, and lovely Loretta are "that way"... with dashing Don Ameche, radio and screen favorite, as the third that makes a crowd. Every merry minute is good news for the good old ticket-machine!

TYRONE LORETTA DON

POWER · YOUNG · AMECHE

in

"LOVE IS NEWS"

with

SLIM SUMMERVILLE • DUDLEY DIGGES
WALTER CATLETT • GEORGE SANDERS
JANE DARWELL • STEPIN FETCHIT
PAULINE MOORE

Directed by Tay Garnett

Associate Producers Earl Carroll and Harold Wilson • Screen play by Harry Tugend and Jack Yellen • Story by William R. Lipman and Frederick Stephani

20th CENTURY FOX

Darryl F. Zanuck
in Charge of Production

Sh-h-h-

A CONFIDENTIAL OFFICE WIRE!

(But we'll let you in on it.)

"Have just had the privilege of seeing one of the best comedies I have ever seen, 'Love Is News' starring Tyrone Power, Loretta Young, Don Ameche. At preview last night the audience reaction was the best ever witnessed. I have seen pictures where at times the audience laughed at one gag or one set of lines whereby the following dialogue would be drowned out. But at this preview there were whole sequences where the laughter was so continuous you could not hear a word. This is going to be one of the big surprises of this year."

John D. Clark

"LOVE IS NEWS"

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Erpi Planned Revamping of Industry: FCC

(Continued from page 1)

of distribution facilities and theatre properties.

The reorganization plans were not carried out as indicated by the Erpi management, the report declared, because of the reluctance of the Bell System to support such a program.

More than 80 per cent of the total revenue of $152,029,326 derived by Erpi from all activities from Jan. 1, 1927, to Dec. 31, 1935, was obtained from the film industry, the report declared.

The high spots of the company's income for the nine-year period were $91,737,098 obtained from sound reproducing, $24,058,476 from royalties, $19,733,428 from export sales and $11,510,830 from sound recording.

Since its formation in 1926, Erpi has been the leading Bell System agency for the exploitation of non-utility products, Congress was told by the commission. While Erpi's activities yielded but a small part of A. T. & T. revenue, it was pointed out, the position of the Bell System in the film industry has been one of dominance.

Bell Called Leader

"Within the field," it was declared, "the Bell System leads in the supply of equipment both to producers for recording sound films and to the exhibitors for reproduction. Further, as a result of operations in the field, the Bell System achieved a powerful financial influence in the industry."

The report discussed at length the licensing and cross-licensing agreements which have featured Erpi operations, asserting that as a result of such agreements, A. T. & T. has strengthened its position in certain fields. "The outstanding example of direct exploitation of by-products for profit is that of the sound film equipment supply activities of Erpi," the report commented. "In this field the Bell System has refrained from licensing others under its patents (except for licenses to RCA under the cross-licensing agreements) in the interests of protecting its own direct exploitation of the field. There is an evident reluctance to license independent manufacturers not only in the sound film field, but in other fields also where the Bell System considers that it may itself wish to exploit the patent rights directly at some future time.

Prestige a Factor

"In the direct exploitation of sound film equipment, the prestige and financial stability of the Bell System has been used in the promotion of its non-utility business. This was emphasized at the time of the signing of the recording license contracts with the major producers and, as is shown in sales letters quoted, the Bell System prestige and reputation has been recounted to prospective buyers of theatrical sound equipment.

"The financial resources of the Bell System have been used to advance its interest in the industry, and the patent strength of the system has been a valued factor in meeting the competition of independent manufacturers."

The report attacked the claims of the company that the cross-license agreements were needed to relieve a patent deadlock situation hampering progress, asserting that "they do not constitute a free exchange of licenses which permit each party the use of the patents of the other," but are so limited as to amount, in effect, to a division of fields between the various parties.

Erpi Reluctant to License

"In the field of theatrical sound picture equipment Erpi's chief field of operation," it was declared, "an unbending policy of refusal to license has prevailed both before and after since the Government suit. In a few other fields, such as public address, non-theatrical sound picture equipment and diathermic equipment, a more liberal policy has been followed.

"The major share, over 80 per cent, of the total revenue of Erpi has come from the industry, the exploitation of the business was first carried on by the Bell System through an exclusive licensee, the Vitaphone Corp., since the Bell System, as a matter of policy, did not want to carry on direct exploitation. By an agreement of April 20, 1926, an exclusive license was granted to Vitaphone for the recording and reproduction of sound, the Vitaphone Corp. agreeing to sub-license other producers.

Show Bell Film Activities

The commission pointed out that the Bell System has acquired financial interests in the industry "for the purpose of exercising influence and control to protect and expand its hold on the apparatus market. The interest acquired was once considered by the Erpi management to be sufficient to control the conduct of the industry. The use of financial power and influence is illustrated by the activities of the Bell System in connection with the acquisition of studios, in the financing of pictures, in the loan of $15,000,000 to the Fox companies and in the influence exerted in connection with the reorganization of Paramount-Publix Corp.

"As a result of a creditor relationship arising out of dealings with recording licensees, and by the considered use of pressure possible by reason of this creditor position, Erpi directed the organization and ultimately acquired control of General Service Studios, Inc., operating studios on the coast. The acquisition was contrary to the announced Bell System policy of restricting itself to the supply of apparatus. It was undertaken originally to provide facilities for the promotion of the educational and industrial fields, but subsequently the studios were used to provide production facilities to handle independent productions and to induce the recording of these productions on Erpi equipment, in order to divert royalty revenues from competitors to Erpi.

In similar vein the commission outlined other activities of Erpi in production, reporting that total advances for financing made by the company and subsidiaries to the end of 1935 amounted to $3,571,918, of which $850,401 was then outstanding.

The report outlined the financial relations of the Bell System with William Fox and the Fox companies, undertaken, it declared, "to produce friendly relations with those interests which were expanding their properties and actively promoting the new sound film art."

Total revenues of Erpi from the film industry during the nine-year period were $123,331,117, of which exhibition accounted for $94,851,215. or 50 per cent of all receipts from all sources, and production for $28,479,902, or 33 per cent. Total profits from all sources were $28,112,880. The company had 25 foreign subsidiaries, it was shown.

Gets Detroit Chill

Detroit, Feb. 18.—This town is fed up on Black Legion. Before the picture "The Black Legion" opened at the Madison it was shown in the jail where the convicted Black Legion prisoners are held and the stunt received columns of space.

At the end of the first week the gross was about 25 per cent below average, and "After the Thin Man" was booked in although it had played three weeks at the U. A.

Fox Theatre Claim Allowance Filed

(Continued from page 1)

Stuart & Co., and signed by Fox Theatres Corp.

In the claim of the Theatre Realty Corp. for $1,074,028 for rent due on a theatre leased in St. Louis by Fox Theatres dated Oct. 1, 1927, he recommended the sum of $773,300, which the realty company accepted.

The claim of Joseph Laton for $16,387 was disallowed, having been withdrawn.

The Trust Company of Georgia's claim for $1,053,646 was allowed, but for the amount of $400,000, which was accepted. This was for damages for breaking a lease dated Jan. 19, 1928, between Yaarub Temple Bldg. Co. and Fox for 21 years at $100,000 a year.

Hoffman Claim Dismissed

He recommended that the claim of S. Fenimore Hoffman for $500,000 be dismissed because the complainant did not submit sufficient proof. The claim of Clark Robinson for $20,500 was allowed and recommended in a previous report.

The claim of Adolphus M. Burroughs and Louis M. Boas for $2,304,184 was disallowed. This was for a breach of two contracts for a lease on a group of 13 theatres with the Fox Northeastern Playhouses, and was disallowed on the ground that these leases were made directly with the Northeastern company and had no connection with the fact that this company was a subsidiary of Fox.

Seven smaller claims amounting to $4,500 were also dismissed.

Lincoln's Birthday Tips Broadway Takes

(Continued from page 1)

Over Heels in Love" and the seventh and final week of "Great Guy" ended last night at the Criterion with $7,000.

"Love is News" will go into the Roxy on March 5, and "Wings of the Morning" is set to open at the Music Hall on March 11.

Sunday Shows Banned

ATLANTA, Feb. 18.—Sunday films for charity were banned in College Park at a recent meeting of the City Council.

Says Mexico Films Must Please Public

By JAMES LOCKHART

MEXICO CITY, Feb. 8.—Catering to the public is the only effective means of protecting the national industry, Cosme Hinojosa, mayor, told the Mexican Film Producers Union in answering their plea that the municipal Government compel theatres to exhibit more domestically-made pictures. The union also asked reductions in municipal taxes, arguing that the domestic industry pays proportionately heavier imposts than does the foreign. Mayor Hinojosa's letter to the union said in part:

"In the opinion of the civic government, if the national production of film is to succeed, much more than the installation of studios and laboratories and the acquisition of good equipment are necessary. Above all, original talent must be found for the presentation of sound and worthwhile plots; there must be directors and players of good taste and artistic temperament and who act on their own initiative without aping foreign producers. Positive and practical protection of the industry is not in the province of the municipal Government. Such protection, matters concerned mostly with import duties, fiscal, income and other taxes, is the affair of the Federal Government, which has direct supervision over the entire industry."

E. M. Loew Expanding

BOSTON, Feb. 18.—E. M. Loew has taken over the Opera House in Holyoke and is remodeling it for an early opening. Western Massachusetts Theatres, Inc., has two theatres in the city. Loew is also reported to be about to open in Springfield where the latter circuit has three houses and its headquarters. This lends credence to the reports that Loew has an expansion contest on with Nathan and Samuel Goldstein. The trouble is said to have started when the Goldsteins bought up a building in which Loew was operating a theatre.

Wall Street

G T E Shows Best Board Gain

	High	Low	Close	Net Change
Consolidated	4⅞	4¾	4¾	— ⅛
Consolidated, pfd.	16⅝	16½	16½	— ⅛
Eastman Kodak	174¼	173½	173½	+ ½
Eastman, pfd.	160	160	160	— ¼
Gen. T. Equip.	33	21½	32⅞	+1⅜
Loew's, Inc.	75½	75	75	— ¼
Paramount	27⅛	26¼	26⅜	.....
Paramount 1 pfd.	190	185½	185½	— ½
Paramount 2 pfd.	24¼	23¾	23¾	+ ¼
Pathe Film	9⅜	9	9	— ⅜
RKO	9⅝	8⅞	9	— ⅜
20th Century-Fox.	36⅜	36	36⅛	+ ⅛
Universal, pfd.	101⅜	101	101	—2
Warner Bros.	15⅞	15½	15½	— ⅛

Curb Off

	High	Low	Close	Net Change
Grand National	3½	3⅜	3⅜	.....
Sonotone	2½	2	2	— ⅛
Technicolor	19½	19	19⅛	— ⅛
Trans-Lux	4¼	4¼	4¼	.....
Universal Pict.	16	16	16	.....

RKO Bonds Drop 3 Points

	High	Low	Close	Net Change
Loew's 3½s '46	100	100	100	— ¼
Paramount Pict. 6s '55	103¼	102¾	103	.....
RKO 6s '41 pp.	122½	120	120	—3
Warner Bros. 6s '39 wd	98¾	98½	98¾	+ ⅜

(Quotations at close of Feb. 18)

Belgian Unit Fights Burden of Taxation

By PIERRE AUTRE

Antwerp, Belgium, Feb. 8.—The Belgian industry, through the Union Nationale Cinematographique Belge, has registered a strong protest with the Belgian prime minister against the excessive taxes which are claimed to be a heavy burden on the industry in Belgium. The protest was sent despite the recent action of the Government in granting a reduction in taxes on admissions. The industry organization contends that the reduction was not sufficient to relieve the industry of its burden, since it amounted only to about two or three per cent less than the previous scale.

The U.N.C.B., which includes practically all Belgian companies and exhibitors, has declared that the industry has been subject to burdensome taxation since 1920. It was pointed out that the industry is taxed by the various municipalities in addition to the Federal Government, and that special taxes on the screen have been maintained, despite the elimination of taxes on the legitimate theatre and variety shows.

The U.N.C.B. warned that the industry stands ready to cease activities if necessary if a satisfactory answer is not forthcoming.

Opens Foreign House

Boston, Feb. 18.—Moe Goldman, New York foreign picture theatre owner, has opened the International for foreign films. The house was formerly the Columbia, a subsequent run. It is owned by Loew's, landlords of George Kraska's Fine Arts, operating on a somewhat similar policy for several years.

Company Changes Name

Dover, Del., Feb. 18.—Liberty National Pictures, Inc., a Delaware corporation, has changed its name to Autotherm Corp., New York. The Corporation Trust Co. is agent for the corporation.

FROM STUDIO TO SCREEN
THE VERY SAME DAY...
Easy—When you use THE ONLY
NATION-WIDE **AIR EXPRESS**

More producers and exhibitors than you think beat the town through super-speed Air Express. Hard not to, when

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2. Connects at hundreds of junction points with fast Railway Express trains.
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AIR EXPRESS
DIVISION
Railway Express Agency

Purely Personal

Jack Brower, Warner West Coast district manager with headquarters in Los Angeles, and Leo Blanke, midwest district head with offices in Chicago, are in town for a few days. They will attend the company's annual ball at the Waldorf tomorrow night.

•

Harry Gold, eastern division sales manager for U. A., returns today from a six-week tour of eastern and southern exchanges in behalf of the Schaefer drive.

•

Arthur Kay, whose voice is heard behind Terry Toons, Max Fleischer's shorts, and others, is the voice behind the marionettes at the Rainbow Room.

•

Max Richter, president of Consolidated Amusements, local independent circuit, is vacationing on the coast.

•

Fred Schwartz has named the new arrival Robert Allen Schwartz. Mother and baby will leave the hospital in another week or so.

•

Gilbert Golden of Warners advertising staff yesterday took his brother, who has been ill for some time, home from the hospital.

•

Sig Wittman has switched his office from the local "U" exchange to the home office until Frank McCarthy returns from Miami.

•

Nick Spanos, who formerly operated the Louis, Bronx, is back from Greece and looking around for another theatre.

•

Jack Connolly, producer of Pathe News, plans to sail for England in April to attend the Coronation on May 12.

•

Tom DeVane, formerly with the RKO studios on the coast, is now editor of *Movie Story,* a Fawcett publication.

•

Douglas Fairbanks, Jr., left yesterday on the Century for the coast to star work in David O. Selznick's "Prisoner of Zenda."

•

Ralph Daigh has been named managing editor of the New York office of Fawcett Publications by H. W. Fawcett.

•

Jack Partington will return from St. Louis tomorrow. He was due yesterday but stayed over.

•

George J. Schaefer, vice-president of U. A., will return Saturday night from a two-week vacation in Florida.

•

Henry Siegel, managing director of the Little Carnegie Playhouse, returns today from two weeks in Florida.

•

John D. Clark is due back from a Miami vacation the end of the month.

•

Cresson E. Smith is planning a vacation at Nassau.

•

Dave Loew has delayed his departure for the coast until today.

•

Percival C. Wren's "The Spur of Pride" has been acquired by M-G-M.

Louis K. Sidney breathed a deeper sigh of relief yesterday when word came from the coast that his son, George, who underwent an emergency appendectomy at the Santa Monica Hospital Monday night is showing steady improvement. Mrs. Louis K. flew to her son's bedside.

•

Rod La Roque and his wife, Vilma Banky, are due on the *Manhattan* today.

•

Dorothy Modisett has joined Samuel Goldwyn as eastern story assistant to Beatrice Kaufman.

•

Kay Kamen left yesterday for Miami. He arrived from the coast a week ago.

•

. . . Denver

Robert Garland has been added to the 20th Century-Fox exchange staff as booker for the southern district.

Paul Hoppen has bought the real estate where his Palace is located here.

Edward Auger, Phototone assistant sales manager, is spending some time in Idaho Springs, Colo.

Henry Westerfield, of Trinidad, Colo., succeeds Vern Fletcher as manager at Las Vegas, N. M., for F. W. C. Fletcher has been made city manager at Caldwell, Idaho.

L. E. Kennedy, Erpi district sales representative, has been visiting Seattle.

Ed Sonney has leased the Chief in Pueblo, Colo.

Quits Building Fight

London, Ont., Feb. 16.—The suburban theatre building war here, in which three projects were under way within several hundred yards, has been eased by the retirement of one promoter from the race, announcement being made that the proposed Mayfair would not be built. Two other theatres are actually under way, however, at the edge of the city where the population is sparse.

Will Honor Maloney

Pittsburgh, Feb. 18.—Arrangements are being made here to honor John J. Maloney, M-G-M exchange manager, at a testimonial dinner March 1 commemorating his completion of 15 years with the company here. It will be held in the Urban Room of the William Penn hotel. John H. Harris is general chairman of the affair and several home office executives from New York are expected to attend.

No Ohio Censor Cuts

Columbus, Feb. 18.—For the first time in several months the censors did not order a single elimination during any one week, when 89 reels were reviewed for the month ending Feb. 11. However, "Spain in Flames" was rejected and banned from showing in Ohio.

Plan Boston Film Dance

Boston, Feb. 18.—A film district ball, sponsored by the Cinema Club, is to be held March 16 at the Statler. Charles Repec, Jack Rice, Dan Seletsky, Walter Silverman, Paul Broderick and James Connolly compose the committee.

Grand National Ups Production Budgets

(*Continued from page* 1)

Cagney, of more than $50,000 has been authorized by Alperson.

Budget increases also have been ordered on "Something to Sing About," "Grand Canyon," color film, and B. F. Zeidman's "Sweetheart of the Navy." Edward Finney plans similar action on the remaining five Tex Ritter westerns scheduled.

Berkowitz Leaves G.N.

Los Angeles, Feb. 18.—Sam Berkowitz, who sold out his Far West Exchanges to Grand National and became G.N. branch manager, has been compelled to relinquish his branch manager duties to devote his entire time to selling the 16 Far West pictures remaining on this season's schedule. These include releases from Ambassador-Conn and Television Pictures.

Shift Carolina Managers

Charlotte, Feb. 18.—Eugene W. Street, manager of the Carolina, Imperial and State, will be transferred to Knoxville, Tenn., where he will manage six theatres, according to H. F. Kincey, president of North Carolina Theatres, Inc.

Emil Bernstecker, manager of the Carolina, Greensboro, will be transferred to Charlotte to manage the Carolina, Imperial and State. Frank H. Burns is being moved from the National, Greensboro, to the Carolina there.

Grayson Poats is being transferred from the Granada, Bluefield, W. Va., to the assistant managership of the National, Greensboro, succeeding Spencer Wester, who has been promoted to the managership of the Carolina, Wilson, N. C.

Transfer John O. Hooley

Pittsburgh, Feb. 18.—A fixture in the East Liberty district for more than 20 years, John O. Hooley, theatre manager, is being transferred to the South Hills section by the Harris Amusement Co. where he will be placed in charge of the Mt. Oliver house. His successor at the Liberty is to be Sam DeFazio, who moves out there from the Mt. Oliver.

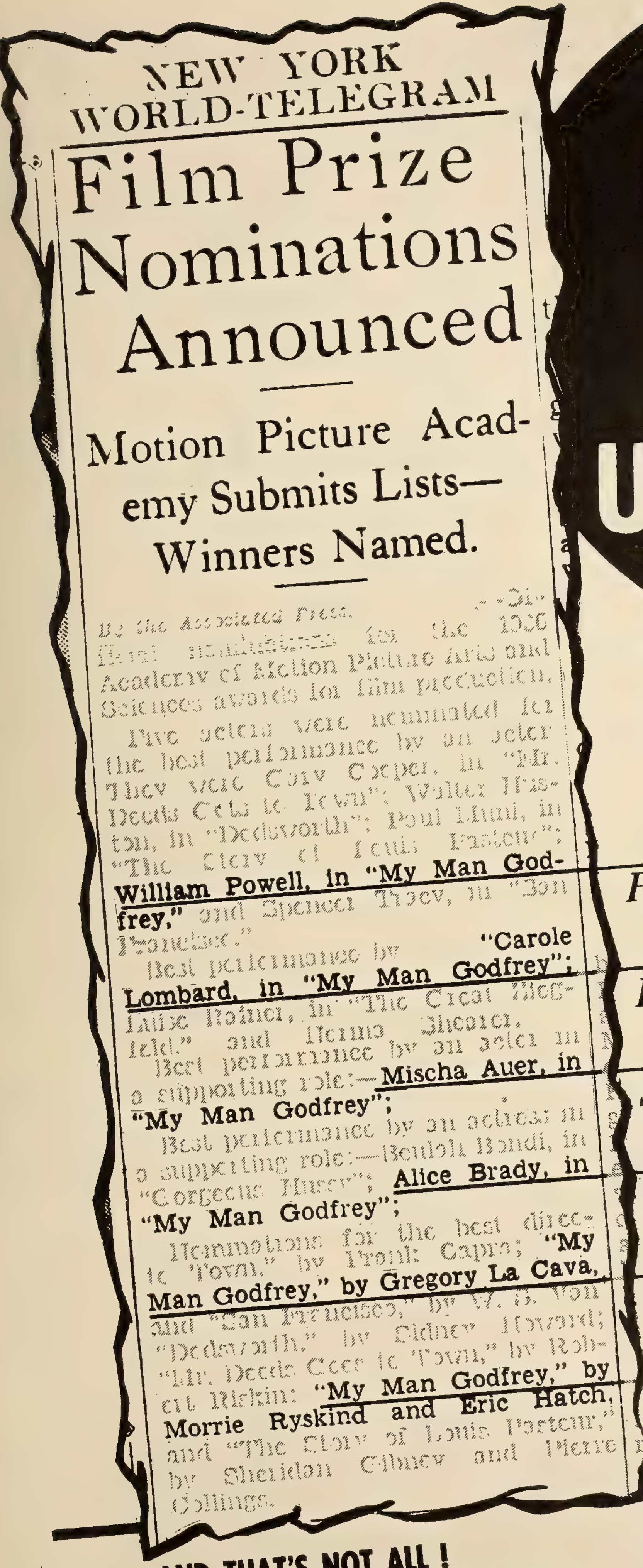
The Harris outfit has also announced the promotion of Ed Salomon from assistant manager of the Palace, downtown, to the managership of the Beechview.

Talk 2,000-Foot Reel

London, Feb. 9.—F. W. Allport of the Hays office here, has conferred, at the British Standards Institution, with the special committee representative of trade and public bodies which has been considering the 2,000-foot reel. An official statement speaks of "valuable information" which he provided which, it is stated, has assured the Institution of the "cordial sympathy and support of the Americans" in any decision arrived at. Allport goes to the Continent shortly to engage in similar discussions.

Rifkin, Davis at N. H.

New Haven, Feb. 18.—Julian Rifkin and Jack Davis of Boston are at the Republic offices in the absence of Robert Cobe, manager, who is on his honeymoon in Florida.



NEW YORK WORLD-TELEGRAM

Film Prize Nominations Announced

Motion Picture Academy Submits Lists—Winners Named.

By the Associated Press.

Final nominations for the 1936 Academy of Motion Picture Arts and Sciences awards for film production.

Five actors were nominated for the best performance by an actor. They were Gary Cooper, in "Mr. Deeds Goes to Town"; Walter Huston, in "Dodsworth"; Paul Muni, in "The Story of Louis Pasteur"; **William Powell, in "My Man Godfrey,"** and Spencer Tracy, in "San Francisco."

Best performance by **"Carole Lombard, in "My Man Godfrey";** Luise Rainer, in "The Great Ziegfeld," and Norma Shearer.

Best performance by an actor in a supporting role:—**Mischa Auer, in "My Man Godfrey";**

Best performance by an actress in a supporting role:—Beulah Bondi, in "Gorgeous Hussy"; **Alice Brady, in "My Man Godfrey";**

Nominations for the best direction to Town," by Frank Capra; **"My Man Godfrey," by Gregory La Cava,** and "San Francisco," by W. S. Van "Dodsworth," by Sidney Howard; "Mr. Deeds Goes to Town," by Robert Riskin; **"My Man Godfrey," by Morrie Ryskind and Eric Hatch,** and "The Story of Louis Pasteur," by Sheridan Gibney and Pierre Collings.

MORE HONORS for the NEW UNIVERSAL!

For the first time in history, 6 "Bests" in the Academy Award finals come from *ONE* Picture—"My Man Godfrey"

BEST
Performance by Actor!

BEST
Performance by Actress!

BEST
Supporting Performance by Actor!

BEST
Supporting Performance by Actress!

BEST
Direction!

BEST
Screen Play!

AND THAT'S NOT ALL !

"THREE SMART GIRLS"

also wins among the Best Pictures of the Year!
That's for 1936 . . .

AND NOW —

to TOP them all for 1937, the New Universal gives you

"TOP OF THE TOWN"

"Stowaway" in Good Return At Washington

WASHINGTON, Feb. 18.—A return engagement of "Stowaway" at Loew's Columbia was the bright spot of the week, taking $5,000 to exceed the weekly first run average by $1,400.

Other spots were not good.

Loew's Capitol, with "Outcast" and a stage show, took $20,000, under par by $900; the Earle, with "Stolen Holiday" and a stage show, took $15,500, or $2,900 below the average.

"Great Guy" at RKO-Keith's took $7,600, dropping $3,000 below the average.

The weather was unseasonably warm and fair. Tallulah Bankhead in "Reflected Glory" and Alice White and Conway Tearle in "Hey Diddle Diddle" at the Belasco were the opposition.

Total first run business, exclusive of the Little, was $60,100. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending Feb. 11:

"STOLEN HOLIDAY" (F.N.)

EARLE—(2,218), 25c-77c, 7 days. Stage: Mattison Rhythms, De Paul, the Bredwins, Rachel Carley & Manhattan Merry-Go-Round. **Gross:** $15,500. (Average, $18,400)

"OUTCAST" (Para.)

LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Ray Nobel & orchestra; Rector & Doreen; Lowe, Hite & Stanley. **Gross:** $20,000. (Average, $20,900)

"STOWAWAY" (20th-Fox)

LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $5,000. (Average, first run, $3,600)

"THE PLAINSMAN" (Para.)

LOEW'S PALACE—(2,370), 35c-55c, 6 days, 2nd week. **Gross:** $8,000. (Average, first week, $15,900)

"BULLDOG DRUMMOND ESCAPES" (Para.)

METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,300)

"GREAT GUY" (G.N.)

RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $7,600. (Average, $10,600)

Week Ending Feb. 13:

"AS YOU LIKE IT" (20th-Fox)

LITTLE—(350), 15c-35c, 7 days (return engagement). **Gross:** $1,000.

To Film English Fleet

LONDON, Feb. 9.—The Admirality, ruling body of the British Navy, has commissioned Commander J. L. Hunt, of Educational and General Services, Ltd., to produce a "documentary" feature showing the work of the fleet in protecting trade routes. Maneuvers in the Mediterranean will be filmed for the first time, E. and G. having four cameras with the Blue and four with the Red fleet.

Record Purchase Option

An option of purchase at $150,000 on the lease of the West End Theatre, 362 W. 125th St., was placed on record yesterday. The theatre was leased to the Metro Contracting Corp. by the West End Theatre Co. for a period of five years at an annual rental of $8,500, with a renewal option at the end of that period.

To Set "Barrier" Policy

Plans for the two-a-day showing of "The Great Barrier" in its American premiere will be set shortly, Arthur A. Lee, vice-president of G. B., said yesterday. A print of the film is en route to this country.

Out Hollywood Way

HOLLYWOOD, Feb. 18.—CECIL B. DEMILLE en route to New Orleans for background on his next Paramount picture, "The Buccaneer." EDWIN JUSTUS MAYER, writer, and FRANK CALVIN, research expert, accompanied him.

GEORGE RAFT off this week for a vacation in Florida . . . HARRY SHERMAN, producer; EDWARD LUSTIG, just signed to direct, and EUGENE STRONG, associate producer on REX BEACH'S "The Barrier," for Paramount, leave shortly for location in Alaska . . . FRANK LLOYD and HOWARD ESTABROOK to produce "Wells Fargo" for Paramount . . . M-G-M to use new sepia platinum finish effect in sequences of "Maytime." . . . HARLAN THOMPSON, Paramount producer, due from New York . . . JACK SCHOLL and M. K. JEROME, song writers, get long term extensions on Warner contracts . . . BURTON LAND and RALPH FREED to Radio to do the music for "Radio City Revels."

PETE SMITH off to the desert again to dub "Penny Wisdom" his latest short . . . LUISE RAINER due back from New York . . . EDWARD C. DENTON of Boston, winner of the trade mark contest sponsored by MERVYN LEROY . . . BILL RYAN will act as assistant to director ED SEDGEWICK on the next JOE E. BROWN picture "All Is Confusion." The story is by RICHARD MACAULEY . . . BEULAH BONDI resting in Santa Barbara between scenes in "The Years Are So Long."

+

Casting—Jean Arthur in Paramount's "Easy Living," story by VERA CASPARY. Also cast are RAY MILLAND, ADOLPH MENJOU, with MITCHELL LEISEN directing . . . FRED MACMURRAY, FRANCES FARMER and RANDOLPH SCOTT in "Wells Fargo," Paramount.

+

Story Buy—Warners have bought "Empty Holsters" and "Hell's Saddle Legion," by ED EARL REPP, as vehicles for NICK FORAN. REPP will do the screenplays.

"Thin Man" Pulls $13,500, Montreal

MONTREAL, Feb. 18.—"After the Thin Man" was the favorite. It took $13,500 at the Palace where average is $11,000 and was held over.

"Wings of the Morning" went into a third week at His Majesty's after holding up to $6,000 during its second week. It took $7,500 in its first seven days. "Once a Doctor," heading a double bill and vaudeville at Loew's, accounted for $10,000, while "Winterset" and "Rainbow on the River" at the Princess were good for $7,500.

The weather was more wintry with seasonal sports in full sway, but there was also considerable sickness.

Total first run business was $46,500. Average is $43,000.

Estimated takings for the week ending Feb. 13:

"GOD'S COUNTRY AND THE WOMAN" (W. B.)

"MIND YOUR OWN BUSINESS" (Para.)

CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $9,500. (Average, $9,500)

"WINGS OF THE MORNING" (Brit.-Fox)

HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,000. First week: $7,500. Held over.

"ONCE A DOCTOR" (W. B.)

"ONE WAY PASSAGE" (W. B.)

LOEW'S—(3,115), 25c-34c-40c-50c-60c, 7 days. Stage: Command Performance unit. **Gross:** $10,000. (Average, $10,500)

"AFTER THE THIN MAN" (M-G-M)

PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $13,500. (Average, $11,000.) Held over.

"WINTERSET" (Radio)

"RAINBOW ON THE RIVER" (Radio)

PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $7,500. (Average, $7,000)

Turn Down Rockhill Plan

KANSAS CITY, Feb. 18.—The plan of reorganization filed under 77B of the bankruptcy act in December, 1934, by the Rockhill Theatre Bldg. Co., on which there had been considerable litigation, has been turned down by Judge Albert L. Reeves in U. S. District Court. First mortgage bondholders declined the 35 per cent reduction in outstanding bonds contemplated.

Fox Midwest leases the Rockhill theatre.

"Jailbreak," Dual Oklahoma City Top

OKLAHOMA CITY, Feb. 18.—"Jailbreak," dualled with "Ticket to Paradise," turned in the best showing of the week by getting $2,000 at the Liberty in four days. Normal for seven days is $2,500. "Along Came Love" and "Conflict" at the same house for the other three days failed to make much of an impression at $900.

The only other first run to get over par was "Winterset" at the Capitol, where the $2,600 take was $600 over the line.

Total first run business was $12,900. Average is $13,500.

Estimated takings for the week ending Feb. 13:

"STOLEN HOLIDAY" (W. B.)

CRITERION—(1,700), 10c-35c-55c, 7 days. **Gross:** $3,500. (Average, $5,000)

"YOU ONLY LIVE ONCE" (U. A.)

MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $3,900. (Average, $4,000)

"WINTERSET" (Radio)

CAPITOL—(1,200), 10c-25c-40c, 7 days. **Gross:** $2,600. (Average, $2,000)

"JAILBREAK" (W. B.)

"TICKET TO PARADISE" (Republic)

LIBERTY—(1,500), 10c-25c-35c, 4 days. **Gross:** $2,000. (Average for week, $2,500)

"ALONG CAME LOVE" (Para.)

"CONFLICT" (Univ.)

LIBERTY—(1,500), 10c-25c-35c, 3 days. **Gross:** $900. (Average for week, $2,500)

Book Security Short

OMAHA, Feb. 18.—With the release of "Today's Frontiers" in Nebraska, Iowa, Minnesota and North and South Dakota, Frank H. Wilcox, regional director of the social security board, announced that 300 houses in these five states have booked the film. The short purports to explain the unemployment compensation feature of the social security act, and is given free to exhibitors.

Cook Plans to Produce

LONDON, Feb. 9.—H. J. Cook, one time exhibitor and office holder in the C.E.A., has bought the small studio at Bushey Heath for a new production enterprise.

"Million," Dual, $8,700, Portland

PORTLAND, Feb. 18.—In its second week at the Paramount, "One in a Million," with "Counterfeit Lady," grossed $8,700, or $3,700 over average.

"Winterset" and "More Than a Secretary" were held for a second week at the Orpheum, with a take of $6,000, over par by $1,000.

"Theodora Goes Wild" with a new partner, "Lady from Nowhere," in its seventh downtown week, brought in another $2,500, over average by $800.

Total first run business was $32,000. Average is $24,700.

Estimated takings for the week ending Feb. 13:

"MAMMA STEPS OUT" (M-G-M)

"MAN OF THE PEOPLE" (M-G-M)

BROADWAY—(1,912), 30c-35c-40c, 7 days. **Gross:** $6,300. (Average, $5,000)

"THEODORA GOES WILD" (Col.)

"LADY FROM NOWHERE" (Col.)

BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 7th downtown week. **Gross:** $2,500. (Average, $1,700)

"BULLDOG DRUMMOND ESCAPES" (Para.)

"JOIN THE MARINES" (Republic)

MAYFAIR—(1,700), 30c-35c-40c, 7 days. **Gross:** $3,500. (Average, $3,000)

"WINTERSET" (RKO)

"MORE THAN A SECRETARY" (Col.)

ORPHEUM—(1,700), 30c-35c-40c, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,000)

"ONE IN A MILLION" (20th-Fox)

"COUNTERFEIT LADY" (Col.)

PARAMOUNT—(3,008), 30c-35c-40c, 7 days, 2nd week. **Gross:** $8,700. (Average, $5,000)

"LUCKIEST GIRL IN THE WORLD" (Univ.)

UNITED ARTISTS—(945), 30c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

Mrs. Johnson to Lecture

KANSAS CITY, Feb. 18.—Mrs. Martin Johnson, whose husband died in an airplane crash in California recently, will bring "Borneo," their latest jungle film, to Kansas City for a showing in the Municipal Auditorium March 3. Public schools will be dismissed that afternoon so that school children may attend. Mrs. Johnson will lecture.

The body of Martin Johnson will be brought to Chanute, Kan., for burial Feb. 26 by Mrs. Johnson.

Else Argall to 20th-Fox

HOLLYWOOD, Feb. 18.—Else Argall, French actress, has been signed to a term contract by 20th Century-Fox. Miss Argall has been in Hollywood for the past six months perfecting her English. She refused to sign a picture contract until she mastered the language.

Oppose Sunday Pictures

WILMINGTON, Del., Feb. 18.—Resolutions opposing the showing of films in Delaware on Sundays were adopted by the congregation of Trinity M. E. Church of Wilmington at the fourth quarterly conference here. This is the first church so far to oppose Sabbath films.

Denver Club Takes Rooms

DENVER, Feb. 18. — The revived Rocky Mountain Screen Club has leased club rooms in the Cosmopolitan Hotel. An opening will be held about March 1. There are about 70 members.

Covington at High Point

HIGH POINT, N. C., Feb. 18.—C. F. Covington is the new manager of the Rialto here.

Short Subjects

March of Time No. 7

(*RKO*)

This latest issue of the March of Time appears peculiarly concerned with dictatorship, that of a man over a nation, of a type of expression over an art form, and the attempted dictatorship of a militant group over a nation's drinking habits. The three subjects, in their pictorial and verbal handling, combine to make a fast-moving and diversified number, done in the now standard March of Time style, and susceptible of wide general appeal.

Completely undaunted by the repeal of prohibition, the country's temperance groups are waging their fight against the alleged evils of alcohol with increasing vigor. To combat them and the ever-present bootlegger, who is doing a thriving business, the organized liquor industry is itself preaching temperance, an argument which brings scorn from the tenacious teetotalers.

Out of the remnant of what was once a great country, and the chaos which came with defeat at the end of the World War, Mustapha Kemal, Turkey's strong man, dragged his country up by its bootstraps, gave it nationalism in the modern, western sense, fortified the Dardanelles, became absolute dictator, and made Turkey a nation among nations.

In an interesting bit of modern musical history, this episode traces the birth and growth of today's offshoot of jazz, swing music. Two decades ago a Victor scout discovered the Dixieland Jazz Band in a New Orleans cafe, and so jazz was born. Only a few months ago, at the height of the swing craze, the records were unearthed, and there was swing, with the same southern band, older but still good, at it again.

No production code seal. Running time 23 mins. "G."

"Dick Tracy"

(*Republic*)

Produced by Nat Levine, who knows all there is about the proper treatment of serials which pack 'em in, "Dick Tracy" is a highly exciting and thrilling job certain to make the playing date of the various episodes a red letter day for young America for many weeks.

The cartoon strip character created by Chester Gould is capably played by Ralph Byrd. His assistants include Kay Hughes, Smiley Burnette, Lee Van Atta, a child player, John Picorri, Carleton Young, Richard Beach, Theodore Lorch and Francis X. Bushman. The types are well cast and play their roles commendably.

Tracy is a Federal agent in the screen treatment. His troubles are instigated by a criminal known as The Spider, who has many pseudo-scientific devices at his command for carrying out his devilish murders and what-have-you. The plots are further aggravated by Tracy's brother, a dual character played by the aforementioned Young and Beach, the victim of a fiendish operation by the arch criminals which makes him one of their group.

Throughout the various chapters there is fast-moving action sequences which are splendidly photographed by William Nobles and Edgar Lyons. The model sets and backgrounds have been well executed and chosen. Ray Taylor and Alan James handled the directorial end.

Reviewed without production code seal. Running time each chapter approximately 20 mins. "G."

"Paramount Pictorial 6-7"

(*Paramount*)

The inner workings of the Roquefort cheese industry, showing the various processes of curing, etc.; Albert Payson Terhune's famous collies with the author commenting on canine care, and women's fashions to fit the "swing" music craze. The three items are tastefully presented and have varied interest. Production Code Seal No. 01,485. Running time, 9 mins. "G."

Looking 'Em Over

"With Love and Kisses"

(*Ambassador-Conn-Melody*)

A diverting independent offering with many entertaining moments that should be pleasantly received. It is light drama with comedy interludes by Arthur Housman projected in an interesting manner against a radio background.

Pinky Tomlin comes to New York from his Arkansas farm when he fails to hear about a song he contributed to a nationally famous singer. Determined to beat up the double-dealing crooner he encounters difficulties with the star's press agent, Russell Hopton. In jail and out, he meets Toby Wing through the alcoholic Houseman and she steers him straight after learning of his dumb acquiescence to a gangster song-publishing clique headed by Kane Richmond. The film reaches its climax, romantically and otherwise, when Tomlin's cow, Minnie, is "cow-napped" and affairs are satisfactorily settled when his bovine inspiration is found.

The story lags at times, but it generally manages to hold interest. There are a number of songs introduced here and there that are passable. Les Goodwin directed. The story is by Al Martin and Sherman Lowe.

Production Code Seal No. 2,892. Running time, 65 minutes. "G."

Overseas Previews

"Trois, Six, Neuf"

("Three, Six, Nine")

(*S.E.D.I.F.*)

Paris, Feb. 5.—This is a very good film adaptation of a stage play, written by Michel Duran, which was a success in Paris. It is a mixture of comedy, sentimental drama and even tragedy, for the film begins and ends with an attempt at suicide.

The main theme is a love story. A young man, René Lefevre, loves a woman, Renée St. Cyr, who does not return his affection. Attempting to change his feelings, she agrees to spend three months with him. He takes her to a cottage in the mountains and she falls in love with him. On the day they had agreed to separate, she realizes that she loves him but her experiment now appears to have been successful and the young man no longer seems to care for her. She attempts suicide but Rene saves her. They decide never to separate.

The subject is not new but it has been treated in an original and adroit fashion by the director, Raymond Roulleau, and the dialogue is clever. Some scenes are moving, others are amusing. Good photography, picturing scenery in the French Alps and in the south of France. The end is a trifle slow. It is a pity that the moral point of view has been completely neglected, and that, as in so many other French films, unmarried people, living together, appear to be taken for granted. In the same way the two attempts at suicide could be dispensed with. However, the film is attractive and well acted. René Lefevre, Renée St. Cyr, Meg Lemonnier and Jean Wall are excellent. It is one of the best humorous films made in France for a long time and is comparable to comedies made in Hollywood.

Running time, 85 minutes. "A."

Autre

Sunday Shows in Bedford

Bedford, Va., Feb. 18.—Films will be shown Sundays at the Liberty here. In discussing the matter with town officials, Manager Dan Weinberg promised that no shows would be given at hours when church services are held, and it is not believed that any objection will be raised by the town authorities.

RKO Opens N. H. Office

New Haven, Feb. 18.—Representatives of branches of the industry from all over the state attended Barney Pitkin's party at the opening of the new RKO offices here. Pitkin left for the two-day RKO sales meeting in New York after the party.

Variety Club

Cincinnati

Cincinnati, Feb. 18.—An air-conditioning system is being considered for installation in the quarters of the local tent.

H. J. ("Pop") Wessell, chief barker, and Allan S. Moritz, past chief barker, have been chosen official clowns to attend the third annual national convention at Omaha.

Jack Hawthorne, recently taken into membership, is in Florida recuperating from a long illness.

Charles Ryan of "The Smoothies," a WLW unit, has been accepted as a resident member. Milton Gurian, U. A. salesman, also is a new barker in the non-resident classification.

Omaha

Omaha, Feb. 18.—Advance reservations for the third annual national Variety Club convention, to be held here in April, indicate a record attendance.

The Milwaukee tent will send a special car with at least 30 persons. Pittsburgh will send five and possibly more; Minneapolis between 75 and 100.

Harry J. Shumow, M-G-M branch manager and general chairman of the convention committees, plans a trip to Kansas City to enlist that tent's promise for a large delegation.

Estimates are that at least 200 delegates and 500 other visitors will attend.

Set Variety Election

Kansas City, Feb. 18.—The Variety Club members have selected March 8 as the date for the election of new officers. Plans were discussed for hiring a special train to take members to the national Variety Club convention in Omaha April 17 and 18. Approximately 50 are expected to attend from here.

Refuse "Pastures" Ban

London, Feb. 9.—Lord Tyrell, president of the British Board of Film Censors, has refused a request from the Free Presbyterian Church of Scotland to ban "The Green Pastures." In a letter Lord Tyrrell describes the film as reverent in tone. "We shall be attacked for having passed it, and we should have been attacked if it had not been passed," he commented.

Johnston Joins Fawcett

Hollywood, Feb. 18.—John LeRoy Johnston has resigned as publicity representative of Mervyn LeRoy to become managing editor of the Fawcett group of fan magazines. Harry Hammond Beall, whom Johnston succeeds, becomes assistant to W. H. Fawcett.

Erpi Promotes Two

Charles Olajos and Robert A. Quinn have been elected assistant treasurers of Erpi by the company's board. Olajos is a member of the home office financial staff, while Quinn will handle contract, credit and financial matters in Erpi's Los Angles office.

New Paris House Opens

Paris, Feb. 9.—The Normandie, most luxurious film theatre in Paris, was opened with the Alexander Korda production, "Fire Over England." The new house, which seats 2,000, is located on the Champs Elysees.

Holders Make Attack Upon RKO's Stock

(*Continued from page 1*)

eliminated for the present RKO common under an exchange on the basis of one share of new common for four shares of Class A. Stirn refused to exchange his A shares for the common and charged yesterday that the recapitalization plan was invalid and was placed in effect without a majority vote of the shareholders. His petition asserts that the old Class A stock, prior to the 1931 recapitalization, held a preferential position above that of any other RKO security outstanding at the time and, therefore, is still entitled to a comparable preferential position under the present reorganization plan.

Stirn alleged that Class A stockholders who actually exchanged their shares for the new common waived their preferential rights in so doing and are not now entitled to a better position under the reorganization plan than they now have as common stockholders.

Stirn Laxity the Factor

Expressing surprise that "no one has raised the point before this," Judge Bondy indicated that he would be guided primarily in deciding Stirn's petition by whether or not Stirn had been unduly lax in not contesting the 1931 recapitalization plan prior to this time. Stirn's attorney replied that the plan had been litigated in the Maryland courts in 1932 by another RKO Class A stockholder and that Stirn had endeavored unsuccessfully to participate in that litigation. He said that the issue then was never tried nor decided by the Maryland courts, but that it had been dismissed following a settlement made with the complaining stockholder by RKO.

The validity of the present RKO common was also attacked by John Stover, who acquired Class A stock after the recapitalization plan had been placed in effect and subsequently exchanged it for the common. Stover's contention was that the recapitalization was fraudulent and that, as a result, his waiver of his preferential rights as a Class A holder in accepting the common stock under the exchange, was not binding. He asked that the entire common stock outstanding be found invalid and the Class A holders restored to their original position. There are still 275,000 shares of the old Class A stock outstanding out of the original 2,380,000 shares.

Decision Possible Mar. 18

Judge Bondy allowed attorneys for Stirn and Stover until March 15 to prepare briefs and rebuttal papers and indicated that his decision might be ready by the time of the next hearing on the plan, March 18. He also reserved decision until then on the petitions of the two stockholders to intervene in the reorganization proceedings. A third attack on the validity of the common has been made by Francis Hickey, a stockholder of Washington, D. C., who, however, did not appear at yesterday's hearing.

Attorneys for both Stirn and Stover charged that the RKO recapitalization plan of 1931 made it possible for RCA to acquire two-thirds of the common stock control of RKO without cost and for no other consideration than "an amply secured loan to RKO." They asserted that prior to the recapitalization, RCA held only nine per cent of the RKO stock. The stock was acquired by RCA's subscription to a "package" consisting of new RKO debentures and common stock. The debentures, it was pointed out, are now selling for $121 in the market and their holders receive an equal exchange under the RKO reorganization plan, whereas the holders of the old Class A, which held a preferential position prior to the recapitalization, are treated in the reorganization plan either as common stockholders or their equivalent.

It was argued further that the 1,750,000 shares of RKO common held by RCA should be cancelled, reducing the position in the reorganization of that company correspondingly, as well as the position of Atlas Corp. and Lehman Bros., proponents of the RKO reorganization plan, who acquired half of the RCA holdings in RKO. This elimination would increase the equity of the present shareholders in RKO and, consequently, it was urged, the 500,000 shares of new RKO common which the reorganization plan proposes to issue to Rockefeller Center in settlement of its claim against RKO, should be proportionately reduced.

Debenture Security Considered

The question of the secured position of the RKO debentures is involved in a petition by the RKO trustee for authority to retire by a cash payment the $650,000 of RKO gold notes outstanding, which are held by the Bank of America National Ass'n. The notes are secured by virtually all of the going assets of RKO, whereas the debentures have a second lien on the assets while the gold notes are in existence. Some legal opinion holds that the debentures may lose their secured position by the retirement of the gold notes, although the RKO trustee has not made this contention and proposes the retirement of the notes solely as a step which would save RKO $2,100 per month in interest charges.

If the debentures were to be reduced to an unsecured position, it was pointed out, a basic provision of the reorganization plan would be upset. The proponents of the plan, together with William Mallard, RKO counsel, stated yesterday that they did not believe RKO could spare the $650,000 cash required to pay off the notes at this time. O. C. Doering of Donovan, Leisure, Newton & Lumbard, counsel to the RKO trustee, offered the opinion that the company was in a position to make the cash payment. The court set March 11 for further hearing on the position.

Judge Bondy also reserved decision on a petition by the preferred stockholders committee of Orpheum Circuit for leave to intervene in the RKO reorganization proceedings.

Prize Sit-Down

Sacramento, Feb. 18.—Robert Harmon, San Jose salesman, who instituted a one-man sit-down strike in a theatre here recently when he failed to win a Bank Night prize, is still going strong, sleeping in the theatre and ordering his meals sent in from a nearby restaurant. Harmon stated that he has sufficient funds to pay for meals and admissions until March 15 and that he will continue his strike until that time at least. His grievance is that he has been trying without success for two months to win a Bank Night prize.

RKO Managers View 2 of New Pictures

Eastern RKO branch managers yesterday witnessed the screening of "Michael Strogoff" and "Sea Devils," two of the company's outstanding attractions, preliminary to attending the final session of a two-day regional meeting at the Astor.

The screening was held at the home office. Ned E. Depinet, who presided at yesterday's session, told MOTION PICTURE DAILY that although "Michael Strogoff" is one of the company's biggest pictures it will not be roadshown.

Jack Connolly, producer of Pathe News, was a guest at yesterday's meeting.

Delaware Approves Educational's Plan

WILMINGTON, Del., Feb. 18.—The Chancellor of the state of Delaware yesterday approved the plan for the reclassification of the stock of Educational Pictures, Inc. The plan was approved by stockholders here early last week, representing more than 78 per cent of the preferred and 83 per cent of the common stock of the company.

At the same time approval was given to an amendment to the certificate of incorporation which provides for a revised capital structure consisting of 150,000 shares of 60-cent dividend cumulative convertible preferred stock of $5 par, and 500,000 shares of $1 par common stock. The details of the reclassification plan were published in earlier issues of MOTION PICTURE DAILY.

Monogram to Amend Charter on Stocks

WILMINGTON, Feb. 18.—Monogram Pictures Corp. will file an amendment to its charter authorizing issuance of 1,000,000 shares of common stock instead of a preferred and common stock issue totalling 290,000 shares as originally filed.

British Unity Formed

LONDON, Feb. 10.—British Unity Pictures, in which the principals are Kurt Bernhardt and Eugene Tuscherer, has started a program of bilingual English and French production with "The Girl in the Taxi," at the A.T.P. studios, Ealing. The plan is to spend £45,000 per picture.

Seek Fight Law Change

WASHINGTON, Feb. 18.—The Ass'n. to Legalize Interstate Transportation of Fight Films, Inc., has been formed here. It's aim, as the title indicates, is to secure a removal of the ban on shipment of fight pictures across state boundaries.

Heavy Vote Favors RKO Plan—Rickaby

A large proportion of the creditors and stockholders already have informally approved the RKO reorganization plan, Hamilton C. Rickaby, attorney for Atlas Corp., proponent of the plan, informed Federal Judge William Bondy yesterday.

Hamilton said that approvals have been received from 75 per cent of the secured creditors and from 45 per cent of the stockholders exclusive of the principal stockholders' committee, whose approval is expected, he said, and would put the stockholders' consents "well over a majority" of the stock outstanding. There are appromately $8,000,000 of unsecured claims against RKO exclusive of the Rockefeller Center claim, the amount of which has not been finally determined. Of these, Rickaby said, consents have been received from holders of $4,000,000 of allowed claims, and the consent of Rockefeller Center is expected.

Rickaby said that in the event it became necessary to have the Rockefeller Center consent in order to present a majority of the unsecured claims, he would ask the court to specify a minimum amount at which the claim could be considered allowable.

Orpheum Sale Ordered

Referee Oscar W. Ehrhorn yesterday signed a formal order in the Orpheum Circuit, Inc., bankruptcy proceedings instructing Marcus Heiman, trustee in bankruptcy, to sell all the tangible and intangible assets of Orpheum to the Stadium Theatres, Inc., upon receipt of the purchase price.

Stadium is a wholly owned subsidiary of RKO which holds claims of more than $3,000,000 against Orpheum. Its bid for the Orpheum assets consisted of $700,000 cash and subordination of its claims.

Allows an RKO Appeal

Federal Judge Francis G. Caffey signed an order yesterday in the RKO reorganization proceedings permitting the Irving Trust Co., as trustee, to cross appeal against the Fort Worth Properties, Inc. The Fort Worth Properties entered a claim for $507,500 and on Jan. 18 were allowed $17,139 in settlement. The trustee claims that the company should have been allowed only $3,737.

Dismiss D'Arcy Answer

Justice Samuel I. Rosenman in N. Y. Supreme Court yesterday dismissed the answer which Alexandre D'Arcy, actor, filed in his reply to a suit for $314.58 brought by Sylvia Sanders who says that the actor owes that amount for services rendered as manager.

Included in his answer was the charge that the plaintiff had violated a general business law in that she acted in the capacity of an employment agent although she had no license to operate an employment agency. Judge Rosenman, who ruled that D'Arcy might file an amended answer to the suit, said that the defendant had presented no allegation of facts to support the charge that the plaintiff had violated a state law. Counsel for Miss Sanders argued that his client's finding employment for the actor with Warners last summer was only incidental to her services for him and did not constitute the operation of an employment agency.

Hess Scores Capital Bill To Ban Aliens

(Continued from page 1)

markets, he continued, and our pictures have become so universally popular "that governments and trade bodies throughout the world have recognized the commercial stimulus they have given to commodities manufactured in the United States."

So far has this feeling grown, Hess declared, that some foreign nations have induced American directors, writers, actors and technicians to go abroad to participate in their productions.

"Should their pictures achieve the quality and success of American films, opportunities for employment will be correspondingly lessened for American actors and persons of other crafts and vocations employed in the production of American pictures," he added.

"No one will be misled in contending that because 61 foreign actors are employed in the production of American films an equal number of American actors are thereby deprived of opportunities of being employed in the pictures in which such foreign actors and artists appear. In the light of ordinary observation and common experience, such a contention would be palpably fallacious.

"It is submitted that no further demonstration is needed that under existing laws artistic and earning opportunities for American actors and artists in pictures are in no way diminished or impaired; that in fact such opportunities are enhanced."

Called a Real Danger

The bill, he concluded, would jeopardize or destroy opportunities for American actors in American pictures, as well as in other industries employed in the production of films.

Chairman Dickstein questioned Hess at length regarding scouting for talent here and abroad and whether pictures are exported as soon as they are produced or after exhibition in this country. Hess explained that there are no scouts abroad, that talent is obtained through the foreign offices which the industry maintains, and that pictures are sent to foreign countries immediately. He also denied that any film company has forfeited bond for an alien in the past three years.

Before releasing Hess from the stand, Dickstein intimated that the committee has information that scouting companies were bringing in aliens as actors who were not, in fact, actors.

Seidelman Heard

Speaking for every film company which exports, Joseph H. Seidelman, general foreign manager for Columbia, told the committee that from 60 to 95 per cent of all films produced are exported. In every foreign market outside of Russia and Germany, he said, the number of American pictures distributed exceeds the number of foreign or other language pictures, and in some countries American pictures only are shown.

Explaining the importance of the alien actor in building up foreign trade, Seidelman cited the case of Maurice Chevalier, whose pictures enabled his company to break into the highly competitive market in France, Belgium, Rumania, Poland and other countries, and paved the way for the sale of other American pictures.

"Were it not for the revenue derived from this foreign market the producers would indeed be forced to curtail the cost of their product, resulting in a drop in the quality of films and, as a consequence, no doubt, loss of many patrons in this country as well," he said.

Possibility of Retaliation Present

"By placing a ban against artists important or unimportant from nations friendly or unfriendly, indiscriminately, the American producer will surely be the first to feel the axe of retaliation and in a very short time embargoes will be placed against the importation of American films. Such an embargo would result in loss of millions of dollars to the American industry and would enable certain foreign competitors to snatch such markets from us."

American pictures have achieved a "quality and flavor" that is acceptable in all countries, he said, and to close the American screen to foreign talent would be to destroy that popularity.

An effort by Jean Hersholt to explain his feeling toward the bill as one of the aliens who would have been shut out had it been law when he came to Hollywood in 1912 was cut short by Dickstein after the star had declared that his success was due to an opportunity to develop his art in the United States, and that his pictures have increased the business of his company by 200 per cent.

Gillmore Disinterested

Actors' Equity is not highly interested in the legislation, it was indicated by Frank Gillmore, who appeared for that organization for Chorus Equity. Gillmore told the committee he would support the bill if amended to permit the entry of entire companies. As written, he explained, it would preclude bringing in a company as a unit, although Equity permits entire companies to show.

Gillmore said that passage of the bill would affect 46 aliens out of a total of 2,000 American actors. Equity, he declared, has no trouble whatever with respect to aliens.

Appearing in favor of the bill, Charles Henry Freeman, New York concert manager who explained he represented no organization, was given nearly two hours to voice his criticism of those who opposed the measure. He spoke chiefly of the so-called "Metropolitan clique," which determined whether a budding operatic star was to be given an opportunity.

Bar on Musicians Asked

Freeman charged that foreign countries practice espionage in the United States by sending over artists who can move in the highest political and social circles. The American Federation of Musicians would favor the bill if instrumental soloists and orchestra conductors were eliminated, according to General Samuel T. Ansell, its counsel. Those persons, he said, are better regulated under existing law, and the bill would open the way for entry of soloists and leaders who now are barred. Further than that, he admitted, he had no interest whatever in the bill.

Hearings will be resumed on Feb. 24, when radio and other interests which have not yet been heard will appear.

Peckham to Explain

Hollywood, Feb. 18.—Paramount has arranged a deal with Ted Peckham whereby Peckham will come to the coast and explain the unique nature of his profession to staff writers in the hope that a screen story may be written around it. Peckham is head of Escort Service, which provides male escorts for unattached girls and women in Manhattan.

Condor Names Four Firms on Finances

(Continued from page 1)

prospectus indicates that the RKO agreement covers certain Van Beuren productions, the M-G-M agreement is with Culver Export Corp. and covers four Spanish dialogue color productions, and the Grand National agreement covers five all-color productions and an unnamed number of black and white productions. No reference to a contract with 20th Century-Fox, however, is made in the detailed information on Condor contracts of this type.

The prospects assert that Condor plans the formation of a new production unit to make 12 features in addition to the 20 previously scheduled.

Film Court Records Called for in Bill

Washington, Feb. 18.—Use of talking pictures apparatus by the Federal courts to record the proceedings of cases for the use of Circuit Courts and the Supreme Court in the hearing of appeals is provided for in a bill introduced in the House of Representatives by Congressman Hobbs of Alabama.

Machines, lights, sound recording equipment and screens would be installed in all the Federal courts. The making of a film record of each case, however, would depend upon the wishes of the presiding judge.

By the use of sound films, Hobbs believes much time can be saved in the hearing of appeals which would make unnecessary the presentation of the case orally.

Chicagoans Ask for Eased Standee Rule

Chicago, Feb. 18.—Local exhibitor leaders, including James Coston, Walter Immerman, Eddie Silverman, William Hollander and Morris Leonard, met today with Health Commissioner Herman Bundesen to urge a less stringent enforcement of a health ordinance which prohibits standees in theatre lobbies.

Operators of Loop houses assert they are losing thousands of dollars weekly because of the ordinance which requires waiting patrons to stand outside the theatres, regardless of weather conditions. Bundesen indicated that there was little hope for relaxing enforcement of the ordinance until health conditions in the city have improved.

Monogram Capital Up

Wilmington, Del., Feb. 18.—Monogram Pictures Corp. of New York today was authorized to increase its capital from $290,000 to $1,000,000.

Arrest 6 in St. Paul In Bank Night Fraud

St. Paul, Feb. 18.—A scheme to beat the Bank Night system resulting in collections of $1,200 in a little more than six months was ended here, police said, with the arrest of six St. Paul persons, including a 12-year-old boy.

Although netting only $1 each time for his part, the lad was an important cog in the machine which has taken prizes in St. Paul, Stillwater, Little Falls, in Minnesota, and New Richmond, Wis. On one occasion the lad received a bonus for good work in winning a $300 prize.

A former St. Paul theatre manager, two WPA workers and two women were also held as police debated what charges would be placed against them.

The scheme was worked by sending one of the women to the theatre a month before the time set for picking a Bank Night prize. On registering the woman would receive a ticket, the stub of which was to be placed in the drawing for future Bank Nights.

A month later the woman again would be in the crowd as would the boy, who meanwhile had been provided with a duplicate of the ticket stub in the drawing. When the theatre manager called for a child volunteer to make the drawing the boy would rush up, stir his hand around in the stubs and then produce the one he had held in his hand since entering the theatre and which matched the ticket held by the woman.

The arrests resulted from investigation of an attempt several weeks ago to defraud the Blue Bird in St. Paul, for which Theodore Sourek, Minneapolis youth, was sent to St. Cloud Reformatory. Suspicion was directed at the six when the printer from whom Sourek obtained the stub he planned to use, told police others had been buying similar tickets. In all, six houses were used by the group.

Philadelphians Sue City on Bank Night

Philadelphia, Feb. 18.—Suits in equity have been instituted by three independent theatres naming Mayor Wilson, Director of Public Safety Emanuel and Superintendent of Police Hubbs in an effort to obtain noninterference with Bank Night and other theatre games of chance.

The idea is to test the city's power to act. David S. Malis, attorney for the plaintiffs, intimated that he would also seek an injunction against city officials. The plaintiffs are Leo Posel and William Stigel, New Lyric; Abe Rovner and Walter Muller, Girard, and Morris Somerson, Palm.

Nine More Fined for Chicago Bank Night

(Continued from page 1)

and appeals against the legality of the city ordinance before the state supreme court. Edmund Adcock appeared for the petitioning exhibitors. The court is not expected to hand down its decision before April 1.

Close McVickers Deal

Chicago, Feb. 18.—The deal between B. & K. and Jones, Linick & Schaefer for the McVickers here was consummated today. The terms of the deal make Johnny Jones of J. L. & S. a partner with B. & K. in the operation of the house.

Bobby Breen's Managers Row On Contracts

What looks like the beginning of a merry fight to determine which of Bobby Breen's three managers is really the boss of the young singing star's destiny got under way yesterday when Sol Lesser in Hollywood stated that W. D. Shapiro, co-manager and discoverer of the young actor, had no authority to sign Breen to an NBC contract for a forthcoming serial on the NBC network without first consulting him (Lesser) and Eddie Cantor, who also is claimed to own a "piece" of Breen's contract.

Lesser's blast was made to a representative of the Bob Taplinger publicity office in Hollywood. Taplinger handles Cantor's publicity, and his coast office has advised him that Lesser requested that his organization issue a denial of the validity of NBC's contract with Breen.

NBC Disclaims Knowledge

At NBC yesterday an official stated that he knew nothing about the matter other than that his department had been asked to clear a story on the network's artists' bureau acquisition of Breen. He stated that the fight was between the artists' bureau and Breen's managers.

The new program on which Breen was to have been starred and may yet be, as far as is known, was tentatively entitled "The Singing Kid," a Gertrude Berg story. Mrs. Berg recently left New York for Hollywood to complete the script.

Cantor, it is reported, has absolute say about Breen's radio activities. Lesser controls him for pictures, while Shapiro is Breen's discoverer.

Ford Dealers Send Al Pierce on Tour

The Ford Dealers of Dearborn have set Al Pierce for a unique radio-stage goodwill tour of the state of Michigan, it was ascertained at N. W. Ayer & Son yesterday. Pierce is currently broadcasting for Ford on the Tuesday night series over CBS and will air commute to Michigan to fulfill his weekly engagements there.

The series will be known as "Al Pierce's Amateur Roundup," and will consist of full hour stage presentations in public auditoriums. Thirty minutes of the entertainment will be broadcast over Michigan State Network stations and additionally over station WSPD, Toledo. Admission to the entertainment will be free.

The entertainment will emanate from a different city each week. The shows will feature local entertainers, with Pierce as em cee. The members of his network gang will not be heard in the Michigan series.

The programs will be heard each Thursday, effective next week, in the following cities and over the following stations:

WXYZ, Detroit; WEWL, Battle Creek; WIBM, Jackson; WKZO, Kalamazoo; WFDF, Flint; WOOD-WASH, Grand Rapids; WBCM, Bay City; WJIM, Lansing, and SWPD, Toledo.

Paramount Talent is Going On Air; No Theatre Clash

Paramount will feature its entire roster of stars, featured players and directors in scenes from pictures in production in its forthcoming series of air shows, the first of which is expected to hit the air waves March 14 over the NBC-Red. The program is a sustainer and will not be sponsored at any time under terms of the deal between the producer and the network.

Paramount also had an eye turned on potential exhibitor protest, not only from its own partners but its other customers as well in setting up a broadcast period which is completely innocuous insofar as theatre attendance is concerned. Picked up at 9 A.M., P.S.T., the show will hit the mountain area an hour later, the Middle West at 11 A.M. and the East at noon, or about the time theatres in seven-day towns open their doors.

Boris Morros, musical director of the studio, will be in charge. Aside from dramatizations of scenes from product in progress, the studio orchestra will play music not yet released.

Among the players and directors who will be heard on the program will be W. C. Fields, Edward Arnold, Lew Ayres, Claudette Colbert, Mary Carlisle, Roscoe Karns, Dorothy Lamour, Lynn Overman, Shirley Ross, Gladys Swarthout, Charles Ruggles, Cecil B. DeMille, Ernst Lubitsch and Wesley Ruggles.

Gude, CBS, Is Made Aide to Ackerberg

John G. Gude, CBS publicity director, has been appointed assistant to Herbert V. Ackerberg, vice-president in charge of station relations. In his new post Gude will assume the position of station relations manager. The change becomes effective Feb. 23.

Gude's promotion advances Don Higgins, for the past three years news editor of the publicity department, to the post of publicity director.

"Funsters" Get Guests

Sunday's anniversary program of the "Three Little Funsters" on WMCA will feature guest appearances by a host of headline artists, including James Barton, Tom Waring, Rose Marie, Eddie Davis and Dorothy Manners. It is the 5,000th in the series.

Seeks "Met" Role

Louise D'Angelo, 17-year-old daughter and pupil of Louis D'Angelo, Metropolitan opera baritone, will vie for a role at the "Met" when she appears on the "Metropolitan Auditions of the Air" program Sunday afternoon at 3 P.M., E.S.T., on the NBC-Red network.

Odd part of the story is that Miss D'Angelo once appeared in the Met—but that was when she was 22 months old. She played the part of the baby in "Madame Butterfly."

Idaho Ban on Auto Radios Is Opposed

BOISE, Idaho, Feb. 18.—Denying that radio has ever contributed to an automobile accident, Bond Geddes, vice-president of the Radio Manufacturers' Ass'n, today appeared before the Committee on State Affairs to oppose the Whitten bill prohibiting the use of automobile receiving sets on the highways of this state.

Introduced as a means of preventing accidents, Geddes submitted letters and telegrams from police officials in hundreds of communities throughout the country, all of whom said they had never found upon investigation that radio figured in any accident and who were unanimous that a ban on auto radios was neither necessary nor desirable.

Instead of tending to induce accidents, Geddes contended automobile receiving sets operate to increase safety since the average motorist drives slower when listening to a program.

Gulick Going on Air

Paul Gulick, director of publicity for Universal, will be interviewed today at 3:30 P. M. over WINS by Chamberlin Brown.

Sunday, J. D. Sparks will interview Lucille Ryman, Universal talent scout who discovered Polly Fowles and Robert Wilcox.

NBC Institutional Series Planned to be Imformative

The self-sponsored NBC institutional programs will be informative rather than a variety show, according to details learned yesterday.

New wrinkles and gadgets in radio and their meaning to the listeners will be explained in the series, which are to be heard quarterly over the Blue network from 7:45 to 8 P.M., E.S.T., beginning Feb. 23. O. B. Hanson, NBC chief engineer, will be in charge of the programs, which will be offered at three-month intervals.

In the first program Hanson, in an interview conducted by John B. Kennedy, will discuss principles and operations of several of radio's latest developments, including the new unidirectional velocity microphone, which has been used successfully in the broadcasts from the Metropolitan Opera House, and the vertical radiator antenna, recently installed at NBC's transmitter near Bound Brook, N. J.

Subsequent addresses in the institutional series will touch on television, it is believed.

Radio Personals

KATE SMITH off to Lake Placid this weekend for the Winter Sports Carnival there . . . Judy Garland has been set for three consecutive "Camel" appearances, beginning next Tuesday . . . Bill Stinson, of the Philadelphia office of N. W. Ayer, now visiting New York colleagues . . . Ruth Chatterton set for a "Showboat" guest role Thursday, Feb. 25 . . . Carl Balliett, radio account head at Morse International, home ill . . . Ditto Joe Hill, of the Federal ad agency . . .

◆

Lenore Ulric, star of "Camille," will be interviewed by Radie Harris over WHN tomorrow night. . . . Louise Massey and her "Westerners" will play a vaudeville engagement at the Metropolitan theatre, Boston, during the Washington birthday holidays. . . . Del Casino has successfully passed a screen test for Darryl Zanuck and will go west late in May. . . . Mary Small, who guest stars on the Ford "Watch the Fun Go By" program Tuesday, March 23, may remain as a permanent feature on the show thereafter. . . .

◆

Lily Pons will be the honor guest at the "Metropolitan Auditions of the Air" program this Sunday. . . . Bob Carter, recently appointed chief announcer at WMCA, also conducts the "Amateur Handicappers'" contest on WMCA sponsored by the Webster-Eisenlohr Co., cigar makers, and reports that a goodly proportion of the selections are supplied by women, who report they are cigar smokers! As a matter of fact, the first prize winner was a woman. . . . "Morning Serenade," a new series sponsored by Levitt & Sons, makes its debut over WOR this Sunday at 11 A. M., E. S. T.

◆

Emanuel Demby, WMCA's "High School Reporter," is away from the mike, ill . . . Allen Prescott, radio's erstwhile "Wife-saver," may author a household section in a magazine to be issued by his current soap sponsor . . . Phil Baker and troupe return from Florida for the Feb. 28 Gulf gas program . . . Jean Hersholt will take time out during his current New York vacation to appear on Rudy Vallee's program Feb. 25 . . . Capt. Thomas Sheridan, U.S.N., retired, will be Ripley's guest Sunday . . . Ken Murray concludes a vaudeville tour today, then departs for Lake Placid where he will vacation before continuing on to Hollywood for screen and radio work . . .

◆

Fray and Braggiotti will form a keyboard trio with Ed Wynn during the latter's broadcast Feb. 27 . . . Christie McDonald, old time theatre star; Nicholas Massue, Metropolitan tenor, and Marilyn Miller, namesake of the late star, will be the guests on the "Hammerstein Music Hall" program Feb. 23 . . . Alexander McQueen, author of WGN's "Something New," is selling special scripts to station 4-1P, Ipswich, Australia . . . Anice Ives' "Everywoman's Hour," broadcast daily over WMCA, will be heard also in Philadelphia and Boston beginning this week . . . Jim Madison, publisher of one of the oldest joke books ever published, will be Harry Hershfield's guest on the WMCA "Laugh Parade" tonight . . .

British Study Distant Range In Television

By BRUCE ALLAN

LONDON, Feb. 19.—Possibilities of television transmissions from London being seen and heard in America, and perhaps in Australia, are suggested by recent experiences of the British Broadcasting Corp. here.

Nominally limited to a range of 25 miles, the television signals sent out from the BBC station at Alexandra Palace, in North London, have in fact been received in places as far away as Cape Town and Johannesburg, South Africa.

Confident of Reception

In both these places the sound of the television transmissions has not only been received but reproduced with perfect clarity. What is more important, the vision signals were received with equal clarity, on the ordinary radio receiver used.

Experts say that if television receivers had been in operation at Cape Town and Johannesburg, undoubtedly the picture as well as the sound would have been clearly received at those places, probably with quality very little inferior to that obtained within the official 25-mile range.

Explanation of this quite unforeseen range of the A. P. transmitters has been provided by R. A. Watson Watt, superintendent of the Bawdsey Research station of the Air Ministry, in a paper read before the Royal Society in which he states that there are three electrified regions in the upper atmosphere, from five to 40 miles below the "heavyside layer," which, by reflecting short waves, make long-distance radio communication possible.

Agreement Not Unanimous

BBC experts, while accepting Watt's explanation of the scientific factors involved, say that for the present the South African receptions must be regarded as freak results. On the other hand, the discovery that reflected rays are a factor in television as well as in radio signaling entails a drastic revision of current views of the ultimate range of television.

These receptions are regarded as in quite a different class from instances already reported of the BBC London transmissions being received at distances of 50 miles. There are many established cases of the London service being picked up on the south coast. They are, for instance, regularly received by an experimenter at Brighton, 52 miles away. The BBC points out, however, that this experimenter is exceptionally placed in a high position on the Downs and that there is still no definite dependability on the signals beyond the official distance.

In the earlier stages of the development of the theory of "reflected rays" it is quite possible, say experts, that they may be able to promise better reception at distances of several thousands of miles than at distances just outside the present range of the direct rays.

More Radio—Page 16

Television May Take 20 Years, Says Hart

CINCINNATI, Feb. 18.—Although engineers hope that television will be available for commercial use in five years, it is reasonable to assume that 20 years will be needed to develop the science on a par with radio broadcasting, declared George B. Hart, former technical supervisor for General Motors Corp., before the Buckeye Club here.

"America is leading the world in developing television, but the primary need is for a standardization of receivers before it is placed on the markets of the nation. One of the chief defects to be overcome is the elimination of static, which, in television, causes black lines to disfigure the scene depicted," he said.

He predicted that television will offer an outstanding medium for advertisers, and that it will not supplant, but will provide a supplementary service to radiocasting.

Regulation Sought For Radio Air Ads

HARRISBURG, Feb. 18.—Proposing to place radio advertising within the same restrictions that are imposed on newspapers and periodicals, Representative Anthony J. Gerard, of Allegheny County has introduced a bill in the State legislature requiring radio advertisers to qualify all commercial copy pertaining to their products. Gerard presented the measure as an amendment to the act prohibiting false statements of quality of merchandise.

RCA-P.S.B. Arguments End

WILMINGTON, Feb. 18.—John W. Davis, chief counsel for Radio Corporation of America, presented arguments today for RCA before Chancellor Josiah O. Wolcott in Chancery Court here in the injunction suit brought by Philadelphia Storage Battery Co. against RCA to have the latter enjoined from terminating the license agreement under which P.S.B. uses patents in the manufacture of Philco radios. Argument centered on the meaning of the amount of licensing agreement royalties paid for use of patents and the method of computing royalties due RCA. The suit involves Philco distributors of sets and the closeness of their business relationship with P.S.B.

Argument was completed today and decision reserved.

Ellington to Chicago

INDIANAPOLIS, Feb. 18.—Ken Ellington, news commentator and announcer of WFBM, has gone to CBS, Chicago, to handle news and programs announcing. Succeeding him is Frederick G. Winters, now a member of the Indianapolis unit of the WPA players.

Gulf Airs Fishing Talk

HOUSTON, Feb. 18.—Special publicity was given in many Gulf Coast papers to the "Story of Fishing" as told by Harry R. Daniel of the Dept. of Commerce from KTRH.

Mary Paxton Joins WLW-WSAI

CINCINNATI, Feb. 18.—Mary Paxton has joined the WLW-WSAI staff as a torch singer, being heard on "Variety Time" daily, plus several other spots. She comes from WFBM, Indianapolis.

WARNING!

All producers, distributors and exhibitors are hereby given legal notice that The Lone Ranger, Inc., is the Copyright Owner of a dramatic Adventure Series entitled

THE LONE RANGER

a popular radio program now being broadcast throughout the United States.

It also is the Copyright Owner of a published Adventure Series of books entitled THE LONE RANGER.

Any infringement upon the Copyright, Title or Characters surrounding the said THE LONE RANGER series will be prosecuted to the full extent of the law.

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JOHN H. KING (Formerly John H. Kunsky), Vice President
HOWARD O. PIERCE, Secretary
H. ALLEN CAMPBELL, General Manager

MADISON THEATRE BUILDING
DETROIT, MICH.

Radio

FCC Dates Hearings On Western Stations

WASHINGTON, Feb. 18.—The F.C.C. today announced that hearings will be held Feb. 25 on the application of KIT, Yakima, Wash., for a change of frequency from 1,310 to 1,250 kilocycles and an increase in power from 250 watts day to 500 watts night; on KFPM, Greenville, Tex., for a change in frequency from 1,310 to 1,420 kilocycles and a power increase from 15 to 100 watts, and on WOAI, San Antonio, for a transfer of control of the corporation.

Hearings also will be held on the same date on the application of the Times Publishing Co. and Michael F. Murray, both of St. Cloud, Minn., for authority to construct a new station in that city. The *Times* application contemplates operation on 1,420 kilocycles with 100 watts power; that of the Murray application on 560 kilocycles with 500 watts.

On Feb. 26, examiners' hearings will be held on renewal of the license of KFXR, Oklahoma City, and its application for assignment of its license and on the application of the Frontier Broadcasting Co. for authority to build a station at Cheyenne, Wyo., to operate on 1,420 kilocycles, with 100 watts power at night and 250 watts day.

Melchoir in Tobacco Series

Lauritz Melchior, broadcasting Feb. 20, will be the first in a series of guest artists on the American Tobacco Co.'s "Hit Parade" series on the CBS network. Melchior and subsequent guests will offer testimonials for the sponsor's product. Lord and Thomas is the agency.

Renew on Guy Lombardo

The General Baking Co., sponsors of the current CBS program starring Guy Lombardo's band Sundays from 5:30 to 6 P.M., E.S.T., have renewed the program for another period. The contract renewal marks the seventh consecutive year on the CBS network for General Baking. Batten, Barton, Durstine and Osborn is the agency.

Retain "Children's Hour"

The "Horn and Hardart Children's Hour," heard locally on WABC for the past seven years, has been renewed for the remaining months of 1937. The program is aired each Sunday from 10:30 to 11:30 A.M., E.S.T. The Clements Co., Philadelphia, is the agency.

Berle Broadcasts from Train

KANSAS CITY, Feb. 18.—Milton Berle and his 27 radio stooges made his regular broadcast at 10:15 Tuesday night from a specially equipped observation car in the Union Station train sheds here.

Skolsky, Garden for Crosby

HOLLYWOOD, Feb. 18.—Bing Crosby has lined up Sidney Skolsky and Mary Garden for "third degree" interviews on the Kraft Music Hall Feb. 25.

Services for Wilkins

CHICAGO, Feb. 18.—Funeral services for George H. Wilkins, radio executive, were held today.

Zucker Suit Against WOR Is Discontinued

The action of Nathan S. Zucker against the Bamberger Broadcasting Service, Inc., Pathe News, Inc., and the Emerson Drug Co. was discontinued yesterday in Federal Court. The order of discontinuance indicated that the case was not settled.

The plaintiff claims that in January, 1935, he entered into an agreement with the Bamberger Broadcasting Co. to give them a new idea for radio broadcasting for which he was to get a certain consideration. He claims that the other two defendants, Pathe and Emerson, used his idea in advertising their product over WOR which is owned by Bamberger and that he was not reimbursed. He asked $10,000 damages.

Time Wins a Motion On Barshay Contemp

Federal Judge Francis G. Caffey yesterday granted the motion of Time, Inc., to punish Anschel Barshay for contempt of court for violation of a preliminary injunction granted by Judge Coxe which restrained Barshay from using the name Voice of Time. Bashay sold recordings of radio broadcasts under the name of Voice of Time and after the temporary injunction was signed Barshay continued in business, but changed the name to Voice of History, rubber stamping all his stationery with this name in light red ink. Judge Caffey held that this was a violation of the injunction. Punishment will be fixed later.

Gulf Renews Baker

Phil Baker will continue to broadcast for the Gulf Oil Corp. through 1937, through a contract renewal completed yesterday. The Baker programs are heard Sundays at 7:30 P. M., E.S.T. on CBS.

"Music Hall" Another Year

Kolynos Toothpaste, through Blackett-Sample-Hummert, yesterday renewed the Hammerstein "Music Hall of the Air" series for another year. The broadcasts are heard on CBS Tuesdays at 8 P. M., E.S.T.

"Varieties" Again Optional

"Broadway Varieties," sponsored by the American Home Products Co. in the interests of Bi-So-Dol, was renew yesterday for 52 weeks through Blackett-Sample-Hummert. The series is broadcast Fridays at 8 P. M., E.S.T. on the CBS web.

Form Television Firm

MELBOURNE, Jan. 28. (*By Air Mail Via London.*)—The first television company to be formed here is being negotiated by J. and N. Tait, leading stage producers, who are making overtures for the rights to a television equipment that is said to be operating successfully in England and Germany.

May Contest Rogers British Pact

HOLLYWOOD, Feb. 18.—National Biscuit Co., according to reports here, plans to force Buddy Rogers to adhere to his contract by recalling him from New York and forcing cancellation of his British film contract.

Report Republic May Use Clark Exchange

PHILADELPHIA, Feb. 18.—Arrangements whereby Republic Pictures will utilize the distribution facilities of the central exchange plant operated here by James Clark are reported to be nearing completion. Grand National has been using the central exchange for some time past, as well as several local distributors.

The Clark project offers a consolidation of physical distribution facilities for this territory. Results to date are reported to show sufficient advantages to encourage the establishment in other exchange cities of similar facilities.

Missouri December Revenue $1,188,185

KANSAS CITY, Feb. 18.—Missouri collected $1,188,185 under the one per cent sales tax during December, 1936, which brought the total for the year to $11,258,533, a little less than the approximately $12,000,000 predicted for it in its first full year in operation.

The legislature is considering a bill to double the tax to two per cent. Kansas City, including Jackson county, exhibitors and retailers accounted for one-seventh of the December total; St. Louis retailers, one-third.

Mary Astor Married

HOLLYWOOD, Feb. 18.—Mary Astor was wed last night at Yuma, Ariz., to Manuel Del Campo, young orchestra leader. The ceremony was performed by Judge H. C. Kelly of Yuma.

Trotta Is Chairman On New Ampa Award

Vincent Trotta of Paramount has been named chairman of the Ampa annual awards' committee on arrangements, Gordon White, president, announced yesterday at the meeting of the organization at the Edison. The balance of the committee will be made known next week.

It is planned to hold a public exhibition of specimens submitted for awards by the various distributors, following which a party will be held to climax the affair. This may be in the form of a Naked Truth Dinner.

Trotta asked that submitted posters be mounted.

Yesterday's entertainment was highlighted by John Mulholland, a magician, who could make all objects disappear except the Ampa deficit. He took Lucille Ball, RKO player, by storm with his tricks, but try as the boys did to get Mulholland to dissolve the debt to the Astor Hotel, it was no use. Amos Burke, explorer, recounted some of his adventures and Dorothy Wilkins sang and tickled the keys of an accordion. June Clayworth, film player, was introduced.

Saef Is Party Guest

BOSTON, Feb. 18. — Jack Saef, newly appointed publicity manager for the Paramount and Fenway, was given a farewell party tonight by associates at the Metropolitan where he was assistant publicist for some five years. Angeline Maney, fellow assistant, was head of the committee in charge. Saef succeeds Paul Levi who has taken over the Metropolitan, replacing Gene Fox who resigned.

This advertisement is not, and is under no circumstances to be construed as, an offering of this stock for sale, or as a solicitation of an offer to buy any of such stock. This offering is made only by the Prospectus.

February 3, 1937.

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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 43 NEW YORK, SATURDAY, FEBRUARY 20, 1937 TEN CENTS

U.S. Product Japan Leader During 1936

Domestic Production Is Still at Low Ebb

By TETSUYA MORI

TOKYO, Feb. 1.—The year 1936 was definitely a year of foreign product in Japan, with American product far and away dominating the market. In 1935, 302 American films were released here, as against 28 from other foreign countries, while last year 310 American pictures were released. The United States led here over other product by a ratio of nine to one. Internal disturbances in the local industry and the dissolution of several of the smaller producing companies accounted in part for the complete dominance of foreign product.

In addition, first run circuits in the leading cities, which use American pictures for the most part, were expanded, particularly the Toho circuit. With few exceptions the Japanese pro-

(Continued on page 3)

Demands Changes in Soviet Production

By BEATRICE STERN

MOSCOW, Feb. 6.—P. M. Kerzhentsev, chairman of the committee on arts, called for a definite revision of production methods at a meeting of film workers here. He scored the industry for its huge expenditures, excessively long production time and failure to fulfill last year's Government plan.

He recommended that films be completed within fixed periods, achieve singleness of political purpose and accuracy in historical event.

It is planned to put 120 pictures into production this year. Of the total, 61 will be released this year and 59 in 1938.

Units Plan Reply on Decree in Argentina

By N. BRUSKI

BUENOS AIRES, Feb. 14 (*Via Air Mail*).—Representatives of local producers and distributors and of Paramount, Universal and M-G-M branches here, have agreed to send the Argentine Film Institute memoranda in which they will outline their views relative to the Government's proposals for regulation of local production and the distribution of imported films.

The regulations, which are expected

(Continued on page 3)

Final Report on NRA Workings Is Before President Roosevelt

Washington, Feb. 19.—A final report analyzing the accomplishments and failures of the NRA is now before President Roosevelt for consideration in connection with his plans for new labor legislation, it was learned today.

The report has not yet been made public, but is said to contain the results of almost two years of study of the labor code provisions and fair trade practices for the various industries.

While details are lacking, it is understood that much of the report is based upon studies of the operation of individual codes which have been made public from time to time during the past 18 months, such as the study of the film code, issued in February.

Georgia Bill Would Penalize Lotteries

ATLANTA, Feb. 19.—A bill which would make it a misdemeanor for any person to purchase a lottery ticket was placed before the House last week.

The measure would make the buyer equally as guilty as the seller and subject him on conviction to a sentence of 12 months on the chain gang, six months in jail, and $1,000 fine, any one or all three.

Blumenthal Granted Appeal in Bank Case

Federal Judge Francis G. Caffey signed an order today allowing A. C. Blumenthal to appeal from two judgments against him obtained by Frederick V. Goess, receiver of the Harriman National Bank & Trust Co. The judgments were obtained on Jan. 28 after trial, one being for $36,924 and the other for $1,855.

These were based on notes endorsed by Blumenthal in favor of the Harriman Bank. Blumenthal charged that the court erred in refusing to admit evidence of his counter claim which charged that Blumenthal had been induced to buy Harriman stock by the fraudulent representation of the bank's president.

"Nancy Steele" Set On "Hotel" Program

"Nancy Steele Is Missing," forthcoming 20th Century-Fox production, will be offered as a full-hour presentation on "Hollywood Hotel" March 5. In excerpts from the picture will appear Victor McLaglen, Peter Lorre, June Lang, Walter Connolly and Robert Kent. In addition, Burns and Allen will take part.

The picture having a prison background, Warden Lewis Lawes of Sing Sing will be piped in from Sing Sing, where he will make an address that will fit in with the picture theme.

Disney to Produce 19 in Technicolor

HOLLYWOOD, Feb. 19.—Walt Disney has signed a contract with Technicolor for one year. The pact, which becomes effective March 1, calls for the production of 18 shorts and one feature.

The signing of the Technicolor agreement with the creator of Mickey and Minnie Mouse culminates a protracted period of negotiations and confirms the reports that had been in circulation during that time.

"U" May Boost List By Thirty Features

HOLLYWOOD, Feb. 19.—Universal studios here have been queried by the home office concerning the feasibility of augmenting the current production program by the addition of 30 new features. Estimates are being prepared to compute the extent of staff enlargement which the increased production schedule would make necessary.

William Heineman, western division manager, has been summoned to the home office for conferences on the projected move.

Copyright Amendm't Sought on Penalties

WASHINGTON, Feb. 19.—Amendment of the Copyright Act to place the responsibility on the person originating the performance; require authors, composers and publishers to identify the use they make of material in the public domain; leave the question of damages for infringement to the discretion of the courts, and prevent assignees from collecting damages unless their assignments are recorded according to law was this week urged upon Congress by Ed Craney of station KGIR, Butte, Mont.

Craney submitted a copy of his

(Continued on page 4)

More Radio News — Page 4

Orpheum Sale Finished and RKO Controls

Liquidation Can Now Be Put Into Effect

The sale of Orpheum Circuit's principal assets to Stadium Theatres Corp., a wholly owned RKO subsidiary, was consummated yesterday with the payment to Marcus Heiman, Orpheum trustee in bankruptcy, of $700,000 cash.

The transaction gives RKO clear title to the Orpheum assets after many months of litigation, actual and threatened, and permits the trustee to begin the liquidation of Orpheum. There are approximately $2,1000,000 of creditors' claims against Orpheum, exclusive of those held by Stadium which totaled more than $3,000,000, but are subordinated under the terms of the sale. Thus, the participating creditors will receive approximately 30 cents on the dollar for their claims on this basis.

The preferred stockholders of Or-

(Continued on page 2)

GTE Acquires More Of 20th-Fox Stock

WASHINGTON, Feb. 19.—Acquisition by General Theatres Equipment, New York, of 37 shares of 20th Century-Fox common in December, bringing its holdings at the close of the year to 185,600 shares, was reported today by the Securities and Exchange Commission.

Reports filed by Neil F. Agnew, officer and director, and Harvey D. Gibson, director, of Paramount, showed that they held no equity securities in the company on Jan. 27, when its registration became effective.

Alabama Sales Tax To Start on March 1

BIRMINGHAM, Feb. 19.—A two per cent retail sales tax becomes effective in Alabama March 1, having been passed by both houses of the legislature and approved by the Governor. No exemption was extended to film shows or any amusement.

No Paper Monday

***Motion Picture Daily* will not publish Monday, Feb. 22, which is Washington's Birthday and a legal holiday.**

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"U" District Heads Will Convene Here

Universal district managers will meet in New York Monday and Tuesday with James R. Grainger, general sales manager who has just returned from the coast. E. T. Gomersall, western sales manager, will be present, but F. J. McCarthy, eastern sales manager now on vacation in Miami, will not.

Expected are Harry D. Graham, Atlanta; W. J. Heineman, Los Angeles; A. J. Herman, Boston; Clair Hague, Toronto, and Sig Wittman, New York.

DeMille on Yacht Trip

NEW ORLEANS, Feb. 19.—Cecil B. DeMille and his party today left on a yacht for a three-day tour of the bayou area in search of backgrounds for "The Buccaneer."

Quigley Book Published

Martin Quigley, president of Quigley Publishing Co., has written a book, "Decency in Motion Pictures," which has been published by Macmillan.

Will Hays on Way East

HOLLYWOOD, Feb. 19.—Will Hays left by train tonight for New York.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Murder Goes to College"

(Paramount)

HOLLYWOOD, Feb. 19.—Well-constructed and generously interspersed with good comedy, this picture should be favorably received. Although none of the characters is of a particularly admirable type, the story has sufficient suspense to hold the interest throughout. The conniving of Lynne Overman, Astrid Allwyn, Larry Crabbe and Roscoe Karns, who carry the brunt of the plot, never fails to hold attention.

Overman, a private investigator, stumbles on a murder case while carrying on a flirtation with Miss Allwyn, wife of a college mathematics professor. When the professor is murdered, it develops that he, as well as other members of the faculty, had profitable underworld ties. In the resulting maze, the entire cast falls under suspicion until Overman, playing his own angles, beats Charles Wilson, a police inspector, to the solution.

Charles Reisner's direction maintains a constant flow of action. The screenplay by Brian Marlow, Robert Wyler and Eddie Welch, which was fashioned from the Kurt Steel novel, offers some clever dialogue. The supporting roles are handled creditably by Harvey Stephens, Purnell Pratt, Barlow Borland and Earle Fox. Overman and Karns work together smoothly and form a comedy team that can be continued in the future.

Production Code Seal No. 3,030. Running time, 67 minutes. "G."

Looking 'Em Over

"Prisoners"

(Amkino)

The latest example of screen propaganda from the studios of the state-owned industry of Soviet Russia concerns itself with the manner in which, under the benign hand of the G.P.U., criminals, running from common thieves to big-time sabotage specialists, are rehabilitated, turned into hard-working, honest men and women, without exception.

The film is based on a Soviet play, "Aristocrats," by N. F. Pogodin, who adapted it for the screen. Set in a prison camp on the White Sea, where prisoners, with their own brain and brawn build a huge canal, the film is at pains to inject a slight suspicion of romance, as two particularly recalcitrant prisoners, a man and a woman, are brought to learn the value of work as against stubborn refusal.

There are sufficient superimposed English titles. The film lacks finish in production, and its propaganda intent is rather too obvious. Audiencies here whose sympathies are with the Soviet will find fodder for applause. Others will find nothing of value, either in entertainment or significance.

Mosfilm of Moscow produced, and Eugeny Cherviakov directed.

No production code seal. Running time, 93 minutes. "G."

Bill Would Aid Animals

LONDON, Feb. 10.—Sir Robert Gower, M.P., has presented in the House of Commons the "Cinematograph Films (Animals) Bill." The object of the measure is "to prohibit the production or exhibition of films depicting suffering animals, or in the production of which suffering may have been caused to animals." Sir Robert is chairman of the Royal Society for the Prevention of Cruelty to Animals. Support has been promised.

"Trapped" Final Title

HOLLYWOOD, Feb. 19.—"Trapped" will be the release title of Charles Starrett's next for Columbia. It started as "Raiding Guns."

Two Firms Party

The Paramount Pep Club last night held its annual dance at the Astor.

The Warner Club tonight will stage a similar affair at the Waldorf.

Sam Taub to Colonial

Sam Taub, formerly assistant manager at the Tilyou, Coney Island, has been promoted to manager of RKO's Colonial on Broadway. He replaces George Dunne, who has been switched to a similar post at the 81st St. Dunne succeeds Theodore Zohbel, brother of the late Herman, resigned.

Form RKO Chile Unit

RKO has formed a Chilean distribution company under the name of RKO Radio Pictures Chilena, S. A., with headquarters at Santiago. Distribution will be started in March by Ben Y. Cammack.

"Million" Portland Hit

PORTLAND, Feb. 19.—"One in a Million" is breaking house records at the Paramount, according to Herb Sobottka, and he has decided to hold it for a third week.

Orpheum Sale Finished and RKO Controls

(Continued from page 1)

pheum, who submitted a competitive bid for the company's assets, will not participate in the liquidation.

The principal Orpheum assets involved in the sale include Champaign (Ill.) Orpheum, Chicago Orpheum, Des Moines Consolidated Theatres, St. Paul Theatres Co., Junior Orpheum, Los Angeles; Junior Orpheum, San Francisco; Kansas City Junior Orpheum, Orpheum Circuit Booking Corp. and RKO Western Vaudeville.

Concordia Sues DeLuxe

Concordia Films, Ltd., brought a damage suit in the N. Y. Supreme Court yesterday against DeLuxe Laboratories charging that DeLuxe failed to return to the plaintiff "Robbers' Symphony" or else pay the plaintiff the value of the film which is estimated at $240,000.

The suit was revealed when Justice Lloyd Church denied the defendants' request that Fortune Films Corp. be brought in as co-defendant. Concordia claims that it turned its negative over to Fortune and that Fortune, in turn, gave it to DeLuxe for printing and distribution.

Erpi on New Series

Erpi Picture Consultants, Inc., a subsidiary of Erpi, is about to start a new series of educational films intended for elementary school teaching, according to Dr. V. C. Arnspiger, vice-president in charge of research and production. The series will deal with changes in the surface of the earth as a result of man's activity.

Another series is being produced in the field of human biology in collaboration with Drs. J. R. Carlson, R. W. Girard, W. C. Johnson, Paul Cannon and H. Stranskof.

Mrs. Balaban Dies

MIAMI, Feb. 19.—Mrs. Gussie Balaban Levin, mother of Barney Balaban, president of Paramount, and of John, Harry, David and Elmer Balaban, all of B. & K. Theatres, died here today following a stroke suffered last week. All of the sons with the exception of A. J., who is in Europe, had been called here early this week and were at the bedside.

The body will be returned to Chicago, where Mrs. Balaban resided, for burial.

G.B. to Pay Dividend

LONDON, Feb. 19.—In spite of suggestions that Gaumont British would not pay its half-year preferred dividend because of losses of its production subsidiary, it has been learned officially that payment will be made next month.

G.B. Preview Tuesday

G. B. will hold a preview of the new picture, "You're in the Army Now," at Governor's Island Tuesday evening. Dinner at the Officers' Club of the army post will precede the screening. The film was reviewed in MOTION PICTURE DAILY from London on Feb. 16 under the tentative title of "The Threat."

Purely Personal

JOE WEIL, exploitation head for Universal, left last night by plane for the coast to work on a campaign for "Top of the Town," which starts an engagement at the Roxy on March 26. According to theatre officials it will be the largest advertising-exploitation campaign ever put on by the Roxy.

●

Frank Cassil of the Rialto, Kansas City, and George Hartman of the Armour, St. Joseph, Mo., left for home yesterday after a short visit here. They will attend the M.P.T.O.A. convention in Miami next month, they said before leaving town. They will leave Missouri on March 5 for the southern meet.

●

Ned E. Depinet, Leslie E. Thompson, Herb Yates, Sam Dembow, Willard McKay and Arthur Lee at "21" yesterday.

●

J. Carlo Bavetta, 20th Century-Fox representative in Brazil, will leave Rio de Janeiro for New York by plane on Monday.

●

George West, Screeno representative, will depart March 1 for Miami to be on hand for the M.P.T.O.A. convention.

●

Harry Ames, former vaudeville agent, is now eastern representative for Bankeeno, a new game for theatres.

●

J. Cheever Cowdin, Universal board chairman, and Anthony Petti arrive here Monday on the *Queen Mary* after an extended European trip.

●

Norman H. Moray, Vitaphone short subjects sales manager, will arrive in Detroit today for product conferences.

●

Joe Seider is in Havana and will leave there shortly for Palm Beach. He is due back in three weeks.

●

Gracie Fields, English comedienne, will arrive in New York on the *Queen Mary* March 7.

●

Joe Pincus, 20th Century-Fox talent scout, is on a tour of the middle west looking for new players.

●

Sol Wurtzel, accompanied by Lou Breslow, author, will leave the coast in April for a trip to the Orient.

●

Arthur Loew, now in New Orleans, will leave today or tomorrow for the coast via automobile.

●

Stanley True of American Airlines flew to the coast last night. He is due back next Thursday.

●

Ed Kuykendall arrived here yesterday from Washington.

●

Countess di Frasso flew to Hollywood yesterday via American Airlines.

●

Willard McKay acquired a handsome tan during his Miami sojourn.

●

D. A. Doran, Columbia editorial head, yesterday gave a party to literary agents at which William Hawkins, Jr., new eastern scenario head for the company, was introduced formally and informally. Oddly enough, the cocktails were served at Hawkins' home.

●

Charles R. Rogers and William Pierce leave the Universal studio Monday for New York.

●

George Trendle is here from Detroit for conferences with Paramount home office officials.

●

John Trent, former TWA pilot recently signed by B. P. Schulberg, will leave for the coast tomorrow.

●

The Ritz Brothers are in town for a short rest.

●

Claude Ezell finally got in from Miami last night.

●

Errol Flynn is booked to sail Wednesday on the *Queen Mary*.

●

Stephen Pallos returns to England today on the *Ile de France*.

●

Marvin Schenck will return from Miami Monday night.

●

Charles Sonin of Loew's will leave tomorrow by plane for Dallas.

Out Hollywood Way

Hollywood, Feb. 19.—Arrivals today include Al Lichtman, who is here from New York for Metro conferences.

Warners order 125 additional Technicolor prints on "God's Country and the Woman."

Buck Jones will start "Black Aces" March 3 . . . Warners to start three Feb. 22.—"Mazurka," "In the Deep South" and "The Hobo and the Heiress" . . . . Mrs. Robert Presnell, wife of the Universal producer, recovering from an operation . . . John Keyes joins Walter Wanger's staff as photographer . . . Wanger to start "History Is Made at Night" April 3 . . . Emanuel Cohen signs Tex Rankin, stunt flyer, for "The Girl from Scotland," his next for Paramount.

Anna May Wong escorts Capt. L. Chung, Chinese military aviator, around the studios . . . He has been studying American military instruction . . . George Raft off to Florida . . . Gene Towne and Graham Baker going to 20th Century-Fox for one of their two pictures away from Walter Wanger per year . . . Major Pictures to start "What Ho" April 15 . . . Maurice Conn signs Richard C. Kahn as production supervisor . . . David O. Selznick signs John Hoffman to produce special effects for "A Star Is Born."

✚

Casting—Pauline Garon in "Stepping Toes" and Mary Garden in "Toast of New York," Radio . . . Thurston Hall, Eve Arden, William Demarest and Donrue Leighton in "Oh, Doctor" and David Oliver in "As Good as Married," Universal . . . Dorothy Peterson in "Mazurka," Warners . . . Carleton Young in "Navy Blues" and Harvey Clark in "Hit Parade," Republic . . . Roger Gray in "The Woman's Touch," Samuel Goldwyn.

Onslow Stevens gets lead in "Borrowed Time," Radio . . . Jonathan Hale added to "The Years Are So Long," Paramount . . . Joseph Sawyer in "Navy Blues" and Harry Anderson in "Hit Parade," Republic . . . Arthur Treacher, Walter Catlett and Douglas Fowley in "She Had to Eat," 20th Century-Fox . . . Ralph Bushman and Reginald Barlow in "They Gave Him a Gun," M-G-M.

✚

Writers—Six writers busy at Major—Waldemar Young on "What Ho," Jo Swerling on Mae West's next, Richard Connell working on a Bing Crosby story, Jane Storm and John Davenport collaborating on "The Man in Evening Clothes," and Doris Malloy on an untitled original . . . Mark Kelly and Clyde Bruckman signed by Paramount for "Cuckoo College" screenplay . . . Benny Rubin signed by Radio . . . First assignment "The Kangaroos" for Wheeler and Woolsey.

✚

Story Buy—"Spanish Omelet," magazine serial by Edward Hope Coffey, Jr., acquired by M-G-M.

✚

Directors—Assigned by William LeBaron at Paramount: Charles Barton on untitled Zane Grey story; Edward Sutherland on "Artists and Models"; Theodore Reed on "Double or Nothing," and Robert Flory on a story about Sophie Lang.

Film at Coroner Inquest

Hollywood, Feb. 19.—A film depicting the San Francisco Bay bridge disaster was used today as evidence during a coroner's inquest.

Units Plan Reply on Decree in Argentina

(Continued from page 1)

to be made effective shortly, provide that all productions which refer in any fashion to matters related to national history, institutions or defense will be subject to approval by a commission, composed of the president of the National Culture Commission and the technical director of the Argentine Film Institute. In cases where the subject matter is approved, the proposed decree provides that the Government may lend its support to the production. The regulations further provide for confiscation of the production in the event of violation of the terms of the decree

Tennessee House to Open

Johnson City, Tenn., Feb. 19.—The Sevier, one of the newest theatres in the eastern part of this state, will have its formal opening the evening of Feb. 22.

Ends Sunday Pictures

Bedford, Va., Feb. 19.—Sunday films are a thing of the past here as a result of the conference of Daniel H. Weinberg, manager of the only theatre here, with town officials.

Hit Tifton Sunday Shows

Tifton, Ga., Feb. 19.—Action of a mass meeting here last week in recommending Sunday films for support of a Y. M. C. A. has brought protests.

U.S. Product Japan Leader During 1936

(Continued from page 1)

ductions of last year were inferior to the product of 1935.

However, there was considerably more promise for this year, as the result of the merging of numerous units into four major producing-distributing units, Toho, P. C. L., J. O. Studios and Nikkatsu. But that situation was thrown into chaos by the arrest of several officers of Nikkatsu for embezzlement. Reorganization is now in progress and the future is brighter. The other dominant group in the industry here is Shochiku-Shinko.

Toward the end of last year the Toho and Shochiku groups agreed not to buy foreign product of poor quality, and at the same time the Japanese censor became more strict relative to the quality of imported films. But the two large circuits found themselves unable to abide by the agreement, so that now practically every foreign picture is welcome.

Film production in this country still ranks very low among other industries, which makes it virtually impossible for producers to obtain financial support from banking interests. Foreign shorts and newsreels also are dominating the Japanese market. Currently the wave of interest of the public in shorts and newsreels is so great that many theatres show no features.

In an effort to break into a new market in the Far East, representatives of the various distributors here, American and Japanese, have gone into Manchukuo, Korea and Formosa.

The box-office results here recently with "The Great Ziegfeld," playing a first run single bill, has given local exhibitors considerable food for thought.

Wall Street

Board Still Off; Some Sharply

	High	Low	Close	Net Change
Columbia	37	36⅜	36½	—1
Columbia, pfd.	45¼	45¼	45¼	— ½
Consolidated	4⅞	4¾	4¾	.....
Consolidated, pfd.	16⅞	16¾	16¾	+ ¼
Eastman Kodak	172¾	172	172	—1½
Gen. T. Equip.	33⅜	32½	32½	— ⅜
Loew's, Inc.	75¼	74½	74½	— ½
Paramount	26½	25¾	25⅞	— ½
Paramount 1 pfd.	183	182½	182½	—3
Paramount 2 pfd.	23¾	23⅛	23⅛	— ⅝
Pathe Film	9⅛	8⅞	8⅞	— ⅛
RKO	9	8¾	9	.....
20th Century-Fox	36⅜	35½	35⅞	— ¼
20th Century, pfd.	45¼	44	44½	— ¾
Universal, pfd.	101¼	101	101	.....
Warner Bros.	15¾	15½	15⅝	+ ⅛
Warner Bros., pfd.	63⅞	63⅞	63⅞	—4⅛

Curb Rises Fractionally

	High	Low	Close	Net Change
Educational	3⅜	3¼	3⅜	.....
Sonotone	2	2	2	.....
Technicolor	19½	18⅞	19½	+ ½
Trans-Lux	4½	4¼	4⅜	+ ⅛
Universal Pict.	17	17	17	.....

Light Bond Gains

	High	Low	Close	Net Change
Keith B. F. 6s '46	98½	98½	98½	+ ½
Loew's 3½s '46	100¼	100	100¼	+ ¼
Paramount Pict. 6s '55	102½	101½	101½	—1½
RKO 6s '41 pp.	121	120½	120½	— ½
Warner Bros. 6s '39 wd	98⅞	98½	98⅞	+ ¼

(Quotations at close of Feb. 19)

FCC Gets Requests For 2 New Stations

WASHINGTON, Feb. 19.—The F.C.C. today announced receipt of applications for new stations from Leon M. Eisfeld, Burlington, Ia., to operate unlimited time on 1,510 kilocycles, and Richfield Broadcast Co., Richfield, Utah, to operate unlimited time on 1,370 kilocycles.

Both stations would use 100 watts power.

The commission also has received an application from KGMB, Honolulu, for permission to change its frequency from 1,520 kilocycles to 580 kilocycles and a request from R. W. Page Corp., Phoenix City, Ala., that its application for a construction permit for a new station be amended to change the proposed frequency from 670 to 1,240 kilocycles.

The Debs Memorial Radio Fund, New York, has filed application for a construction permit for a high frequency broadcasting station for operation on 31,600, 35,600, 38,600 and 41,000 kilocycles, 100 watts power, and WBNS, Inc., Columbus, has requested a construction permit for a new relay broadcast station with 175 watts power.

Seek an Injunction On Carlson of WJBW

NEW ORLEANS, Feb. 19.—The Southern Broadcasting Corp., operators of WJBW, has filed suit in civil court against Charles C. Carlson, from whom the station is leased for $200 monthly, to enjoin him from further interference in its operation.

The petition claims that Carlson has caused $12,000 "mechanical and commercial" damage since last April. The petition alleges that Carlson has forced the station to broadcast political attacks and remarks made by Maurice Gatlin, local attorney and political figure, and Carlson himself has interrupted programs to insert remarks and has done other things which have caused the operators to lose contracts.

In addition, it is alleged that at one time Carlson, who is in charge of the transmitter, changed all the locks in the place and set fire to the transmitter.

Tarshish to Cincinnati

Jacob Tarshish, "The Lamplighter" on Mutual, leaves for a two-day lecture tour in Cincinnati today. He will broadcast both days from Cincinnati.

Cox, WMT Press Chief

CEDAR RAPIDS, Feb. 19.—Ray Cox, senior at the University of Iowa, has been appointed publicity director at WMT.

Want to Clear Air

Des Moines, Feb. 19.—There will be no more squeaks and growls in radio reception in Iowa if a bill introduced in the House by Representatives Hickenlooper of Cedar Rapids and Mercer of Iowa City, both radio fans, is passed by the legislature. The bill is to vest cities and towns with authority to regulate or prohibit machinery or apparatus which tends to interfere with clear radio reception.

NBC Sets Date for New Institutional

Another NBC institutional program, entitled the "ABC of NBC," a series in which radio workings will be taken apart and explained to the listeners, will be inaugurated next Saturday, from 7:45 to 8 P. M., E.S.T. on the Red network.

In the first broadcast an NBC announcer, accompanied by a visitor selected at random from a group of tourists visiting Radio City, will visit a studio control room and explain the mysteries of the board mixing panel and other apparatus.

Different departments will be visited and their operations explained next week.

Mrs. Hinchley in New Job

Mrs. Helen Hinchley, formerly of the Chicago office of Blackett-Sample-Hummert, yesterday joined the radio department at Benton & Bowles. Mrs. Hinchley will write the commercial continuity for the various Benton and Bowles programs.

Bacher Adds to Duties

HOLLYWOOD, Feb. 19.—Bill Bacher, producer of "Hollywood Hotel," takes over additional duties as associate to Cecil Underwood on the Al Jolson-Rinso show. Appointment was made by Ruthauff and Ryan.

Bacher is scheduled to work in an advisory capacity.

Eddie Dunham on Coast

HOLLYWOOD, Feb. 19.—Eddie Dunham of Ruthrauff and Ryan's New York office is here to produce a series of transcriptions for Dodge.

Hal Fimberg is scripting the waxings.

WOR 15 Years Old

WOR, key station of the Mutual network, celebrates its fifteenth birthday this Monday.

The station began operations in Newark on Washington's Birthday, 1922, with a power of 250 watts. Its present power is 50,000 watts, and it is today rated one of radio's most important stations.

WTAM Asks Permit For a New Antenna

Application for permission to erect a new vertical radiator antenna, which, if granted, would give the station the equivalent of a two-fold increase in power, has been filed with the F. C. C. by NBC in behalf of its Cleveland station, WTAM, a member of the basic Red network.

WTAM operates on a power of 50,000 watts.

J. M. Seward on Coast

HOLLYWOOD, Feb. 19.—James M. Seward of CBS is here for a week of conferences on financial expansion.

Leo Shepard, technician here, has been promoted to the post of transmission supervisor.

Rathbone, Stephenson on Lux

HOLLYWOOD, Feb. 18.—Basil Rathbone and Henry Stephenson complete the cast of the Lux air presentation next Monday. They will support Errol Flynn and Olivia De Havilland in a radio version of "Captain Blood," playing the same roles as in the film.

Radio Personals

BUDDY ROGERS arrived in New York yesterday from Hollywood . . . Charles Stevens, of Campbell-Ewald, on the road setting details for the General Motors concert tours . . . George Sher, publicity head at Lennin & Mitchell, is the author and makeup man on the new *Jergens Journal* tab now being mailed to drug and department stores throughout the country . . . Georgie Jessel makes a return appearance on the "Rippling Rhythm" program Feb. 28, and the indications are that he will become a permanent member of the cast thereafter . . . Three 20th Century-Fox artists will be on the air within the week . . . Stepin Fetchit on the Joe Cook program tonight, Jean Hersholt on the Vallee show Thursday night, and J. Edward Bromberg appearing with Bide Dudley on WOR next Friday . . .

✚

The Mutual network's first program folio will be released early next week. . . . A. L. Alexander, conductor of the late "Good Will Court," will guest appear on the Shell show tonight. . . . Alexander's frequent guest appearances on J. Walter Thompson shows gives rise to the belief that he is working out his "Good Will Court" contract by way of guest appearances. . . . Sidney Skolsky, Jimmy Cagney and Mary Garden have been set for the Bing Crosby broadcast Feb. 25. . . . Phil Baker's guest artists tomorrow on the Gulf program will be Cross and Dunn. . . . Tim and Irene are auditioning today for a Mutual commercial. . . . Ozzie Nelson's "Bakers Broadcasts" contract has been set for 1938. . . .

✚

Bunny Berrigan's orchestra yesterday auditioned for the Admiracion Laboratories at WOR. . . . Jack Denny and his orchestra go into the French Casino in two weeks. . . . George Stone, character comedian, will join Mary Small on the CBS Ford program Tuesday, Feb. 23. . . . For his guest artists the coming week, Jackie Cooper will feature Paul Lucas on Monday and Lyda Roberti on Wednesday. The Cooper programs are heard over WOR at 8 P. M., E. S. T. . . . Arnold Johnson has signed the Ambassadors and Christina Lund as permanent features of the "1937 Revue" heard on the Mutual network Sundays. . . .

✚

Ona Munson, of the stage and screen, has been appearing anonymously on the "Cavalcade" program for the past few months. . . . "Blossom Time" will be Jessica Dragonette's vehicle on the "Beauty Box Theatre" this Wednesday. . . . Richard Bonelli will be guest soloist on the Firestone program on Washington's Birthday. . . . Jean Sablon, just arrived in New York from Paris, will be heard on the Vallee program Feb. 25. . . . Ed Fitzgerald will have a 9:30 evening spot on Mutual in addition to his morning programs, beginning early in March. . . .

Copyright Amendm't Sought on Penalties

(*Continued from page* 1)

legislative proposals in an open letter to Congress. Copies of the bill are being distributed by the National Ass'n of Broadcasters.

In the case of broadcasting infringements, stations would pay the copyright proprietors such damages as the court may find just, but only one penalty would be imposed where two or more stations broadcast the material simultaneously and in the event of chain infringement the penalty would rest upon the originating station. In case of infringements in electrical transcriptions or other recordings responsibility would rest upon the makers of the recording.

KVOS Hearing Is Held

WASHINGTON, Feb. 19.—KVOS was given a routine hearing yesterday on its application for a renewal of license.

Rogers Sailing; Re-Signed

Despite reports that he would return to Hollywood and continue on the "Twin Star" program on which he is featured with Helen Broderick and Victor Moore, Buddy Rogers will sail for England today to fulfill a picture obligation there.

From Rogers' representative yesterday it was learned his original contract with his sponsors, the National Biscuit Co., was for six weeks, and not for the usual 13 weeks.

Rogers, it is understood, has been re-signed for an additional 13-week period, to become effective when he returns from England seven weeks hence.

Pederson to Manage KOL

HOLLYWOOD, Feb. 19.—Elmer D. Pederson, national sales and radio manager of KNX of Hollywood, has resigned to assume the managership of KOL, Seattle, a CBS outlet.

MacLean With De Mille

Doug MacLean, Grand National producer, will guest produce the "Lux Radio Theatre" program Monday night, during Cecil B. De Mille's absence for picture work.

Flash Preview

"Laugh Parade"—(WMCA and Inter-City network)—Another amateur program, this one dedicated to simon-pure gag writers and comedians with Harry Hirshfield as em cee. The first program was slow but the series shows definite possibilities for the future.

This program will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Heidt Is Cured

Horace Heidt, who broadcasts over Mutual from the Biltmore in New York, has been allowing some of the hotel's floor show principals to broadcast a few words on the air during lulls between numbers. He's cured now.

While on the air the other night Heidt asked a young dancer to name her favorite bandleader.

"Benny Goodman!" yelled the dancer enthusiastically.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 41. NO. 44 NEW YORK, TUESDAY, FEBRUARY 23, 1937 TEN CENTS

"U's" Loss for '36 Placed at $1,835,419

Includes Write-Offs for All Subsidiaries

A combined net loss of $1,835,419 for the fiscal year ended Oct. 31, 1936, was reported by Universal Pictures Co., Inc., in its annual report to stockholders made public yesterday.

A statement by R. H. Cochrane, president, and J. Cheever Cowdin, chairman of the board, accompanying the report, states that the loss, which includes all subsidiaries, is after providing for all charges, including depreciation and amortization of fixed assets amounting to $392,850. The report also includes write-off of the company's entire investment in its Spanish subsidiary, a write-down of its investment in its German subsidiary and a provision for the prospective cancellation of a German theatre lease, all of which aggregated $292,369. Included, however, is a deduction of a profit of $333,534 realized on the sale of a British subsidiary to the C. M. Woolf interests in connection with Universal's new distribution arrangements in Great Britain.

The letter states that the report also

(*Continued on page* 4)

G. B. Chairmanship To Isidore Ostrer

London, Feb. 22.—Isidore Ostrer will rejoin the directorate of Gaumont British as chairman of the board, the company stated officially today. Mark Ostrer's position under the new arrangement will be that of managing director.

The G. B. statement mentioned heavy losses said to have been sustained by the company's distributors. Commenting on this angle of the case, the *Financial News* today said: "It has been obvious for some time that a drastic capital reconstruction scheme

(*Continued on page* 4)

American Market Is Open, Says Pallos

"The American market is more open today for British pictures than ever before," Stephen Pallos general manager of London Films, told Motion Picture Daily Saturday just before he sailed on the *Ile de France* after a four-months visit here.

"Grosses on English pictures today are more than they have ever been," he said. "As soon as we release

(*Continued on page* 4)

Start Planning For Control of Theatre Games

Stabilization or Abolition Is Moss Objective

Following a meeting of major circuit representatives at License Commissioner Paul Moss's office, moves are under way either to abolish or to stabilize the operation of games in local theatres, it was learned over the weekend.

The meeting was held at the request of the commissioner who had received a complaint from Weisman, Quinn, Allen & Spett, attorneys for the I.T.O.A. At the meeting Melvin Albert protested the manner in which Loew's and RKO were conducting Bank Night and Screeno, stating these circuits were operating games in violation of a decision handed down at Albany some time ago.

Albert further charged that in order to participate in the monster games as conducted by the two major circuits, patrons had to buy tickets. This was denied.

Loew's was represented by C. C. Moskowitz and I. Frey; RKO by William England, and three district managers, including Charles MacDonald. These representatives assured Moss that the circuits would discontinue games provided the others

(*Continued on page* 9)

Honored

Winter Park, Fla., Feb. 22.—Harry M. Warner today was given an honorary degree of doctor of the humanities at the Founders' Day convocation of Rollins College which last year gave a similar degree to President Roosevelt.

Today's ceremony marked one of the few times such a degree had been extended to the head of any film company by an American college.

The degree was conferred by Hamilton Holt, president of Rollins, who described Warner as "a man of will and vision in the development of a young and vital art; an executive genius, a practical idealist and a benefactor of many philanthropies."

In citing Warner for the honor,

(*Continued on page* 9)

Artco Seen Staying in Roxy; Fight Looms on Fox, Detroit

Minority bondholders of the Colwood Co, which owns the Fox, Detroit, will protest the plan of reorganization when Federal Judge Ernest A. O'Brien sets a date for the hearing, it was stated yesterday by David Muss of McCarthy & Muss, law firm representing more than $1,000,000 of the outstanding $6,193,000 bonds.

A hearing on the plan submitted by the Colwood company was held before Special Master George A. Marston in Detroit on Feb. 9. According to the plan, Fox Michigan Corp., wholly owned subsidiary of National Theatres, would lease the theatre for 15 years under terms providing for a guarantee of $125,000 a year as against 12½ per cent of the gross when playing vaudeville and 15 per cent of the intake if the theatre is on a straight picture policy.

National Theatres, it was stated, would give Fox Michigan $50,000 as

(*Continued on page* 4)

Despite conflicting reports current for some time, operation of the Roxy probably will be continued by Artco when 20th Century-Fox takes it over on, or after, March 5, it was learned yesterday from official sources.

George Skouras, brother of Spyros, who is executive vice-president of National Theatres, which operates all Fox units, had been reported angling for the house, but this is emphatically denied.

Under the Artco arrangement, Harry C. Arthur, Jack Partington and Irving Lesser are expected to get a long-term management contract. How long this contract will run is to be determined at meetings to be held by Sidney R. Kent, W. C. Michel and Arthur.

Artco has been operating the Roxy under a management and percentage-of-the-profits deal with Howard S. Cullman, trustee, for almost four

(*Continued on page* 4)

Moves Put Up To Companies By Kuykendall

Comments on Objections Offered to Boards

The responsibility for further action on the M.P.T.O.A. trade practice program rests with the seven distribution companies which committed themselves to supporting it, Ed Kuykendall, M.P.T.O.A. president, said yesterday in commenting on the failure of the distributors thus far to authorize branch managers to participate in the setting up of the local conciliation boards through which the exhibitor organization hopes that seven-tenths of its trade practice program might be realized.

Motion Picture Daily last week disclosed after inquiries among major distributors that a majority of the companies which replied to the M.P.T.O.A. program have definite objections to taking any immediate action on the local boards. Foremost among these are the insistence of some of the companies on a defined jurisdiction and procedure for the boards, the feeling that exhibitors as well as distributors should share the cost of maintaining the boards and the opinion that the likelihood of new Federal legislation affecting industry, which may extend to the enforcement of trade practice codes, makes the

(*Continued on page* 9)

Haines, Warners' Eastern Sales Head

Roy H. Haines, eastern district manager for Warners, has been promoted to eastern sales manager with supervision over the company's eastern and Canadian branches, Gradwell L. Sears, general sales manager, announced over the weekend. He assumes his new duties today when he

(*Continued on page* 9)

Loew's Planning Two More Foreign Houses

Plans are now being drafted for new Loew theatres in San Paulo, Brazil, and in Amsterdam, Holland, William Melniker, head of the company's foreign theatre division, stated over the weekend.

Loew's has been talking about building in Brazil for some time and

(*Continued on page* 9)

Radio—Pages 10-11

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"U" Merges Serial, Action Departments

HOLLYWOOD, Feb. 22.—Universal has combined its serial and action picture departments because of the addition of four action films to the current schedule. The new unit will be known as the action-melodrama department.

The first picture under the new arrangement will be "West Coast Limited." Ben Koenig and Henry MacRae will produce with Koenig and Barney Sarecky handling the production reins on the second, "Night Patrol."

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MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Lost Horizon"

(Columbia)

HOLLYWOOD, Feb. 22.—So fantastic in theme as to challenge credulity, Columbia offers in "Lost Horizon" one of the most radical departures from orthodox formula ever to be presented on the screen. It is finely produced, acted and directed. There is evidence that money, time, diligence were not stinted in its making. The film is a monument to the courage and vision of its sponsors. It is as different from any screen trend as day is from night. The successful commercial presentation of the film leading to the full realization of the producer's hopes demands showmen's efforts comparable with the thought and resourcefulness that were put into its creation.

The picture tells a bizarre story. In it audiences are asked to believe in an improbable adventure existent only in vivid imagination. The elements of romance, drama, comedy, thrills, and idyllic spectacle blend in that manner when fate hurls a little group of civilized people beyond a mental, timeless horizon. It is necessarily heavily laden with dialogue in order to bring the theme within the realm of general understanding. The film has stirring action which erupts dynamically in the sequences depicting Chinese revolutionary fury, the suspense of a flight over desert and mountains, and awe-inspiring avalanches.

Embellishing the film's artistic quality are the backgrounds, the gardens and palaces of the mystic Shangri La where time stops and only peace reigns.

Ronald Colman, Edward Everett Horton, John Howard, Thomas Mitchell and Isabell Jewell, refugees escaping the fury of a Chinese uprising, are carried to the Eden-like land that is unknown to mortal mind and which is under the theosophical guidance of H. B. Warner, a Lama, and Sam Jaffe, its head Lama.

Colman finds heavenly peace and falls in love with Jane Wyatt, the flower of Shangri La. Spiritual and mental regeneration come to Horton, Mitchell and the hard street girl, Miss Jewell. Howard, although under the spell of the passionate affection of Margo, is a similarly alien inhabitant of the mystic garden and, convincing Colman that all is unreal, prevails upon him to escape. Margo, aging, dies as the trio is deserted by guides. Howard, driven mad, commits suicide. Colman, trying to beat his way back, is found by nomads of the wilderness. England, after thrilling to the news that the brilliant missing diplomat is found, never sees him, for after telling his weird story he flees back to Shangri La and Miss Wyatt.

The directorial technique of Frank Capra steps off any beaten track. Crediting audiences with intelligence and the ability to understand and appreciate the fantastic concept, his efforts are painstakingly thorough. The quality of the acting by the entire cast in assaying the difficult, imaginative interpretations, should win critical audience favor. Likewise, the fine presentation of the film will not go unrecognized. It is based on the novel by James Hilton. Robert Riskin wrote the screenplay. It calls for acute exhibitor understanding, analysis and wholehearted selling effort. The camera work by Joseph Walker and his associates, the music accompaniment arranged by Dimitri Tiomkin and directed by Max Steiner add much to the picture. The fantastic dramatic tone and the extreme novelty are the dominating selling angles.

Production Code Seal No. 2,061. Running time, 135 minutes. "A."

Consolidated Shares Argued in Delaware

WILMINGTON, Feb. 22.—Argument was heard before the State Supreme Court at Dover in the case of Consolidated Films, Inc., in which the question of stocks and dividends payable were main issues. Decision was reserved and the court adjourned until March 19.

The case is similar to one heard several weeks ago in which the right to change the par value of stocks was argued. The outcome was reported to have an important bearing on numerous Delaware charters.

Becker Resigns

WASHINGTON, Feb. 22.—Samuel Becker has resigned his post as special counsel for the F. C. C. in the A. T. & T. investigation.

Rites for Mrs. Levin

CHICAGO, Feb. 22.—Funeral services for Mrs. Gussie Balaban Levin, mother of the Balaban brothers, will be held at the residence of Barney Balaban at 3400 Sheridan Road, here, on Tuesday. Mrs. Levin died in Miami, Fla., Feb. 19, following a stroke.

Barney, John, Harry, David and Elmer Balaban, sons of Mrs. Levin, who were at the bedside at the time of her death, arrived from Miami yesterday. Another son, A. J. Balaban, is in Europe.

Allows Burnett Appeal

Federal Judge Francis G. Caffey signed an order on Saturday in the RKO reorganization proceedings permitting W. Gordon Burnett to appeal to the U. S. Circuit Court of Appeals from an order signed by Judge William Bondy on Jan. 25, 1937, which disallowed his claim for $41,172.

"Decency in Motion Pictures"

The origin of the screen's responsibility toward the public, the causes which led to the necessity of an internal regulation which would make the screen free of criticism on the score of indecency, and the manner of achieving that objective are discussed calmly and with an intelligent understanding of every phase of the problem of the modern film by Martin Quigley, in "Decency in Motion Pictures," published by Macmillan.

"The screen can perform for the benefit of humanity a service mighty in proportions and far-reaching in effects," the writer declares in a foreword. The maintenance of the screen's healthy influence upon a mass audience is seen by Quigley as essential "to the nation's welfare and to the continued prosperity of the industry of motion pictures."

Traces History of Code

In successive chapters Quigley, who himself played an important part in the formulation and final acceptance of the Production Code, discusses dispassionately the obligations of the screen, the origins of the problem, provocations of criticism, efforts at correction, the code itself and problems related to that which forms the theme of his small but significant book.

"The function of art is to ennoble," he declares, detailing the inherent responsibility in an art-entertainment form which reaches millions virtually simultaneously. "The failures of the screen to adjust its moral influences focussed world opinion upon it," he says. "Its successes have latterly amounted to the outstanding moral accomplishment of the modern world."

Political censorship Quigley sees as having demonstrated itself to be an "unworkable scheme." Cited is the industry commitment voiced by Will H. Hays when he became head of the M.P.P.D.A., to maintain the highest possible moral and artistic standards of production.

Cites Objectionable Films

Briefly the author gives attention to certain films which he classed as "typical of wrong standards." Efforts at remedies began with the resolution adopted by the M.P.P.D.A. in 1927, which Quigley calls not wholly ineffective but falling short of the needs.

Then is recounted the development of the Production Code, ratified by the M.P.P.D.A. on March 31, 1930. There are discussed the problems of application and tribute paid to the wise administration of the code. Attention is paid to the growth of the Legion of Decency, and the subsequent formation of the Production Code Administration, headed by Joseph I. Breen. Related problems, such as block booking, double billing, theatre classification and foreign film are discussed.

The purpose of the treatise, Quigley declares, is to make the philosophy and the method of handling the problem better understood.

The industry itself, and equally importantly, those whose interests purport to touch upon the industry, may well read this work, finding there understanding and much of significance.

AARONSON.

You bet it's HOT!

HOT IN SCRANTON with 2nd day $470 better than first, and 3rd day $520 bigger!

HOT IN BOSTON with the biggest take in weeks!

HOT IN ATLANTA where 2nd day's receipts were more than $500 better than first!

HOT IN WORCESTER where 2nd day's business almost doubled first, and 3rd day bigger than second!

HOT IN NEW HAVEN where it topped every picture of last six months but one!

HOT IN BRIDGEPORT where it beat the last opening by $700!

HOT IN HARRISBURG with second day doubling opening business!

HOT IN PROVIDENCE with phenomenal week-end opening—and still climbing daily!

"YOU ONLY LIVE ONCE"

starring

SYLVIA SIDNEY · HENRY FONDA

with Barton MacLane · Jean Dixon · William Gargan

Chas. (CHIC) Sale · *Directed by* **FRITZ "FURY" LANG**

Original story by Gene Towne and Graham Baker

A
WALTER WANGER
PRODUCTION
Released thru
UNITED ARTISTS

Purely Personal

Charles R. Rogers and William Pierce left the Universal studio for New York last night. They are expected here Thursday.

●

D. A. Doran will arrive in Hollywood tomorrow. He will stay there a few weeks conferring with Harry Cohn, then return to New York and later sail for England to organize Columbia's editorial department abroad.

●

Sol Edwards, Grand National's eastern sales manager, leaves today on a tour of the exchanges. He'll visit Pittsburgh, Cleveland, Cincinnati, Chicago, Detroit, Buffalo and Albany.

●

Jack Brower, Warner coast district manager, left by plane for Los Angeles on Saturday. Leo Blank, midwest district sales head, returned the same day to Chicago.

●

Wilma Kroeger, Viennese singer now appearing in "Naughty Marietta" at the American Music Hall, tomorrow will marry James P. Davis, press agent.

●

William K. Howard, the director, sailed Saturday on the *Ile de France.* He may do another picture for London Films. Buddy Rogers was listed on the same boat.

●

Robert Coyle, Charleroi, Pa., exhibitor, is in town for a few days. He spent Saturday night at the Warner ball at the Waldorf as guest of Roy H. Haines.

●

Zasu Pitts arrived yesterday on the *Queen Mary.* Marielle Chantol, French film and opera star, also arrived on that boat.

●

Marguerite Churchill withdraws from the cast of "And Now Goodbye" tonight and returns to Hollywood.

●

Will H. Hays arrives from the coast today after a stopover in Chicago yesterday.

●

Harry C. Arthur and Jack Partington are due today from St. Louis.

●

George J. Schaefer has returned from a fishing trip to Bimini, Fla.

●

Joe Hornstein returns today from a trip to Havana and Miami.

The Tavern
MEETING PLACE
of the INDUSTRY
●
MAKE THIS YOUR
LUNCHEON—
DINNER—SUPPER CLUB
158 W. 48th St. Toots Shor

Artco Seen Staying in Roxy; Fight Looms on Fox, Detroit

(Continued from page 1)

security under the lease and National agrees to provide a five-year 20th Century-Fox franchise.

According to Muss, a syndicate headed by Joseph Plunkett, who recently joined Columbia, offered a better plan, but couldn't produce a picture franchise without a lease.

Muss said yesterday that he will oppose the Colwood plan as "unfair and unreasonable." For the year ended Aug. 31, 1936, the theatre grossed $1,040,000 and since Woodward Ave. has been widened the take has increased. Since Christmas, he said, the weekly gross averaged $28,000.

Under the terms of the proposed lease with Fox Michigan, the gross will not provide for any money for the bondholders after taxes are paid. The theatre is now assessed at $2,000,000 and it is hoped the assessment value will be increased in time to the original $6,000,000, it was pointed out.

Muss said he has recommended taking sealed bids for the leasing of the Fox and in that way outside bidders may come into the picture. As it stands now, he stated, Fox Michigan has made it known that they have the inside track and as a result have discouraged other bids. Muss further states his group has enough bonds to block the present plan.

Fox Theatres the Owner

All stock in Colwood is owned by Fox Theatres of which Milton C. Weisman is receiver. The bondholders protective committee, it was said, is headed by Halsey, Stuart men. This company underwrote the original bond issue on the Fox, Detroit.

Under the reorganization plan, holders of $1,000 bonds would receive 10 shares of $3 preferred stock and 10 shares of common in the new company. David M. Idzal is managing director of the theatre and Union Guardian Trust Co. of Detroit is receiver.

Muss plans to personally protest the reorganization plan at the court hearing.

Revisions in the reorganization plan now being sent out by the bondholders have been made to bring up to Jan. 7 the operating figures of the theatre. Previously, the financial operations had been recorded as of Dec. 17.

(Continued from page 1)

years. At the time this company stepped in the weekly gross was down to less than $7,000 a week. Average weekly business for the last year has been better than $50,000.

With the theatre to be known as 20th Century-Fox's show window, the distributing company will play an important part in its operation. National Theatres will be more or less in the background.

Arthur is due next Tuesday from St. Louis and will most likely confer with Michel before returning to the Mound City.

Legion Approves 9 Of Latest Pictures

Nine new pictures reviewed by the National Legion of Decency during the week ended Feb. 20 were found unobjectionable either for general patronage or for adults. One was found "objectionable in part."

Following are the ratings accorded the newly reviewed pictures: Class A, Section I—Unobjectionable for General Patronage: "Borderland," Paramount; "The Devil Diamond," Ambassador - Conn - Melody; "Ein Falscher Fuffziger" (German), Albo; "Land Beyond the Law," Warners; "Naszut Felaron" (Hungarian), Lux; "Sea Devils," RKO, and "Wings of the Morning," 20th Century-Fox. Class A, Section II—Unobjectionable for Adults: "Her Husband's Secretary," First National, and "The Last of Mrs. Cheyney," M-G-M.

American Market Is Open, Says Pallos

(Continued from page 1)

'Knight Without Armour,' we expect to gross more than double the take of 'King Henry VIII' in the American market."

Pallos estimated that the picture will garner $1,500,000 in this market, "something we never dreamed of before." He pointed to the cast, director and story as the reasons.

Within the past three months, the general manager of London Films has been studying audience reaction in various parts of the country. He said he even visited Wichita, Kan., to get an idea of what the public wanted. He has also ben studying exploitation angles, he said.

Asked to comment on his findings, Pallos asserted the best way to explain that was to say "I know what the public does not want."

"We, in London," he added, "must take a great interest in the American market." He said he disagreed with other prominent British producers that the American market was limited and unprofitable for English-made films.

Upon his return to England, Pallos said he will make every attempt to get Alexander Korda to come over shortly.

G. B. Chairmanship To Isidore Ostrer

(Continued from page 1)

is inevitable. The sooner this is brought forward the better, not only for the company's shareholders but for British industry generally."

The financial publication states further that the G. B. board should now know how much capital has been lost, and, commenting on the company's cash position, doubts that reserves are adequate to cover the heavy production losses.

Drops Studio Holdings

London, Feb. 11.—British National Films has disposed of its holdings in Pinewood Studios, and John Corfield, managing director of B.N., has resigned from the Pinewood board. It is understood J. A. Rank, who recently resigned from B.N., has taken over the major part of its Pinewood holdings. B.N. recently contracted to make a series of pictures for A.B.P., and will probably use the latter's B.I.P. studio at Elstree.

"U's" Loss for '36 Placed at $1,835,419

(Continued from page 1)

reflects the adoption of a new practice of closing the accounts of foreign subsidiaries, other than Canadian, one or two fiscal months earlier than the New York closing date in order to make possible earlier reports to stockholders than heretofore. Inasmuch as the new accounting policy was adopted during the fiscal year reported on, the letter points out, the current report reflects the operations of foreign subsidiaries for only 10 or 11 months, whereas subsequent annual reports will cover a full year's operations of such subsidiaries. The combined loss of the foreign subsidiaries would have been approximately $175,000 less had their reports covered the full 52-week period, the letter says.

Pointing out that control of the company changed during the year, the letter states that the company's credit has been strengthened, an even flow of pictures is assured and the new management is confident that the company has been enabled "to participate to a greater degree in the improved earnings of the motion picture industry."

Merger Being Considered

The letter also states that consideration is being given to a merger of Universal Pictures Co., Inc., and Universal Corp. The latter holds all of the second preferred and 90 per cent of the common stock of Universal Pictures.

The company's profit and loss statement shows income from film rentals and sales of companies operating in the U. S. amounting to $14,264,466. Sales of accessories aggregated $375,844. Amortization of film costs and other expenses totaled $11,716,572, leaving a gross profit of $2,944,742. Sales and distribution costs amounted to $3,393,151, and general and administrative expenses were $907,829. Loss before write-downs of investments in certain foreign subsidiaries and provision for losses of subsidiaries operating in foreign territories was $1,394,615.

Operating deficit on Nov. 2, 1935, amounted to $699,719, which with the loss for the 52 weeks ended Oct. 31, 1936, left a consolidated operating deficit of $2,535,139, as of that date. The report lists total current and working assets of $7,985,836, and total current liabilities of $3,486,090.

Ban "Spain in Flames"

Philadelphia, Feb. 22.—An order to prohibit the showing of "Spain in Flames" has been issued to Pennsylvania censors by Governor Earle, who, after attending a preview at censor headquarters, stated: "This picture is pure Communistic propaganda dressed up as a plea for Democrarcy."

Two Plays Close

"London Assurance," which opened at the Vanderbilt Thursday night, closed Saturday after four performances.

"Tide Rising," which opened at the Forty-fourth St. Theatre Jan. 24, also closed that evening.

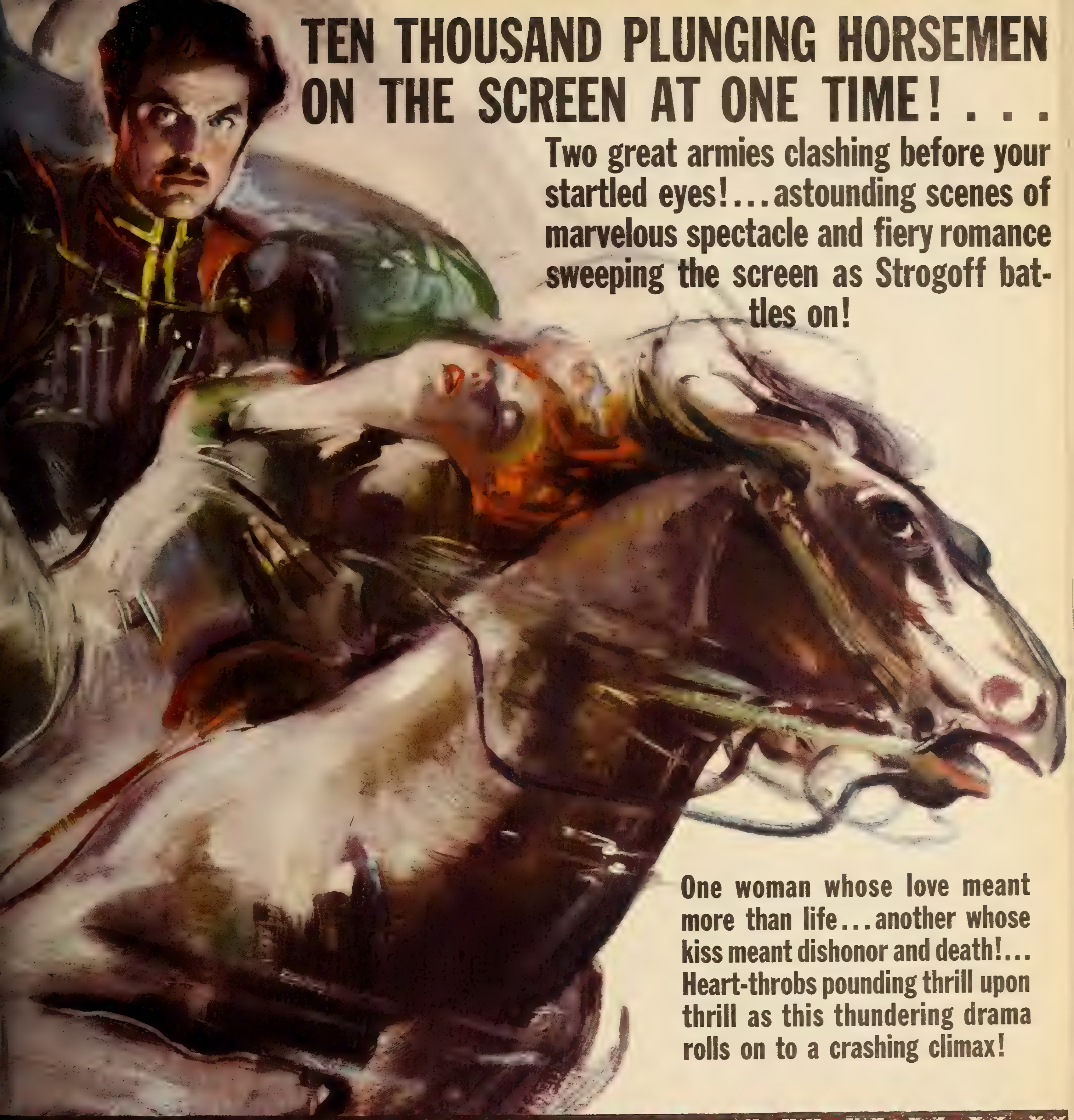
JULES VERNE'S DAUNTLESS HERO, THE MIGHTY COURIER OF THE CZAR, LEAPS TO LIFE IN A STUPENDOUS PRESENTATION OF THE BOLD ROMANCE THAT FLAMED ACROSS SIBERIA'S PLAINS IN THE STIRRING DAYS OF IMPERIAL RUSSIA.

The battle of the giants! — as Strogoff finally unmasks the man behind the Tartar tortures and the armies battling to change the map of Russia.

Zangarra, tricky woman spy, menaced by the very cause she served!... Behind her scarlet lips lay the secret that would make her lover Czar.

In the tents of the Tartars! — Savage chieftains come to revel in the big show of the dancing girls, and other barbarian pleasures and splendors.

MICHAEL



TEN THOUSAND PLUNGING HORSEMEN ON THE SCREEN AT ONE TIME! . . .

Two great armies clashing before your startled eyes!... astounding scenes of marvelous spectacle and fiery romance sweeping the screen as Strogoff battles on!

One woman whose love meant more than life... another whose kiss meant dishonor and death!... Heart-throbs pounding thrill upon thrill as this thundering drama rolls on to a crashing climax!

STROGOFF

MICHAEL STROGOFF

with

ANTON WALBROOK

The screen's new dangerous lover, as the hero who fights through the lash of armies to a crimson goal.

ELIZABETH ALLAN

as Nadia, the beautiful girl who dared to travel alone in a seething land of armies on the march.

MARGOT GRAHAME

as Zangarra, the most dangerous woman in Russia . . . daring, deceitful, delightful . . . in the pay of the cruel Ogareff.

AKIM TAMIROFF

as Ogareff, traitor to the Throne, and the sinister power behind the terror of the Tartar hordes.

ERIC BLORE

as Cyril Blount, British war correspondent, helpless in the midst of raiding barbarians!

FAY BAINTER

former stage star, as Strogoff's mother, who braved barbarian torture to conceal her son.

A PANDRO S. BERMAN PRODUCTION . . Directed by GEORGE NICHOLLS, JR.

RKO RADIO PICTURES

LITHO USA

Start Planning For Control of Theatre Games

(*Continued from page* 1)

would do likewise. When this was put up to Albert, he said he could not talk for the I.T.O.A. and that any statement would have to come from Harry Brandt. The head of the independent exhibitor organization is vacationing at Miami Beach and is due back in a few days. However, on Jan. 20, members of the organization flatly refused to drop games unless RKO and Loew's increased admissions. The contention of the independent operators is that they cannot compete with major circuits unless there is a marked difference in prices.

No further meetings are scheduled at Moss's office, although the commissioner told the men he would hold himself in readiness.

Commenting on the game situation, Moss told MOTION PICTURE DAILY that "it is disgraceful. It has become a dog-eat-dog affair."

"The idea started with theatres giving away $10. It rapidly grew to $3,500," he said, "and pretty soon this will be increased to $5,000. The next thing you know," he added, "they will be giving the theatres away."

Moss also stated there were complaints by a number of children from the ages of 12 to 16. He said that the children are charged adult prices and because of crowded theatres cannot sit in the special sections reserved for them.

Within the past few days, Loew's has been juggling dates on games.

Haines, Warner's Eastern Sales Head

(*Continued from page* 1)

moves from the local exchange to the home office.

A successor to the eastern district post will not be named for the present. Haines started with the company as First National branch manager in Cincinnati in 1919, then was transferred to Pittsburgh in a similar capacity. After a term in Pittsburgh, he was made central district manager, then switched to New York as Metropolitan district sales head. Last year he was elevated to eastern district manager with Charles Rich, formerly Albany exchange head, succeeding in the Metropolitan post.

Shathin W. B. Japan Head

Michael Shathin, formerly with Loew's for many years, has been made manager of Warners' activities in Japan, Joe Hummel, foreign general sales manager for the company, stated following his return from a seven-month tour of foreign countries.

"Conditions are very good all over," Hummel asserted.

"Ridiculous"—Goldwyn

HOLLYWOOD, Feb. 22.—Samuel Goldwyn, commenting on the Dickstein Bill, which is being discussed in Washington and which aims to limit the inflow of foreign talent, today termed the proposed legislative measure "ridiculous."

Summer Camp Play Amuses Mostly; Has Limited Appeal

By PLAYBOY

The business of the summer camp, including its communion with nature, the descent of the female on the matrimonial weaknesses of the male, has its story told with amusing and something less results in "Having Wonderful Time," new play by Arthur Kober which opened at the Lyceum Saturday night.

In the first act, the fun is furious and it also moves. In the second and third, the playwright either (1) tired or (2) simply could not maintain the pace and his handiwork shows it. However, as it stands, this play may embrace enough moments to carry it along the paths of an appeal largely limited to a segment of the Jewish clientele from which it draws breath.

In plot, there is not much to "Having Wonderful Time," telling as it does of romance, the real thing, and petting, the synthetic. However, Katharine Locke, as the shy girl whose insides seem to dictate a longing for better things, forgets her broken off engagement for marriage with Jules Garfield, young lawyer sans a job.

Romantic Leads Competent

The cast is well nigh perfect in types and performance, led off by Miss Locke, who is touching and appealing to her insight into the frustrations of the stenographer from the Bronx and by Garfield who ranks well up among the younger actors along Broadway for earnestness and forthright interpretation. They, more than the others, impart a poignancy which lifts the proceedings far above the routine and claptrap which otherwise might have prevailed.

Hollywood? Not as this stands. To transfer to celluloid and to keep its current flavor would make the play largely beyond the ken of the average person's understanding. However, treatment is susceptible of easy application and with it, "Having Wonderful Time" might have a chance.

H. M. Warner Cited By Rollins College

(*Continued from page* 1)

Richard Burton, professor of English literature at Rollins, said: "Mr. Warner was brought to this country by his parents at the age of seven. He was educated in our public schools and, from an early age, devoted his energy and his vision to a phase of the theatre then in its pioneer stage, rapidly bringing it to its present estate. His career reads like a romance. Warner Brothers, through Vitaphone, were the first producers to sponsor sound films. They also were the early experimenters in color on the screen and have been conspicuous in utilizing the finest literature of the world for picture purposes. Their productions include such film masterpieces as "A Midsummer Night's Dream," "Anthony Adverse," "Green Pastures" and "The Story of Louis Pasteur." Mr. Warner's business sagacity has enabled him to carry out ambitious plans at a time when many similar organizations suffered from the financial depression."

In reply, Warner said: "I am deeply honored by the degree Rollins College has bestowed upon me and I hope and pray the screen will continue to play a great part in preserving Americanism and in giving the youth of tomorrow the opportunities it gave us of yesterday."

Cowdin Finds Trade Improving in Europe

Completing a survey of conditions in Europe, J. Cheever Cowdin, chairman of Universal, yesterday stated on his return on the *Queen Mary* that in all of the 11 countries he visited during the last two months the industry was making rapid strides as the result of better pictures and improved economic and political conditions.

While in Paris he discussed the film business with President Albert Lebrun of France. Lebrun was a close friend of Cowdin's uncle, the late Robert Bacon, former American Ambassador to France.

Cowdin completed negotiations for the services of Danielle Darrieux, Parisian comedy and dramatic star.

Films are a popular institution in Russia and the Soviet industry is making great strides, Cowdin found during his stay in Moscow as the guest of the American ambassador, Joseph Davies. Cowdin conferred with Soviet Minister of Films Schumiatsky.

Met by Cochrane

His homecoming was saddened when he received a radiogram notifying him of the death of his brother-in-law, Charles Morgan. Cowdin rushed off the pier, but was met by P. D. Cochrane, Charles Paine and Charles Ford, the latter arriving yesterday from Indiana where he attended the funeral of his aunt.

Thomas Dodds, chairman of Atlantic Films, arrived on the same boat and will confer today or tomorrow with Columbia executives on "Thunder in the City." He will remain here until March 10 conferring with Joan du Guerny and Joe Fliesler, representatives, and sail on that date on the *Queen Mary*. He said his company plans three pictures next season.

Zasu Pitts returned from England after making two films, "Wanted" and "Mary Goes to Town" for Embassy Films.

Marielle Chantal arrived for a three-week vacation during which she plans to take in the shows. Having finished one picture for G. B. last November, the French player will appear in another for the same company starting in June.

Plan Child Player Law

LONDON, Feb. 11.—Legislation is expected to make possible the employment of child players in British films free of existing restrictions, which seriously hamper producers. Strong representations have recently been made to the Government by the F.B.I. Film Group, and Capt. Richard Norton, of B.&D. and Pinewood, addressed a meeting of members of Parliament on the subject.

Moves Put Up To Companies By Kuykendall

(*Continued from page* 1)

establishment of the local boards unwise at this time.

Kuykendall said that no further meetings with distributors were planned by the M.P.T.O.A. now and emphasized that it was squarely up to the distributors to carry out their commitments in respect to the program from this point on.

Kuykendall plans to leave here today to attend the resumed hearings on the Dickstein alien actor bill in Washington tomorrow. He testified at the hearings last week and reported that opposition to the measure appeared to be of sufficient proportions to bar passage of the bill at least in its present form.

Kuykendall completed arrangements with Edgar Hoover, chief of the Federal Bureau of Investigation, to address the M.P.T.O.A. national convention at Miami, March 16 to 18, and will invite other Government officials to participate in the program.

Loew's Planning Two More Foreign Houses

(*Continued from page* 1)

only recently acquired a site. The Amsterdam plot was bought by Arthur Loew on his recent trip to that country.

Ground is ready to be broken for a new theatre in Bombay. Loew architects have just completed plans for this house. The Brisbane, Australia, and Durban, South Africa, structures are expected to be ready for opening this summer. All theatres will be of the de luxe type.

THEATRE ACCOUNTING
by WILLIAM F. MORRIS
(Certified Public Accountant)

Tells all the facts about your business each week.

- **Payroll data for Social Security Taxes.**
- **Profit at a glance—Daily or Weekly.**
- **All expenses deducted—Including Rent, Taxes and Depreciation.**
- **Complete record of advance bookings.**
- **Itemized Schedule of All Assets and Equipment with Table of Depreciation Rates.**
- **Does not require a bookkeeper to handle it.**

$3 ENOUGH FOR A FULL YEAR'S BOOKKEEPING

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER
NEW YORK

Radio Personals

JOHN E McMILLAN, head of the Comptois Agency, leaves early this week on a client contact trip. . . . Bill Thomas of Young and Rubicam hopped off for Virginia over the holiday weekend. . . . Hilaire Belloc, English author, will be on the Vallee hour for his first air interview Thursday. . . . Anna Held's daughter will be George Rector's guest on the latter's new CBS series Feb. 25. . . . Walter Hampden will offer a scene from "An Enemy of the People" on the "Bandwagon" the same evening. . . .

◆

Dorothy Allen has been named to assist Evelyn Gardiner on the "Home Forum" broadcasts over KDKA. . . . Yasha Dadsko's band will replace Bill Landau's orchestra on the WHN "Sunrise Hour" beginning Thursday. . . . "Time to Relax" is the title of a new series beginning on WOR tomorrow at 1:45 P. M., sponsored by E. P. Reed & Co. . . . The Saints and Sinners meeting tomorrow, broadcast over WMCA and the Inter-City network, will feature Stoopnagle & Budd. . . . Wilma Kroeger, actress now appearing in "Naughty Naught" and Jimmy Davis, local press agent, will be married today. . . .

◆

New York officials LaGuardia, Levy and Meaney will broadcast over WHN Feb. 24 at 4:30 P. M. on the occasion of the formal luncheon for Nathan Straus. . . . Pick and Pat complete their Florida vacation March 1, at which time they return to their "Pipe Smoking Time" series. At this date also, Ed Roecker, baritone, permanently joins the "Pipe Smoking Time" cast. . . . Estelle Taylor, who was to have been interviewed on the WOR "Varieties" program Sunday, was unable to appear, due to a conflicting vaudeville date. Accordingly, Lucile Ryman, talent scout for Universal Pictures, was heard in her place. . . .

Republic Signs Clauser

DES MOINES, Feb. 22.—Al Clauser and his Oklahoma Outlaws, radio cowboy band, who have been members of the WHO staff here for the past three years, have contracted with Republic, to appear in a western starring Gene Autry. Accompanied by Irving H. Grossman, manager of the WHO Artists bureau, they will leave Feb. 28 for Hollywood. Two songs by Al Clauser and Tex Hoepner, "Trail of the Mountain Rose," and "Little Black Bronc" will be featured.

While in Hollywood, Clauser and his Oklahoma Outlaws will also make a series of transcriptions and phonograph recordings.

Manier Talks Rotary

HOLLYWOOD, Feb. 22.—Will R. Manier, Jr., of Nashville, president of Rotary International, broadcast today on the subject, "Rotary in a Chaotic World," from KHJ and the Mutual network, from 2:00 to 2:15 P. M., P.S.T.

Cagney in Kraft Show

HOLLYWOOD, Feb. 22.—James Cagney has been set for a spot on the Kraft show Feb. 25.

FTC Moves Against Television Schools

WASHINGTON, Feb. 22.—Initiation of a campaign against television correspondence schools which mislead prospective pupils was indicated here by the announcement of the Federal Trade Commission that it had issued a complaint charging violation of Section 5 of the Federal Trade Commission Act against the American Television Institute, Inc., Chicago.

The school is alleged to have advertised that several young men are to be selected and trained for television positions at its expense until actually employed; that a 70-lesson course is offered, collection of the tuition fee being deferred until a job is obtained for the student at $125 a month or more; that the institute operated a widespread employment agency through which students are placed in paying positions upon graduation; that there is a shortage of television operators; that the institute owns a huge laboratory in which equipment is manufactured in great quantities; that it operates television broadcasting stations in which pupils are given opportunity for graduate residence study, and that certain individual respondents are engineers for certain radio stations.

The commission charges that these representations are exaggerated, misleading and untrue, and have had a tendency to mislead a substantial portion of the student public into erroneous belief regarding the respondents' course and to have caused them to enroll as students on account of such beliefs.

Kelvinator to Have New Program Mar. 6

"Professor Quiz," present sustaining series heard Sundays at 7 P. M., E.S.T., will be sponsored by the Nash-Kelvinator Corp. beginning March 6, at which time it will be presented weekly from 8 to 8:30 P. M., E.S.T. over the same network. Geyer-Cornell & Newell is the agency. The commercials will be in behalf of Kelvinator refrigerators.

An elaborate contest will usher in the program under the Nash-Kelvinator sponsorship, the details of which are available at the moment.

With the signing of the new series, Nash-Kelvinator will have two programs on CBS, both on Saturday night. "The Speedshow," heard from 9 to 9:30 P. M., E. S. T., is broadcast in behalf of the company's automobiles, Nash-Lafayette. The company would have liked to have had the programs follow immediately after each other, but this has been made impossible by the new 8:30 to 9 P. M., E.S.T., series sponsored by Philip Morris, "Johnnie Presents."

"Touche" Listed as First

LOS ANGELES, Feb. 22.—"Touche," James Madison Bloodworth's original radio play, was billed as the first of the new offerings broadcast from KHJ, Los Angeles, and the Mutual-Don Lee hook-up Sunday from 6.30 to 7.00 P. M., P.S.T.

KSO Starts New Feature

DES MOINES, Feb. 22.—"Everything Stops for Tea" is the title of a new full-hour variety series to be presented Sundays through Fridays over KSO. The program will be cooperatively sponsored.

New Shows On the Air

"Laugh Parade"

The initial offering of "Laugh Parade" failed to provide many laughs, but with tighter production and a more discriminate selection of contestants the series should ultimately build into a lively feature.

With the amateur vogue rapidly wearing threadbare, Harry Hershfield doped up this laugh wrinkle on an old idea for WMCA and Inter-City network presentation. The basic idea is to afford an opportunity for ambitious amateur comedians and gag writers in the hope that a potential Benny or a Harry Conn thus will be unearthed. The main trouble with the opening show was that practically all the contestants obviously clipped gag material from old scripts and gag books. Many of our comedy pros have been accused of lifting old material, but none would have dared to use the Methuselahs that were offered last Friday on "Laugh Parade."

Withal, however, the basic idea behind "Laugh Parade" is a good one and there's no question but that Hershfield may be expected to tighten up on the contestants in future broadcasts. When and if that happens, "Laugh Parade" will offer stiff competition to the Friday night network features.

BANNER

Censor Board Would Have Three Members

OLYMPIA, Wash., Feb. 22.—A radio censor board composed of the secretary of state, the state auditor and one member to be named by the Governor at a salary of $6,000 a year highlights a bill seeking such a purpose, introduced by Senator A. E. Edwards of Bellingham. The measure would provide for a two per cent tax on stations as well.

The board, it is proposed, would "censor radio broadcasts originating within the state to the end that only moral, educational or amusing and harmless programs shall be placed on the air."

A "service charge" of one-half of one per cent of the station's income received from local advertisers would go toward maintenance of the board.

The two per cent occupational tax would become effective on April 1 of this year, and would raise the rate from one-half of one per cent on gross income as now assessed.

"Pretty Kitty Kelly" Set

Confirming MOTION PICTURE DAILY's exclusive report of last week, a new script series entitled "Pretty Kitty Kelly" will replace the current "Renfrew of the Mounted" on CBS beginning Monday, March 8. The series, sponsored by the Continental Baking Corp., will be aired Mondays through Fridays, from 6:45 to 7 P. M., E.S.T. Benton & Bowles is the agency.

Wade, Martin to Headline

BRIDGEPORT, Feb. 22.—Fred Wade and Rudy Martin's orchestra will headline a variety revue series, "The Hour of Cheer," over WICC beginning this week. The Hull Brewing Co. sponsors.

Rolls Razor Making New Record Series

The Rolls Razor Co., through Kimbell, Hubbard & Powel, are now producing an elaborate transcribed series of 13 platters which will be spotted on important stations throughout the country. The recordings are being prepared in the Decca studios here.

Artists who will appear on the series are Glenn Darwin, Jean Ellington, the Three Marshalls, Doris Hare and Al and Lee Reiser. The transcriptions will be completed and on the air March 15.

"Jury Trials" Renewed

"Famous Jury Trials," air serial which won a preferred spot in the popularity poll recently conducted by MOTION PICTURE DAILY, has been renewed for an additional period on a split Mutual network, effective April 12. The Mennen Co. sponsors; the H. M. Kiesewetter Co. is the agency. The episodes are presented over WOR, New York; WLW, Cincinnati; WGN, Chicago, and WAAB, Boston.

Howards Signed in Nash

Willie and Eugene Howard, and Prof. Walter B. Pitkin have been signed by J. Walter Thompson to guest appear on the Nash "Speedshow" Saturday, Feb. 27.

In their last regular series on the air the Howards clicked heavily, but were compelled to leave the program because of a prior claim to their services held by George White, "Scandals" producer.

Winninger May Join Lux

The Lux "Radio Theatre" presentation March 1 probably will be "Cappy Ricks," with Charles Winninger playing the lead, and possibly George Bancroft in a supporting role. If the deal is completed, it will mark the first air appearance of Winninger in almost two years. For many seasons he was "Captain Henry" on "Showboat."

Scatterby Joins WOR

E. E. Scatterday this week joined the engineering staff of WOR. Previously he was with WCAE in Pittsburgh and WFIL, Philadelphia. Prior to that he served for five years with A. T. & T. in Pittsburgh.

Stephens Subs for Ripley

HARTFORD, Feb. 22.—Jack Stephens WMAS, Springfield sports announcer, is subbing for Joe Ripley, announcer on WTIC, who is recuperating at the Travelers' Sanitarium at West Suffield from a recent auto accident.

Renew on Cozzi, Stopak

The Allegheny Steel Co., sponsors of the Friday 7:15 P. M., E.S.T., program on the NBC-Blue network, have renewed Mario Cozzi and Joseph Stopak's orchestra for an additional 13-week period effective immediately.

Bray Gets New Deal

CINCINNATI, Feb. 22.—Dick Bray, WKRC sports commentator, has been signed for a one-year contract, effective March 1, by the L. T. Patterson Co., local distributors for Chrysler and Plymouth. His sportscast will be aired at 5:45 P. M. seven days a week.

Two Orchestras for Paramount Program

"Paramount Parade," which bows in over the NBC-Red March 14, from 12 to 12:30 P. M., E.S.T., will feature two orchestras instead of one, as was originally announced. One will be a symphonic orchestra and the other will play popular music.

All phases of picture making will be explained by a different film player each week as he takes a visitor on a tour of the studio. All actors and actresses on the Paramount contract list as well as the entire personnel of the music department will take part in the series.

Hollywood, Feb. 22.—Lynne Overman will be the studio guide throughout the entire series of "Paramount on Parade."

To Resume Jail Broadcasts

Bridgeport, Feb. 22.—Station WICC resumed its Sunday afternoon broadcasts from the Fairfield County jail yesterday. The program, which has been absent for several weeks, is broadcast from the jail dining hall with the prisoners supplying the talent.

Guides, Pages on Air

With awards of a week's vacation for the outstanding performance, guides and pages at NBC will present a "Brass Button Review" on the Red network, Saturday, Feb. 27, at 4 P. M., E.S.T.

The revue will be written, produced, directed and acted by the guides and pages. Letters from the radio audience will determine the winner.

Building Broadcast Trailer

Columbus, Feb. 22.—The United Broadcasting Co. is having a complete studio built in a trailer for use by WHKC, local station, WKBC, Youngstown, and WHK and WJAY, Cleveland.

A shortwave transmitter, generating its own power, a receiving set and piano will be installed. The trailer, which will be in charge of Robert French, production manager, and Larry Roller, director of special events, will be used to cover spot news.

Wall Street

Board Continues on Decline

	High	Low	Close	Net Change
Columbia	37	36⅝	36⅝	+ ⅛
Consolidated Film.	4⅞	4¾	4¾	.....
Consolidated, pfd..	16⅝	16⅝	16⅝	— ⅛
Eastman Kodak..	171½	170½	170½	—1½
General Theatre Equipment	32¼	31¾	32¼	— ¼
Loew's, Inc........	74¾	74	74	— ½
Paramount	25¾	25	25¾	— ½
Paramount 1 pfd..	180⅛	180⅛	180⅛	—2⅜
Paramount 2 pfd..	23¼	22⅞	23⅛	.....
Pathe Film.......	8⅞	8⅞	8⅞	.....
RKO	9	8¾	8⅞	— ⅛
20th Century-Fox.	35⅞	35½	35½	— ⅜
Warner Bros......	15¼	15⅛	15⅛	— ½
Warner Bros., pfd.	63	63	63	— ⅞

Curb Rises Slightly

	High	Low	Close	Net Change
Sonotone	2	2	2	.....
Technicolor	19⅝	19½	19⅝	+ ⅝
Grand National...	3⅜	3¼	3¼	— ⅛
Trans Lux........	4½	4½	4½	+ ⅛

Little Bond Activity

	High	Low	Close	Net Change
Paramount Pictures 6s '55.....	101¼	100¾	100¾	— ¼

(Quotations at close of Feb. 20.)

WBT Places 4 Accounts

Charlotte, Feb. 22.—WBT has placed the following accounts:

Nehi, Inc., beverage concern, will sponsor a 30-minute program weekly over WBT, starting March 19, in behalf of Royal Crown Cola. The contract, by the James A. Green agency of Atlanta runs 13 weeks.

Pendleton Distributing Co. has contracted for a 13-week series of programs. The contract calls for six 10-minute spots daily.

Welch Grape Juice Co., through the H. W. Kastor & Sons Agency, Chicago, has placed a contract calling for five one-minute transcriptions weekly. The morning spot will be used for 26 weeks.

Albert Mills Groceries, Cincinnati, are using six 15-minute transcribed programs weekly over WBT, Charlotte. Contract handled by Matteson, Fogarty, Jordan Co., Chicago, and runs two weeks.

James Roosevelt to Talk

Boston, Feb. 22.—James Roosevelt, eldest son and secretary to President Roosevelt, will speak on "The Child Labor Amendment" over WAAB and the Colonial network from Gardner, Mass., tonight at 9 P. M., E. S. T.

The program will be carried over the full Colonial network, and additionally over the coast-to-coast Mutual web.

Berle to Open Theatre

Hollywood, Feb. 22.—Milton Berle's Gillette sponsored community sing will open the Studio Theatre here as a radio house under a long-term CBS lease.

The Al Jolson show will go in Feb. 28 and Joe Penner on March 2. CBS has dropped the Figueroa Playhouse in downtown Los Angeles, but has retained the Ebell Club.

Sablon in Line for Series

Jean Sablon, French singing discovery who arrived here last Thursday, may be signed for a commercial air series by J. Walter Thompson. He has been set for the Thompson agency's Rudy Vallee program next Thursday, and if his debut is successful he will receive a contract there, it is understood. Sablon is managed by the NBC artists service.

Extend Heatter Program

Gabriel Heatter's WOR news program for the North American Accident Insurance Co. has been extended to include Mutual network outlets WGN, Chicago, and CKLW, Detroit-Windsor, effective Sunday at 9:30 P. M., E. S. T.

Jacks Forming Frisco Bureau

San Francisco, Feb. 22.—Phil Jacks, manager of Consolidated Radio Artists, new nationwide booking organization, is organizing a local bureau.

San Francisco manager will be Ellis Levy, well known booking agent formerly in charge of the Don Lee Artists' Service here. Levy will handle the six northwest states in addition to Northern California.

Iowa Stations Get New Program

Waterloo, Ia., Feb. 22.—"A Word to the Wives," by Libbie and Lindy, is a new program which started Feb. 16 and is heard Tuesdays, Thursdays and Saturdays from WMT at 10:15 A.M. and is picked up by WMT and KRNT, Des Moines. Libbie Vaughan and L. Von Linder of the WMT staff are Libbie and Lindy, and the program is sponsored by the makers of Blue Barrel soap.

McClintock Heads Continuity

Seattle, Feb. 22.—Jack McClintock has been appointed head of the continuity department of KOL, Columbia outlet in this city, by Archie Taft, manager.

McClintock succeeds Mari Brattain, who resigned last week to head the radio department of Beaumont & Hohman, national advertising agency, local branch.

Junior Heroes Get Awards

Philadelphia, Feb. 22.—The Sears, Roebuck show on KYW, "Junior Thrillers," not only dramatizes youthful heroes in the Philadelphia area who have saved one or more lives during the past year, but adds further honors to the youngsters with a permanent laurel. At intervals the air period is turned over for the presentation of a certificate of valor and an engraved wrist watch to the junior heroes. The sponsor donates the awards and the last presentation had Mayor S. Davis Wilson paying his respects to the youngsters.

St. Louis Has One News Station

St. Louis, Feb. 22.—KSD, owned and operated by the *St. Louis Post-Dispatch,* is the only local station that would be affected if the bill of Chairman Wheeler of the Senate Interstate Commerce Committee to make it unlawful for newspapers to own broadcasting stations goes through. The *St. Louis Star-Times,* the second afternoon newspaper here, has an application pending for a short wave station to be placed in the Continental Bldg., but the *Post-Dispatch* has succeeded in blocking that competition to date.

Former Prisoner Aided

Los Angeles, Feb. 22.—A released prisoner has been among those aided by Hal Styles' "Help thy neighbor" programs over KHJ, Los Angeles. Herbert Franklin Schenck, who, according to his own statement, lately finished a one-year term at the Los Angeles County Jail, secured a job at Republic Studios, one of six offered him. He had made his plea on the Styles broadcast. Almost half a hundred men and women found work during and following last Sunday's broadcast.

Heretofore the audience has been limited to applicants. Under a new plan, Styles believes greater benefits will result, with employers being permitted to see as well as hear each applicant interviewed and either engaging the applicants during the broadcast or after personal meetings.

St. Louis Stations Get Cardinal Games

St. Louis, Feb. 22.—KWK, Mutual outlet, and KMOX, CBS, have signed contracts with the St. Louis Cardinals for broadcasting games at Sportsman Park with the exception of the Sunday and holiday bookings.

Each station will pay the Cardinals $7,500, the same price paid last year.

KWK and KMOX are also dickering with the new owners of the St. Louis Browns to broadcast their games, but have been unable to get together on the price.

General Mills will sponsor the KWK broadcasts of the Cardinal games with Johnny O'Hara as announcer, while Kelloggs will sponsor the KMOX end of the arrangement. As usual, France Laux will be at the mike.

Jane Grey in New Series

Cincinnati, Feb. 22.—Jane Grey, whose "Radio Program Perfect" has been on local stations for the past five years, will begin a new twice-weekly series over WSAI this week. She will be heard at 12:15 P. M. Wednesdays and Fridays, on a program which will include organ music and words of inspiration, written and delivered by her.

Cincy to Air Whole Opera

Cincinnati, Feb. 22.—For the first time in local radio history a complete opera program will originate here, when WCPO broadcasts the Cincinnati Symphony Orchestra's entire production of "Marriage of Figaro" from the stage of Music Hall. Listeners will be taken into the foyer and back stage between the acts.

WKRC is cooperating by permitting use of the CBS equipment installed in Music Hall for the opera pickup.

Buchanan in Canada Post

Ottawa, Ont., Feb. 22.—The son of a Canadian Senator, Donald W. Buchanan of Lethbridge, Alberta, has been appointed to the staff of the Government-owned Canadian Broadcasting Corp., by Major Gladstone Murray, general manager. Buchanan, who is a scholarship man at Oxford University, will have charge of the Talks and Addresses Dep't at Ottawa, with supervision over speeches to be delivered over the Canadian network. This is the first appointment under the reorganization plan of the new commission by the new general manager.

WFIL Adds Seven Accounts

Philadelphia, Feb. 22.—Seven additional accounts entered the WFIL Ledger this week. WFIL's Women's Club of the Air gets two new participating sponsors, Bromo-Aspirin, set through Cox & Tanz Agency, and Tribune Laundry, through Oswald Agency, for an indefinite period. Others include Dodge Brothers Corp., through Ruthrauff and Ryan, Inc., one-minute spot announcements weekly for 10 weeks; Leon & Jones Co., through Dorsey Agency, takes four spot announcements weekly for 26 weeks; Italian-Swiss Wine Colony, through Harvey-Best & Co., three spot announcements weekly for seven weeks; American Seed Co., of Lancaster, Pa., through Charles Blum Agency, one minute spot announcements weekly for 13 weeks, and Tappins Jewelry Stores, placed direct, 12 five-minute transcriptions weekly for 52 weeks.

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VOL. 41. NO. 45 NEW YORK, WEDNESDAY, FEBRUARY 24, 1937 TEN CENTS

New Policy in MPTO Hinted By Kuykendall

"More Drastic" Methods May Be Adopted

Dissatisfaction with the responses of the seven distribution companies to the M.P.T.O.A. 10-point trade practice program was expressed yesterday by Ed Kuykendall, president of the exhibitor organization, who indicated that the M.P.T.O.A. would be asked to adopt a new policy to govern its efforts to obtain trade practice concessions from distributors at the organization's national meeting in Miami next month.

Kuykendall pointed out that the M.P.-T.O.A. had pressed its trade practice program as far as it could in line with its present policies and said that he would ask his organization's board of directors to approve new policy recommendations which he would make or to propose a procedure of its own. While not disclosing the nature of the recommendations referred to, Kuykendall said they would involve a "more drastic" policy than that pursued by the organization heretofore.

The M.P.T.O.A. president expressed particular disappointment over the responses of the seven distributors on the subjects of increased and unqualified cancellation and the elimination of the score charge. He said that, in his opinion, concessions from distributors on these points were more

(*Continued on page* 12)

Loew's Talking New Kansas City Lease

Kansas City, Feb. 23.—The lease of Loew's Theatre and Realty Corp. on the first run Midland here is reported to be the subject of negotiations, inasmuch as the lease terminates Oct. 28, this year. It is considered likely that Loew's will renew. The lease expiring this year is for 10 years and includes the Midland Bldg., which is part of the structure in which the theatre is included.

From financial circles it is reported

(*Continued on page* 12)

Ruling Reserved on Plea of Technicolor

Los Angeles, Feb. 23.—An application of Technicolor for a temporary injunction restraining Tricolor from circularizing exhibitors was taken under advisement today by Federal Judge James after a hearing on a restricting order granted Feb. 12. This order was continued until later in the week.

Union, Hoyts Deal to End December 31

Date Disclosed in Cable From Stuart Doyle

The cancellation of the present operating combine between Greater Union Theatres and Hoyts, Australia's largest theatre organizations, is scheduled to take effect next Dec. 31, in accordance with mutual notice already given, it was disclosed yesterday with the receipt here of a cablegram from Stuart F. Doyle, managing director of Greater Union.

As a direct aftermath of the separation, Doyle's cablegram said, Greater Union plans to build or acquire 200 suburban and country theatres during 1938 in order to establish its rural operations on a basis comparable with that of its metropolitan theatre holdings.

The present General Theatres Corp. combine of Greater Union and Hoyts would be cancelled, directly affecting the amount of product used in Australia and the revenue derived therefrom. Competitive bidding between the two circuits for the best first run product in each city appears inevitable.

Doyle's cablegram was made public

(*Continued on page* 4)

British Lion Is Set To Resume Producing

London, Feb. 15.—British Lion will resume production at the Beaconsfield studio shortly, when Maurice Elvey will begin the direction of "Melody and Romance," with Hughie Green. British Lion shut down the studio on the announcement of the plan for Korda production of 26 "B" pictures at Denham, for British Lion release, since abandoned.

C. I. O. Attacks

Hollywood, Feb. 23.—C.I.O. leaflets attacking the I.A.T.S.E. and the Actors' Guild under the auspices of the Studio Employees' Protective League are being distributed on three lots. The literature bears no headquarters address or signature.

Circuits Increase Scale in the Bronx

All theatres of the Loew, RKO and Skouras circuits in the Bronx increased their scales five cents during the week and 10 cents on Sundays beginning last weekend, and the house of Consolidated Amusements will institute an increase of five cents throughout the week within a few days, it was learned yesterday.

Concurrent with the price rise it was indicated that the circuits would drop Bank Night and Screeno in all their theatres in the borough. Skouras has eliminated Bank Night already, it is understood, Loew's has dropped plans for a continuation of the high-stake two-day Bank Night, and all circuit houses in the Bronx will have ended the chance games within two weeks, it is understood.

It is anticipated that other houses in the borough will follow the lead with price increases and the elimination of games.

Approval of Bingo Up in Connecticut

Hartford, Feb. 23.—Following early hearings, the Judiciary Committee has reported it will take under further advisement two bills which would affect the interests of film men in the state, a measure to legalize Bingo for charitable purposes, and one to tighten the anti-marathon statutes. Representatives of fraternal orders, including the

(*Continued on page* 2)

Ostrers Would Shut Plant; Maxwell Hits GB Dividend

London, Feb. 23.—The decision to pay a Gaumont British dividend on the preference shares was reached by the narrow margin of a five to four vote by the directorate, it was revealed here today in a press statement by John Maxwell, who was among the directors who opposed the payment. Joining Maxwell in opposition were D. Boardman, O. H. C. Balfour and Sidney R. Kent of 20th

(*Continued on page* 4)

By BRUCE ALLAN

London, Feb. 23.—At a meeting today, the G.B. board discussed the future of the company's production. Although no official statement was issued, it was understood the meeting was adjourned, following a major split in opinion, the Ostrers desiring to close the Shepherd's Bush studio, and John Maxwell opposing such a move, declaring his belief that produc-

(*Continued on page* 4)

Flexible Wage And Hour Plan In the Making

Voluntary Agreement the President's Aim

By BERTRAM F. LINZ

Washington, Feb. 23.—A flexible program for industry control, under which minimum wages and maximum working hours would be fixed by the Government and the way paved for a broad system of voluntary agreements for the banning of unfair trade practices, is under consideration by the President.

The proposal contemplates the enactment by Congress of a bill making it a violation of the fair trade laws for concerns engaged in interstate commerce to pay excessively low wages or work employes unduly long hours. Administration of the act would be turned over to the Federal Trade Commission, where a new board would be created to formulate wage and hour standards for each industry, much as the National Recovery Administration did during the code period.

At the same time, legislation would be passed broadening the commission's authority with respect to fair trade agreements which, however, would still be voluntary, their adoption being encouraged by giving them exemption from the application of the anti-trust laws.

To a large extent, the proposal follows the line adopted by the NRA in formulating the codes, but it is claimed to be free of the defects which resulted in the National Recovery Act being declared invalid by the courts.

Minnesota Bill Bans Producers' Theatres

Minneapolis, Feb. 23.—Producers and distributors would be barred from ownership and operation of theatres under a bill now being proposed by five members of the House.

Penalty for violation of the pro-

(*Continued on page* 12)

B'way Takes Rocket On Holiday Weekend

Broadway houses tallied their best weekend business since the Christmas-New Year's week, with the aid of the Washington's Birthday holiday on Monday. Beginning with last Friday

(*Continued on page* 12)

Radio—pages 13-15

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Baker Heading New Kansas Association

KANSAS CITY, Feb. 23.—George Baker of the Electric has been elected to head the Kansas City, Kan., Theatre Operators' A'ssn, newly formed. Charles Vaughan of the Art is vice-president.

The group includes 12 theatres. In addition to those mentioned, they are the Fox Granada, W. D. Fulton's State, Ed Burgan's Gauntier, Tenth St. and Home; W. D. Fite's Kansas, Harry Horrocks' Midway, R. R. Biechele's Osage, and A. L. Dare's Rosedale.

The purpose of the organization is to promote the interests of Kansas City, Kan., exhibitors. Heretofore, the I. T. O. has included both Kansas City, Mo., and Kansas City, Kan., theatre owners, but from the viewpoint of geography, politics and patronage the problems of exhibitors in the two cities differ, although separated only by a river and a state line.

Observe Anniversary

Hyman Rosenberg and Mrs. Rosenberg, parents of Moe Rosenberg, circuit operator in New York and New Jersey and brother-in-law of Albert Warner, will celebrate their 57th wedding anniversary tomorrow.

Every Night But Show Night

By RED KANN

TAKE that theatre in the Bronx, for instance. On Tuesday, Thursday and Saturday, it runs Lucky. Wednesday and Friday, it's dishes. Saturday calls for free radios and Monday, "Country Store." When the kids come in Saturday afternoon, they get a special show and free toys. Also, there are pictures on the screen.

Take that other house in Greater New York. Exchangemen wish they could. For this is the theatre that spends more on giveaways per seven days than on film rentals. And so what do you do for an exhibitor like that? Hollywood makes a "Good Earth," a "Romeo and Juliet" or a "Louis Pasteur." . . .

▼

Take the Valencia, Loew de luxer in Jamaica. It held a drawing for an accumulated $3,500 Bank Night pot last night. Maybe, there were riots. This edition couldn't wait.

Take the Loew circuit itself. It recently went in for an intercity Bank Night with switchboards hooked up on the stage of the Metropolitan, and, also, cash prizes running to $3,500. Next week, $4,500. Etc., etc., no doubt.

Take the situation nationally. Bob McNeill in San Francisco and the Peninsula towns has given away a couple of hundred thousand dollars in cash in the last few years. Harry Huffman nearly tied up the supply of new Fords in Denver. Up and down the land, in big theatres controlled by interests from whom some leadership might reasonably be expected and in smaller houses independently run, dollars and dishes, pots and groceries, linens and whatnot are being piecemealed to a public that bought tickets with a definite understanding it was celluloid entertainment, not grabbags, it had purchased. . . .

▼

Auction Night and Bank Night, Bankeeno and Beano, Bingo and Broadway Handicap, Bunko and Bull's Eye, Cash Night and Children's Alphabet Game. Currency Award and a cute one called Housie-Housie, Lucky and Monte Carlo. Movie Races and Projecto, Prosperity Night and Quiz Quest. Don't go away. There are more. Race Night and Radio Night, ordinary Screeno, Giant and Triple Screeno, Sweepstakes and Ten-O-Win, Thrift Night and Treasure Night and who knows what other kind of night, but Show Night? The business of exhibition is sinking into a morass called games of chance and chancing a game it will, in wholesale, regret one of these minutes. . . .

▼

We know. It's the competition. You don't like it, but there's nothing you can do. Our answer to that is applesauce, hooey, or both. A specious and phony argument which refuses to hold water, or sense. The Loew circuit is not double featuring its neighborhood runs of "After the Thin Man," is it? RKO did not, nor does it ever, double bill "Swing Time" or any of the Astaire-Rogers musicals, does it? You bet not. When the conviction is there you find backbone as well. The trouble, a widespread trouble, is the general lack of gumption and stamina stamping the decision-formulating processes of this industry. Everybody will hem, haw and see-saw. The path marked by the least resistance is followed, as usual, and everyone rests on haunches, hoping for the best. . . .

▼

Not this time can the development be pinned on the doorstep of the producer circuits. Not at all. This time, the smaller theatre operator, lazily reclining on his think tank, got going and in getting going did the simple and obvious in generating steam with his circuit competition. The circuits, the more fools they, followed; it was the "competition" and it could not be ignored. Multiply a given situation by thousands over the land and the result is what you find today. And as long as we've gone this far, we advance further by fixing the blame for the spread. . . .

▼

We say that, regardless of a type of competition over which they should tower, the major circuits were the groups to have called a halt. If Zilch down the street is packing them in with a game of chance, we say let him.

We say the better grade theatre should point the way in clean operation, in proper newspaper advertising, in dignity and atmosphere, and in showmanship fashioned to sell what is on the screen, which is another way of reminding it was for such a purpose the theatre was built in the first instance. . . .

▼

We say the millions in cash paid out annually to the devices created by opportunists who are turning theatres into gambling parlors should be kept within this business. Spend them where and how you will, but motion picture dollars they are and thus they should remain. . . .

▼

We say games of chance are doing an irreparable harm to the community value built up by exhibitors over the years.

We insist they are a cheapening and derogatory influence which has developed, and will develop, legislative onslaughts and a rekindled contempt for an industry, which, by its bootstraps, has raised current standards to a level never before known for it.

We say it is about time that those whose stewardship it is should bestir themselves into immediate and forthright action. And there we rest. . . .

Approval of Bingo Up in Connecticut

(*Continued from page 1*)

Elks, Shriners and Knights of Columbus upheld the Bingo bill, stating that "some of our finest people" participated in this "clean, decent, upright recreation."

A large Bridgeport contingent objected to the summary banning of the game by prosecuting authorities recently, whether conducted by outside promoters or communal organizations. The only opponent at the hearing was Hale Anderson, Hartford Federated Council of Churches, who read a council petition against "all gambling."

Senator McDermott's bill on marathon and other endurance contests proposed an air-tight revision of the present prohibiting statute. Failure to enforce the law in West Haven because of a loophole was pointed out, though many attending the hearing considered the existing law adequate.

Portland Bans All Forms of Lotteries

PORTLAND, Feb. 23.—No more lotteries of any kind is the decree now of the City Council, which means that theatres for the first time in weeks have no competition.

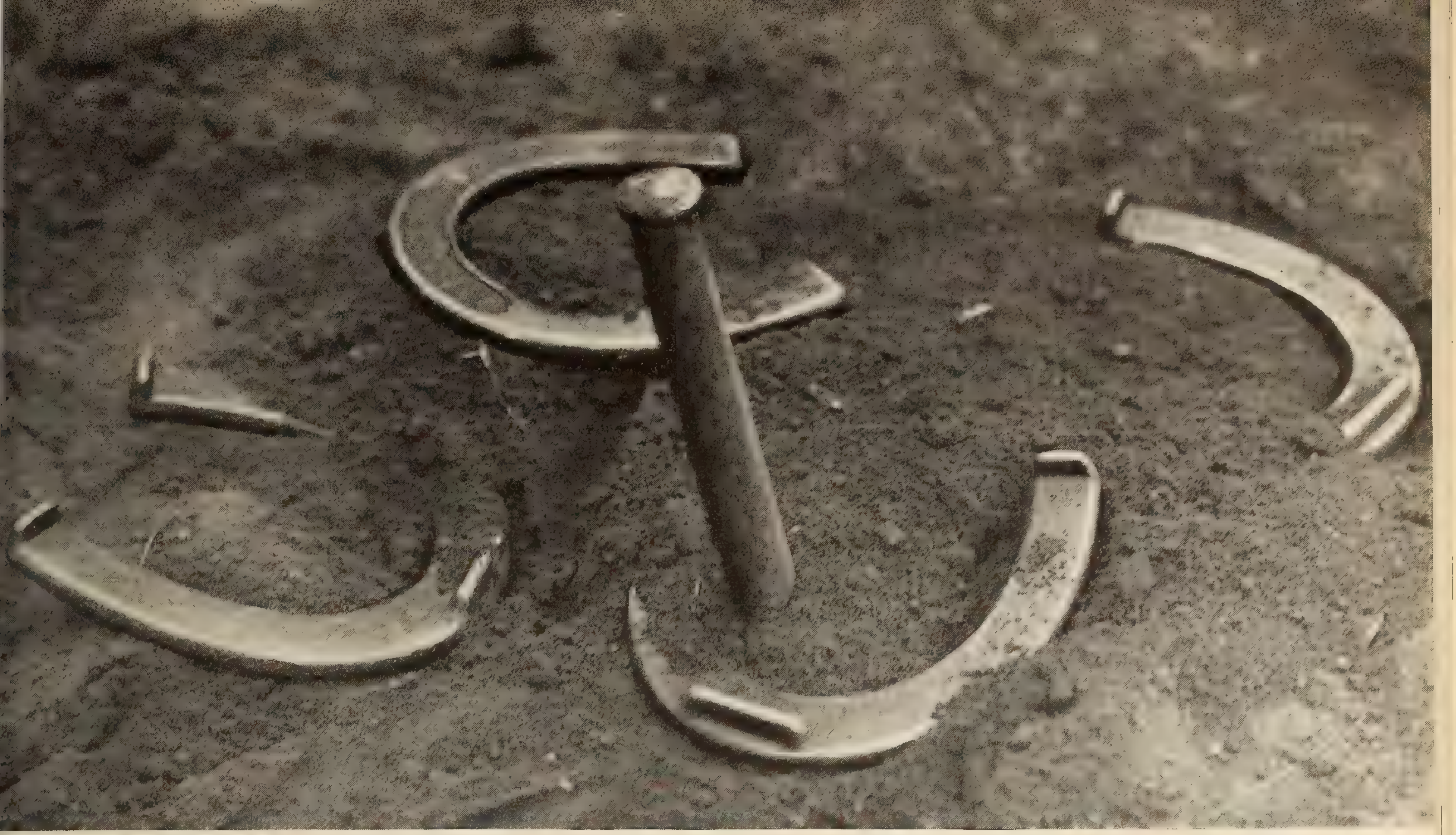
A bill has passed the House at Salem abolishing all pinball games, punch boards and similar games of chance. Final decision rests with the Senate. Strong pressure is being brought to bear by owners of various games. It may be another week before final decision is reached.

Bank Night Ban Killed

BOSTON, Feb. 23.—A bill to ban Bank Night in Massachusetts has been killed in legislative committee. Stage hands, musicians, and actors' unions favored the bill, which was opposed by the M.P.T.O. and Allied. A similar attempt to outlaw Bank Night also failed last year.

Missouri Bills Killed

KANSAS CITY, Feb. 23.—Companion Senate and House bills in the Missouri legislature have been killed. They would have empowered cities, towns and villages under 30,000 population "to prohibit or suppress by ordinance" picture shows, theatrical or other exhibitions, shows and amusements, gift enterprises, bill posters, circuses and shows, and the like.



HORSE-SHOES?

Another smashing M-G-M hit "THE LAST OF MRS. CHEYNEY" commands industry attention! (*following "After the Thin Man", "Camille", "Born To Dance", "Libeled Lady" and many others.*)

The element of *luck* has no place in the M-G-M scheme of production. The true-and-tried producing personnel; the wealth of Star names and the boundless resources of the Greatest Studio in the World leave nothing to *chance!*

There are no horse-shoes on the theatres of our 10,000 customers. They leave nothing to *chance!* The M-G-M name is the beacon of assurance to the patron for a swell show; to the exhibitor for a profitable engagement.

"THE LAST OF MRS. CHEYNEY" *starring* JOAN CRAWFORD • WILLIAM POWELL • ROBERT MONTGOMERY *with* FRANK MORGAN • Jessie Ralph • Nigel Bruce • *From the play by Frederick Lonsdale* Directed by Richard Boleslawski • Produced by Lawrence Weingarten • A Metro-Goldwyn-Mayer Picture

G.B., Scribes, Circuits' Men See Army Film

By J. M. JERAULD

FORT JAY, N. Y., Feb. 23.—"You're in the Army Now" was screened here tonight after a trip by bus, ferry and bus from 1,600 Broadway in the presence of officers, enlisted men, enlisted men's girl friends and invited exhibitors. It was a responsive audience —lots of applause, laughter, 'n' everythin', but whether it was the exhibitors, the U. S. A. or the G. B. section of the audience that was furnishing the excitement couldn't be told in the dark.

Fort Jay, by the way, is inside the three-mile limit. In fact, it's inside the one-mile limit. It lies sou' sou-east of the Aquarium, athwart the course of the Staten Island ferries. That's the reason for all the life preservers on the Army ferry boat. Those Staten Island ferries seem intent on getting to St. George regardless of whether George Weeks, Arthur Lee or Al Margolies, not to mention Peggy Goldberg, get to Governors Island.

First the M.P.'s

After Ed Kuykendall had shown his passport to a military policeman the visitors were allowed to tour long rows of barracks around the parade grounds to the Officers' Club. While the club bartender was mixing up a 21-gun salute Louis Frisch and Harold Rinzler looked out of the window at the Manhattan skyline and wondered why they had never thought of building a theatre in that section.

The colonels and majors showed the boys around and a charming hostess showed the feminine contingent where to get the best view of the harbor before dinner was served. The Army has solved the food question, too. It was just the right number of calories and nearly the correct quantity of vitamins—maybe one or two off—but near enough!

After the cafe noir had drowned the vitamins the party marched over to the fort's theatre—a roomy place with military police as ushers. That's one place where the customers take their seats and like 'em. The ushers have revolvers on one hip and long sticks on the other.

Military Picture, Too

That G. B. title, "You're in the Army Now," refers to the British army, but that didn't seem to matter. The First Division infantry seemed to get the idea.

Wallace Ford got himself enlisted and went through an assortment of funny situations that built into climax in China where the regiment finally rescued Anna Lee after an attack by Chinese bandits on the legation, or the hacienda, or whatever it was. This went on for 73 minutes. Raoul Walsh directed, and did a good job.

Some of the officers wanted some of the visitors to stay until taps after the picture, but, not being sure what taps were, they wended their way slowly toward the ferry.

Among those present were: Max Fullerman of RKO; Matthew Fox of Skouras Theatres; Louis Frisch, Harold Rinzler, Irving Kaplan and Jack Birnbaum of the Randforce Circuit; Louis Notarius of Paramount; A. Suchman of Consolidated Amusements; Al Reid of the Fabian Theatres; Irving Wheeler, Harold Greenberg, Eugene Levy and Kuykendall. The G. B. representatives were: Lee, Weeks, Irving Gumberg, Margolies, Al Selig, Irving Landes, Charles Schwengeler, Charles B. Garrett and Miss Goldberg. A number of fan magazine and trade paper writers also were present.

Ostrers Would Shut Plant; Maxwell Hits GB Dividend

(*Continued from page* 1)

Century-Fox, the last two represented by alternates.

Maxwell declared: "The point at issue was whether it is permissible in estimating earnings to take into account the profits of subsidiary companies that had made profits and to leave out of the reckoning the losses of subsidiaries when they were sustained. I have referred the issue to our solicitors for counsel's opinion, as the other dissenting directors also have done, I understand."

Maxwell also declared that the losses of subsidiaries amounted to £623,000 to Dec. 31, 1936. It is understood the American interests represented by Kent, supported Maxwell because the payment of the dividend will deplete the company's cash and depreciate the value of the 20th Century-Fox holdings. A still more important reason is understood to be the fear of being associated with an action believed to be illegal and supported only by the Ostrer section of the board.

The press is again critical of Gaumont finances with the *Daily Mail* financial editor suggesting that film stocks valued in the balance sheet at £1,500,000 are actually worth half that, representing a loss of £725,000 against a reserve of only £500,000. He says the dividend should not have been paid and that the reserve should have been conserved.

M. & B. Holdings Endangered

If the preferred dividend had been passed, holders would have been entitled to vote six months later. The impression prevails here that Maxwell wanted the preference default in order to use the preference votes to defeat the Ostrer-20th Century-Fox control through Metropolis & Bradford. This concern's G. B. holdings would no longer be a majority if the preferred shares had voting power.

There was published here the correspondence between C. L. Nordon, lawyer representing dissatisfied ordinary shareholders, and the G. B. board. Nordon asks 18 questions and threatens the requisition of an extraordinary general meeting.

Questions are asked on the details of theatre takings, the amount by which theatre valuations were increased for balance sheets, how much has been paid to 20th Century-Fox in the past five years, details of directors' drawings from the company and its subsidiaries, what William Fox paid for the G. B. shares and how the Ostrers obtained the shares sold to Fox.

Nordon asserts Metropolis & Bradford is under foreign control and not entitled to vote.

In reply, G. B. asserts that only one per cent of the shareholders are concerned and says that some information asked goes beyond any question of accounts and asks names and holdings of the protesting shareholders.

Nordon's committee is seeking the support of other shareholders.

(*Continued from page* 1)

tion there would be profitable if the proper methods were used.

The Ostrer plan is believed to be that the transfer of production is necessary under the contracts of the company with directors and players, and provides for Jessie Matthews going to Pinewood, and C. M. Woolf taking over distribution through General Film Distributors.

Financial advances from Lord Portal and Woolf are seen as helping G.B. meet its contract obligations to Alfred Hitchcock, Sonnie Hale and Robert Stevenson, directors, and Miss Matthews, Ann Lee, Nova Pilbeam, Lilli Palmer, Oscar Homolka and Desmond Tester, players.

It was indicated in informed quarters here today that a meeting has been set with Woolf and Herbert Wilcox for tomorrow, but the Maxwell opposition may defeat the plan and force the Ostrers to face the cost of continued production without much money in the bank, which would inevitably hasten a major crisis in the affairs of G.B. The story of the possible stopping of production appearing in the evening papers here, caused a slump in film shares.

G.B. 10-shilling ordinary shares dropped to six shillings, three pence; the "A" ordinaries to two shillings, six pence; the preference shares to 12 shillings, six pence; A.B.P. ordinary shares dropped one shilling, three pence; the half-pence B. & D. shares were off six pence, and British Lion was off the same amount.

Wilcox Signs Walbrook

LONDON, Feb. 15.—Anton Walbrook has been signed to play the prince consort in Herbert Wilcox's production of "Victoria the Great," with Anna Neagle.

To Handle Reunion Films

LONDON, Feb. 15.—National Provincial Film Distributors will in the future distribute the product of the John W. Gossage company, Reunion Films.

Quits CEA Election Race

LONDON, Feb. 15.—J. R. Doverner has withdrawn as a candidate for the vice-presidency of the Cinematograph Exhibitors' Ass'n.

Barham, Wife Injured

HAMILTON, O., Feb. 23.—Tracy Barham, general manager of Southio, and his wife were slightly injured when their automobile was crowded off the highway by another car near here yesterday.

Three Griffith Men Ill

OKLAHOMA CITY, Feb. 23.—Three Griffith Amusement Co. officers, H. R. Falls, assistant general manager, and C. B. Akers and C. O. Fulgham, division managers, have been ill with the flu.

Union, Hoyts Deal to End December 31

(*Continued from page* 1)

by Harold Auten, foreign manager for Greater Union, at his headquarters here. The message asserts that out of the total key city buying power of the present combine, Greater Union controls 67½ per cent and Hoyts 32½ per cent. The following is Doyle's analysis of the key city situations.

In Sydney, Greater Union has five first runs, Hoyts two, and each company owns a half interest in an additional first run. In Melbourne, Greater Union and Hoyts have four first runs each. In Adelaide, Greater Union has three first runs and Hoyts one. In Brisbane, Greater Union has four first runs and Hoyts one. In Perth, Hoyts has four first runs and each company owns a half interest in an additional first run. In Newcastle, Greater Union has four first runs and Hoyts none. In Tasmania, Greater Union has six first runs and Hoyts none.

Greater Union 27; Hoyts 13

"Thus, out of a total of 40 first run theatres in the General Theatre combine," Doyle states, "Greater Union owns or controls 27, and Hoyts 13."

It is also stated that "backed by strong financial resources" Greater Union plans to extend its interests in suburban and country territories where Hoyts is already "independently numerically strong."

It was reported from Australia recently that Sidney R. Kent and Walter J. Hutchinson of 20th Century-Fox, which owns a controlling interest in Hoyts, would go to Sydney next summer in an effort to effect an agreement on continuation of the operating combine. Whether the "mutually given" notice of cancellation referred to in Doyle's cablegram will alter this plan could not be learned yesterday. Kent is in Florida and Hutchinson could not be reached for comment.

The effective date of cancellation was decided upon at Greater Union's suggestion, according to Doyle's message.

Britton Quits Imperial

BOSTON, Feb. 23.—Leo Britton resigned today as local manager for Imperial Pictures, and has been replaced by Elmer Turnquist, former office manager. Britton will return to independent exchange operation. E. J. Smith, national sales manager for Imperial, will arrive here today from New York for a week's business trip.

Buys Exchange Branch

OKLAHOMA CITY, Feb. 23.—The A. & M. Film Exchanges, Inc., has purchased the Oklahoma City branch of the Sack Amusement Co. of San Antonio, leaving Sack only one office, that in San Antonio. A. & M. has a branch in San Antonio.

Ralph Branton on Coast

HOLLYWOOD, Feb. 23.—Ralph Branton, district manager for Tri-States in Iowa, arrived here Friday to look over the current product.

His first day was spent in looking over coming M-G-M releases.

WHEN THEY'RE NOT SITTING DOWN IN DETROIT

UNITED ARTISTS

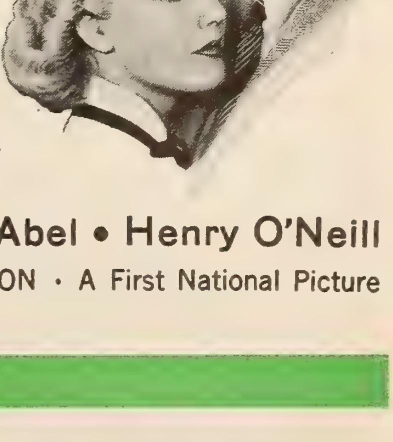
THEY'RE STANDING UP AT THE UNITED ARTISTS!

WARNER BROS. arranged it that way with the glorious new sensation by the author of 'Magnificent Obsession'!

ERROL FLYNN AND ANITA LOUISE

In Their First Modern Roles Together

Green Light



with

MARGARET LINDSAY • Sir CEDRIC HARDWICKE • Walter Abel • Henry O'Neill

A FRANK BORZAGE PRODUCTION • Music by Max Steiner • A COSMOPOLITAN PRODUCTION • A First National Picture

SOCKO!

HELD OVER IN NEW YORK AND MIAMI! AND SRO IN FRISCO, ALBANY, HARTFORD, NEW HAVEN, MILWAUKEE OPENINGS!

"Sea Devils," Murray Loop's Best Grossers

CHICAGO, Feb. 23.—The Palace took the lead in the Loop with "Sea Devils" on the screen and Ken Murray and Oswald on the stage. The combination grossed $25,500, $6,500 above average.

At the State-Lake the Duncan Sisters in a new revue proved a strong attraction, coupled with "She's Dangerous" on the screen. The take there was $17,300.

Other attractions drawing well were "Man of The People" at the Oriental and "Sing Me A Love Song" at the Apollo. At the Roosevelt "You Only Live Once" was hard hit. Too many underworld pictures in the house of late are given as the cause for the poor business. "Stolen Holiday" at the Chicago was under par.

The weather was unsettled. Rain and snow kept many away from the Loop, although the temperature was well above zero.

Total first run business was $126,300. Average is $118,000.

Estimated takings:

Week Ending Feb. 18:

"SEA DEVILS" (RKO)

PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Ken Murray and Oswald with revue. **Gross:** $25,500. (Average, $19,000)

"STOLEN HOLIDAY" (W.B.)

CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: "Valentine Fantasy" and revue with Bemis Twins. **Gross:** $28,500. (Average, $32,000)

"MAN OF THE PEOPLE" (M-G-M)

ORIENTAL — (3,490), 35c-55c, 7 days. Stage: Benny Davis and revue. **Gross:** $17,300. (Average, $15,000)

"SING ME A LOVE SONG" (W.B.)

APOLLO—(1,400), 35c-55c-75c, 6 days. **Gross:** $6,500. (Average, $6,500)

"CHAMPAGNE WALTZ" (Para.)

GARRICK—(900), 35c-55c-75c, 7 days, 3rd Loop week. **Gross:** $5,800. (Average, $6,500)

Week Ending Feb. 19:

"CAMILLE" (M-G-M)

UNITED ARTISTS—(2,700), 35c-55c-75c, 10 days, 3rd week. **Gross:** $16,000. (Average, $15,000)

"YOU ONLY LIVE ONCE" (U.A.)

ROOSEVELT — (1,591), 35c-55c-75c, 7 days. **Gross:** $9,200. (Average, $11,000)

"SHE'S DANGEROUS" (Univ.)

STATE-LAKE — (2,776), 20c-35c-40c, 7 days. Stage: Duncan Sisters in "Topsy and Eva of 1937." **Gross:** $17,500. (Average, $13,000)

Trotta Picks Aides On the Ampa Awards

Vincent Trotta, chairman of the Ampa committee on awards, has completed lining up members who will work with him on the annual event. Efforts are being made to secure several outstanding personalities in the advertising world to act as judges.

A meeting of Trotta's committee will take place Thursday night at the Edison. Those who are scheduled to attend are Barret McCormick, S. Charles Einfeld, John C. Flinn, Paul Gulick, Al Selig, Hyatt Daab, Paul Benjamin, Milton Weiss, Tess Michaels, Herbert Berg and Al Sherman.

Savini Gets Tyler Films

R. M. Savini has closed a deal with W. Ray Johnston Enterprises for reissue of eight Tom Tyler westerns by Astor Pictures in the United States and Canada.

Bit Complicated

Hollywood, Feb. 23.—Peter Lorre is having trouble with internationalism.

He's an Hungarian. In "Think Fast, Mr. Moto," in which he is working for 20th Century-Fox, he is cast as a Japanese detective who disguises himself as an Armenian rug dealer.

Plagiarism Charge On 'Dead End' Heard

The trial of the $2,000,000 plagiarism suit of Edna Buckler against Sidney Kingsley, Norman Bel Geddes and Random House started yesterday before Federal Judge John M. Woolsey. The plaintiff charges that her play "Money" was plagiarized by Kingsley when he wrote "Dead End." She testified that she submitted "Money" in January, 1935, to Joseph F. Bickerton, Jr., theatrical attorney and producer, who, in turn, submitted it to Kingsley for a review. Kingsley, on the other hand, testified that he had the same idea for a play dealing with slums and its effects on children prior to 1935.

The following witnesses testified on Kingsley's behalf substantiating his testimony: Dr. Lawrence Shapiro, formerly connected with Bellevue; Edward Blatt, who was described as a Paramount producer, Mrs. Nathan Strauss, Jr., Eleanor Phellps, a radio artist, and Martin Lowenthal, an architect who is the central figure in "Dead End."

Samuel Goldwyn, who purchased the screen rights to "Dead End," was also named as a defendant but was not served. The testimony was completed yesterday and Judge Woolsey said he will hear the defendants argue a motion to dismiss the complaint this morning.

Denies Fox Claim Plea

Federal Judge Martin T. Manton yesterday denied a motion made by the U. S. Fidelity and Guarantee Co. for permission to file its claim for $11,802 in the Fox Theatres receivership. The plaintiff claims it obtained a judgment in December, 1935, against William Fox for that amount. The court in denying the motion ruled that the plaintiff delayed too long in filing its claim, since the first steps in the litigation had already been completed.

Approve Censor Measure

INDIANAPOLIS, Feb. 23.—Despite the protests of W. C. Carpenter, field representative of the Associated Theatre Owners of Indiana, the bill calling for a state censor board was approved yesterday by the Committee on County and Township Business, and returned to the House for a second reading.

Carpenter contended the bill's assessment of $3 per reel for censor expenses would be borne by the exhibitors rather than the producers, as specified in the bill. He estimated the bill would cost the 426 independent houses in the state $370 each annually. He declared that the exhibitors would be forced to pay the fees despite the bill's provision for producer payment, because of distribution contracts which provide that exhibitors pay all fees, taxes and other state charges.

Sullivan, Long on Stage, Dies at 63

Daniel J. Sullivan, 63, actor on the legitimate stage and for a time on the screen, and long associated with Eddie Dowling, producer, died early yesterday at the Medical Arts Hospital of a heart ailment. He had been ill for several years.

Most important of the films in which he appeared was "Cecelia of the Pink Roses" with Marion Davies. He played on the stage with Dowling in "Sally, Irene and Mary." Sullivan was born in Marlboro, Mass. At the time of his death he was associated with Dowling in "Richard II." Funeral services will be held at St. Malachy's Church Friday morning, with burial in Mt. Kisco. He is survived by his widow, Rebecca Sullivan, and one son, Marshall.

Jeanette Lowrie Dies

HOLLYWOOD, Feb. 23. — Jeanette Lowrie, veteran stage actress, died here yesterday of a heart attack. She was active for many years on the Broadway stage.

Becker Will Return To Private Practice

WASHINGTON, Feb. 23.—Samuel Becker, who has resigned as special counsel for the F. C. C. in its A. T. & T. investigation, plans to return to the private practice of law in Wisconsin.

He broke into the headlines with the opening of the probe by his bitter attack upon telephone company witnesses and his digging out of much previously concealed information as to how the company operated, both in regard to its telephone business and its activities in other lines. His tactics resulted in a great deal of criticism of the manner in which the commission was conducting the investigation.

MPPDA Meet March 29

The annual meeting of the M.P.P.D.A. is scheduled for March 29, at which time the annual reports on the organization's activities will be submitted to directors.

Will H. Hays arrived in New York yesterday following a seven-week stay in Hollywood.

Selznick in Pathe Plant

HOLLWOOD, Feb. 23.—Selznick International has completed plans for the rearrangement of the Pathe studios which the company took over today. Improvements are expected to cost $100,000.

Selznick Names Leavitt

HOLLYWOOD, Feb. 23. — Harry Leavitt, formerly superintendent for Thomas Ince, has been appointed studio manager for Selznick International by Harry Ginsberg, general manager.

Wanger Hits Actor Bill

HOLLYWOOD, Feb. 23.—Declaring that "the importance of American films as ambassadors abroad is enormous," Walter Wanger has wired Representative Charles Kramer, urging defeat of the Dickstein bill "to save the jobs of thousands of Americans who would not have their jobs if the relatively few foreign stars in Hollywood were forced to make their pictures outside this country."

"Million" Is Kansas City's 3rd Week Top

KANSAS CITY, Feb. 23.—"One in a Million" took $5,500 its third week here at the Fox Uptown in Kansas City and was held for a fourth, the first time this has happened here since Will Rogers was at his peak. It played the Mainstreet a week, was moved to the Newman, and then went to the Uptown after a two-week interval. The take was $1,500 over the line.

"Woman Wise" and a stage show at the Fox Tower was the only other first run that beat par. It took $7,400, $400 over the line. "Women of Glamour" and "Dangerous Number" gave the Midland $9,000, but this was $2,500 under average. "Black Legion" pulled $6,500 for the Newman, where $7,000 is good.

"Jane Eyre" with Katharine Hepburn at the Municipal Auditorium pulled 10,000 in three days, and the Natie Brown-Joe Louis scrap at the same place pulled another 10,000.

Total first run business was $34,900. Average is $37,500.

Estimated takings:

Week Ending Feb. 18:

"STOLEN HOLIDAY" (W.B.)

MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $6,500. (Average, $8,000)

"WOMEN OF GLAMOUR" (Col.)
"DANGEROUS NUMBER" (M-G-M)

MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $9,000. (Average, $11,500)

"BLACK LEGION" (W.B.)

NEWMAN — (1,900), 25c-40c, 7 days. **Gross:** $6,500. (Average, $7,000)

"WOMAN WISE" (20th-Fox)

TOWER—(2,200), 25c-35c, 7 days. Stage: Fred Lightner & Co., Toni Lane, Ray Vaughn, Jerry Lawton. **Gross:** $7,400. (Average, $7,000)

"ONE IN A MILLION" (20th-Fox)

UPTOWN—(2,000), 25c-40c, 7 days, 3rd week. **Gross:** $5,500. (Average, $4,000)

Markey Plans 30-36

LONDON, Feb. 15.—Alexander Markey declared here that his new organization in the United States backed by the M.P. Foundation, would provide from 30 to 36 pictures a year, and that the first product would be available in August. Markey has contacted the Independent Exhibitors Distributing Co., but says his distribution will probably be through other channels. He envisages the development of cooperative production enterprises in all countries.

Newsreel Uses 16mm

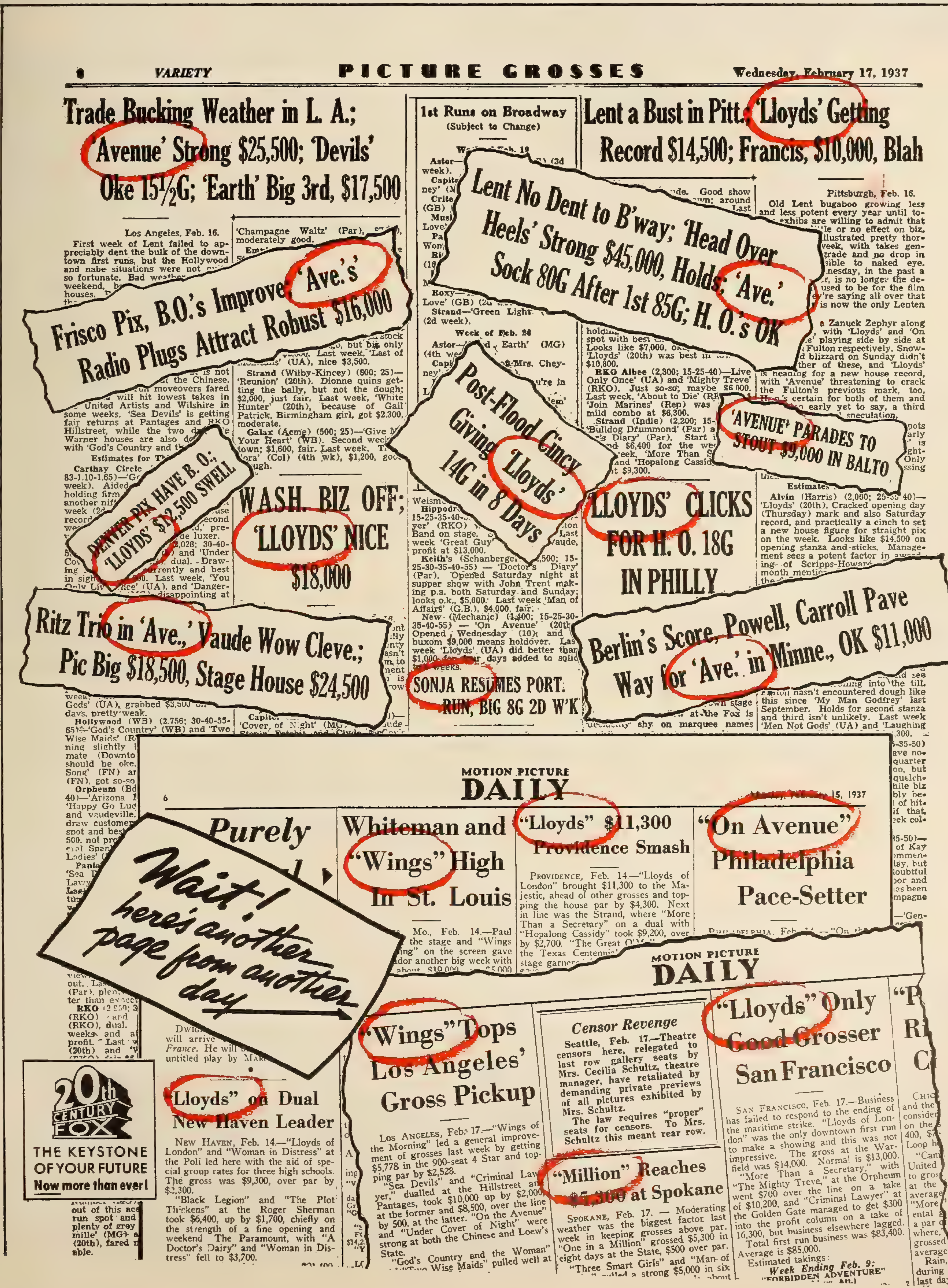
LONDON, Feb. 15. — Capital and Provincial News Theatres, controlled by Norman J. Hulbert, has organized a sub-standard 16 mm. news film service for its theatres at Liverpool, Portsmouth, Southampton and Brighton. In each town a cameraman records local events by this method, as supplementary items to the national newsreels. Screened from an Ensign 16 mm. projector, the local items are shown full screen by means of a special lens.

Call Off Maine Carnival

BOSTON, Feb. 23.—M. & P. Theatres has been obliged to cancel the State Winter Carnival which has been a feature of Portland for the past few years, garnering plenty of publicity and civic regard for the circuit. Maine has no snow.

THE AD THE BOX OFFICE WROTE!

(One day's clippings from two leading trade papers!)



8 VARIETY PICTURE GROSSES Wednesday, February 17, 1937

Trade Bucking Weather in L. A.; 'Avenue' Strong $25,500; 'Devils' Oke 15½G; 'Earth' Big 3rd, $17,500

Los Angeles, Feb. 16.

First week of Lent failed to appreciably dent the bulk of the downtown first runs, but the Hollywood and nabe situations were not so fortunate. Bad weather weekend, houses.

'Champagne Waltz' (Par), moderately good.

Frisco Pix, B.O.'s Improve; 'Ave.'s' Radio Plugs Attract Robust $16,000

but big only. Last week, 'Last of Mohicans' (UA), nice $3,500.

Strand (Wilby-Kincey) (800; 25)—'Reunion' (20th). Dionne quins getting the bally, but not the dough; $2,000, just fair. Last week, 'White Hunter' (20th), because of Gail Patrick, Birmingham girl, got $2,300, moderate.

Galax (Acme) (500; 25)—'Give Me Your Heart' (WB). Second week town; $1,600, fair. Last week, 'Theodora' (Col) (4th wk), $1,200, good enough.

is not the Chinese. moveovers fared will hit lowest takes in United Artists and Wilshire in some weeks. 'Sea Devils' is getting fair returns at Pantages and RKO Hillstreet, while the two Warner houses are also doing with 'God's Country and the

Estimates for This Week

Carthay Circle 83-1.10-1.65)—'Go week). Aided holding firm another nifty week

DENVER PIX HAVE B. O.; 'LLOYDS' $12,500 SWELL

WASH. BIZ OFF; 'LLOYDS' NICE $18,000

Ritz Trio in 'Ave.,' Vaude Wow Cleve.; Pic Big $18,500, Stage House $24,500

Gods' (UA), grabbed $3,500 on days, pretty weak.

Hollywood (WB) (2,756; 30-40-55-65)—'God's Country' (WB) and 'Two Wise Maids' (R ning slightly mate (Downtown) should be oke. Song' (FN) and (FN), got so-so

Orpheum (Bd 40)—'Arizona 'Happy Go Lucky' and vaudeville.

'Cover of Night' (MG)

1st Runs on Broadway
(Subject to Change)

Week of Feb. 19

Astor— (3d week).

Roxy— Love' (GB)

Strand—'Green Light' (2d week).

Week of Feb. 26

Astor—'Good Earth' (MG) (4th week).

Capitol—'Mrs. Cheyney'

Lent No Dent to B'way; 'Head Over Heels' Strong $45,000, Holds; 'Ave.' Sock 80G After 1st 85G; H. O.'s OK

Post-Flood Cincy Giving 'Lloyds' 14G in 8 Days

Hippodrome 15-25-35-40- yer' (RKO) Band on stage. Last week 'Great Guy' vaude, profit at $13,000.

Keith's (Schanberger) 2,500; 15-25-30-35-40-55) — 'Doctor's Diary' (Par). Opened Saturday night at supper show with John Trent making p.a. both Saturday and Sunday; looks o.k., $5,000. Last week 'Man of Affairs' (G.B.), $4,000, fair.

New (Mechanic) (1,400; 15-25-30-35-40-55) — 'On Avenue' (20th). Opened Wednesday (10) and buxom $9,000 means holdover. Last week 'Lloyds' (UA) did better than $1,000 for four days added to solid weeks.

SONJA RESUMES PORT. RUN, BIG 8G 2D W'K

Lent a Bust in Pitt.; 'Lloyds' Getting Record $14,500; Francis, $10,000, Blah

Pittsburgh, Feb. 16.

Old Lent bugaboo growing less and less potent every year until today exhibs are willing to admit that it has little or no effect on biz. illustrated pretty thoroughly week, with takes gen- grade and no drop in visible to naked eye. Wednesday, in the past a r, is no longer the de- used to be for the film they're saying all over that is now the only Lenten

a Zanuck Zephyr along with 'Lloyds' and 'On Avenue' playing side by side at Fulton respectively. Snow- blizzard on Sunday didn't ther of these, and 'Lloyds' is heading for a new house record, with 'Avenue' threatening to crack the Fulton's previous mark, too. H. O.'s certain for both of them and early yet to say, a third speculation.

holding spot with best Looks like $7,000, 'Lloyds' (20th) was best $10,800.

RKO Albee (2,300; 15-25-40)—'Live Only Once' (UA) and 'Mighty Treve' (RKO). Just so-so; maybe $6,000. Last week, 'About to Die' (RKO) 'Join Marines' (Rep) was mild combo at $6,300.

Strand (Indie) (2,200; 15- 'Bulldog Drummond' (Par) a 's Diary' (Par). Start and $6,400 for the week, 'More Than S and 'Hopalong Cassidy' $9,300.

'AVENUE' PARADES TO STOUT $9,000 IN BALTO

'LLOYDS' CLICKS FOR H. O. 18G IN PHILLY

Estimates

Alvin (Harris) (2,000; 25-35-40)—'Lloyds' (20th). Cracked opening day (Thursday) mark and also Saturday record, and practically a cinch to set a new house figure for straight pix on the week. Looks like $14,500 on opening stanza and sticks. Management sees a potent factor in award ing of Scripps-Howard month mention

Berlin's Score, Powell, Carroll Pave Way for 'Ave.' in Minne., OK $11,000

at the Fox is shy on marquee names

Fulton hasn't encountered dough like this since 'My Man Godfrey' last September. Holds for second stanza and third isn't unlikely. Last week 'Men Not Gods' (UA) and 'Laughing

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MOTION PICTURE DAILY

6 15, 1937

Purely

Whiteman and "Wings" High In St. Louis

Mo., Feb. 14.—Paul the stage and "Wings ing" on the screen gave dor another big week with about $19,000

"Lloyds" $11,300 Providence Smash

PROVIDENCE, Feb. 14.—"Lloyds of London" brought $11,300 to the Majestic, ahead of other grosses and topping the house par by $4,300. Next in line was the Strand, where "More Than a Secretary" on a dual with "Hopalong Cassidy" took $9,200, over by $2,700. "The Great O'M the Texas Centennial stage garner

"On Avenue" Philadelphia Pace-Setter

Wait! here's another page from another day

DWIGHT will arrive *France.* He will untitled play by MARC

"Lloyds" on Dual New Haven Leader

NEW HAVEN, Feb. 14.—"Lloyds of London" and "Woman in Distress" at the Poli led here with the aid of special group rates for three high schools. The gross was $9,300, over par by $2,300.

"Black Legion" and "The Plot Thickens" at the Roger Sherman took $6,400, up by $1,700, chiefly on the strength of a fine opening and weekend The Paramount, with "A Doctor's Dairy" and "Woman in Distress" fell to $3,700.

out of this ace run spot and plenty of grey mille' (MG) a (20th), fared able.

MOTION PICTURE DAILY

"Wings" Tops Los Angeles' Gross Pickup

LOS ANGELES, Feb. 17.—"Wings of the Morning" led a general improvement of grosses last week by getting $5,778 in the 900-seat 4 Star and topping par by $2,528.

"Sea Devils" and "Criminal Lawyer," dualled at the Hillstreet and Pantages, took $10,000 up by $2,000 at the former and $8,500, over the line by 500, at the latter. "On the Avenue" and "Under Cover of Night" were strong at both the Chinese and Loew's State.

"God's Country and the Woman" "Two Wise Maids" pulled well at

Censor Revenge

Seattle, Feb. 17.—Theatre censors here, relegated to last row gallery seats by Mrs. Cecilia Schultz, theatre manager, have retaliated by demanding private previews of all pictures exhibited by Mrs. Schultz.

The law requires "proper" seats for censors. To Mrs. Schultz this meant rear row.

"Million" Reaches $5,300 at Spokane

SPOKANE, Feb. 17. — Moderating weather was the biggest factor last week in keeping grosses above par. "One in a Million" grossed $5,300 in eight days at the State, $500 over par.

"Three Smart Girls" and "Man of pulled a strong $5,000 in six

"Lloyds" Only Good Grosser San Francisco

SAN FRANCISCO, Feb. 17.—Business has failed to respond to the ending of the maritime strike. "Lloyds of London" was the only downtown first run to make a showing and this was not impressive. The gross at the Warfield was $14,000. Normal is $13,000.

"More Than a Secretary," with "The Mighty Treve," at the Orpheum went $700 over the line on a take of $10,200, and "Criminal Lawyer" at the Golden Gate managed to get $300 into the profit column on a take of 16,300, but business elsewhere lagged.

Total first run business was $83,400. Average is $85,000.

Estimated takings:

Week Ending Feb. 9:

"FORBIDDEN ADVENTURE"

CHICAGO and the considered on the 400, $7 Loop

"Camille," United to gross at the average "More ental a par where," grossed average

Rain, during the last days

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Now more than ever!

"Camille" 2nd Run Leads in Philadelphia

Philadelphia, Feb. 23.—In a generally quiet week, the best comparative business was scored by "Camille" in a second run at the Arcadia. It grossed $4,000 and was held a second week.

Booked in for only a week, "Lloyds of London" ran out 11 days at the Boyd to the better-than-average tune of $23,000.

"The Plough and the Stars," with a stage show, topped the Fox average with $14,500, though it fell short of expectations. "On the Avenue" got a good $13,000 for its second Stanley week.

The season's first snow storm of any proportions cut into the grosses for one day.

Total first run business was $83,600. Average is $89,560.

Estimated takings for the week ending Feb. 18:

"YOU ONLY LIVE ONCE" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 7 days, 2nd week. **Gross:** $4,500. (Average, $8,160)

"CAMILLE" (M-G-M)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 7 days. **Gross:** $4,000. (Average, $2,400)

"LLOYD'S OF LONDON" (20th-Fox)
BOYD—(2,400), 40c-55c, 11 days. .**Gross:** $23,000. (Average, 7 days, $14,000)

"THE GREAT O'MALLEY" (W.B.)
EARLE—(2,000), 25c-40c-55c, 7 days. Stage: "Radio Headline Parade" with Neila Goodelle, Three X Sisters, Ben Grauer, Honeyboy and Sassafras, Arlene Harris. **Gross:** $14,000. (Average, $14,000)

"PLOUGH AND THE STARS" (RKO)
FOX—(3,000), 40c-55c-65c, 7 days. Stage: The Bredwins, George Beatty, Roy Campbell's Royalists. **Gross:** $14,500. (Average, $14,000)

"MORE THAN A SECRETARY" (Col).
(2nd run)
KARLTON—(1,000), 25c-35c-40c, 7 days. **Gross:** $2,500. (Average, $4,000)

"CHAMPAGNE WALTZ" (Para.)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 7 days. **Gross:** $2,800. (Average, $4,000)

"ON THE AVENUE" (20th-Fox)
STANLEY—(3,700), 40c-55c, 7 days, 2nd week. **Gross:** $13,000. (Average, $14,000)

"MAN OF THE PEOPLE" (M-G-M)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,300. (Average, $7,000)

Seattle Fund $1,832.79

Seattle, Feb. 23.—A final checkup on the Red Cross flood relief fund raised in the recent one-day solicitation in Seattle theatres showed a total of $1,832.79.

Dust Hits Western Spots

Kansas City, Feb. 23.—The Dust Bowl is on the rampage again, reports from western Kansas, the Panhandle and northern Texas indicate. Swirling clouds of silt swept northeastward out of Texas early in the week, reaching Topeka, and eastward. At Hugoton, Kan., all public gatherings were banned. At other points theatres were reported doing little business or closed.

Heading Swedish Unit

Stockholm, Feb. 23. — Dr. Paul Fejos, film director, formerly of Hollywood and until recently active in Copenhagen, has been signed as the leader of a film expedition to Siam and New Guinea sponsored by the Svensk Filmindustri. The expedition will leave Sweden the end of this month, and is expected to be gone for two years.

Overseas Previews

"Les Bas-Fonds"

("The Underworld")

(Films Albatros)

Paris, Feb. 16.—The action of this film, which is based on "Na-dnie. a novel by the Russian author, Maxim Gorki, is set in the underworld of a large Russian city.

Although in many parts a trifle sordid, it is often touched with pathos and real humor, and there is a sight of the sun shining through the clouds of misery and depravity.

The story deals with a receiver of stolen goods, Kostylev, who keeps a workhouse for Pepel, a thief, the lover of Kostylev's wife, Wassilissa; a third rate actor who is drinking himself to death, and others of the same calibre. Wassilissa has a young and beautiful sister, Natacha, who is in love with Pepel and who hopes to convert him. Pepel, who breaks into the house of a Baron, with the intention of robbing him, finds a cynical man, overwhelmed with debts and who is on the point of being turned out of his home. The two become friends, the Baron saves Pepel from prison and later, having lost all his worldly possessions, joins Pepel at the awful workhouse kept by Kostylev. Wassilissa, realizing that Pepel has never loved her, but wishing to keep him from her sister, encourages the attentions of, and tries to force her into marrying a police inspector who threatens to arrest Kostylev on the charge of receiving stolen goods. As Natacha refuses, Wassilissa and Kotylev try to beat her into submission. Pepel arrives on the scene, saves Natacha and chases Kostylev out into the open where he is beaten to death by Pepel and the men of the workhouse, whom he has cheated. Pepel is arrested but Natacha waits for him, and together they leave to start a new life.

The film is skilfully directed by Jean Renoir, and can be really considered as one of the best and most important French pictures produced in 1936. It has received the "Prix Louis Delluc," granted for the first time this year by the Young Independent Film Critics. It is brilliantly acted and the whole cast is excellent. The photography is good. The quality of this film, and its unusual type, may surely attract American patrons who are interested in foreign pictures.

Running time, 90 minutes. "A."

"Courrier Sud"

("Southern Mail")

(Pan Ciné—Solar Film)

Paris, Feb. 16.—Adapted from a novel by Antoine de Saint Exupéry, the author of "Night Flight," this ambitious film aims at showing the lives of the pilots of the French Air Line, from Casablanca, Morocco, to Dakar, Senegal, in the days when the line was created, about 10 years ago.

In itself, the subject is very interesting and could have made an outstanding film, glorifying the pioneers of this air line, who had to fly 2,000 miles over the deserts of Mauretania and of whom many were killed by the bullets of rebel natives.

The film has been hurt by a sentimental love story which has taken the main part of the action. Instead of being a forceful film, it has become a melodrama dealing with a pilot returning to France on leave, called by his childhood sweetheart, married to a man in the diplomatic corps she does not love. The pilot and his friend run away together, but called by his duty he has to leave her. He is finally killed by the Moors in the desert.

The outdoor scenes are excellent. The photography is splendid. Pierre Billon's direction is rather uneven, as is the screenplay, which lacks unity.

Nearly all the scenes dealing with the lives and the adventures of the pilots are thrilling, although not developed enough, while the love interest is of less value.

The cast includes Pierre Richard Wilm, whose acting is not up to his usual standard and Jany Holt who is not natural. Charles Vanel is best in the role of the husband. It is difficult to forsee what this film will do in foreign speaking countries. In France it is considered a big picture. Hollywood producers may be interested in remaking it, using the African scenes.

Running time, 100 minutes. "A."

Autre

"Moonlight Sonata"

(Pall Mall-United Artists)

London, Feb. 15.—This one is a bit of a problem. Its big star is Paderewski, world famous pianist and ex-Premier of Poland, and its big asset is, of course, his playing.

It starts with a full 25 minutes' recital by the maestro, playing Rachmaninoff, Lizt and Beethoven. How he plays goes without saying, but

(*Continued on page* 10)

"Wings" and Show Detroit Top $26,400

Detroit, Feb. 23.—Top honors for the week went to "Wings of the Morning," with a stage show headed by the Mills Brothers at the Fox. The gross was $26,400, over normal by $4,600.

"Maid of Salem" made a good showing at the Michigan with a vaudeville program headed by Enrico Caruso, Jr., by grossing $23,200. This was $3,200 to the good. "Camille" held up to $10,500 in its second week at the United Artists.

Total first run business was 77,500. Average is $70,000.

Estimated takings for the week ending Feb. 18:

"DEVIL'S PLAYGROUND" (Col.)
"LAUGHING AT TROUBLE" (20th-Fox)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $4,100. (Average, $5,000)

"WINGS OF THE MORNING" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Mills Bros., Helene Denizon, Stewart & Martin, Lazy Bill Huggins, Pickard and Mickey, Urban Models, Maidie & Ray, Jeanne, Philestes. **Gross:** $26,400. (Average, $20,000)

"MAID OF SALEM" (Para.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Enrico Caruso, Jr., Joe Cook, Jr., Eddie Foy, Jr., Eddie Leonard, Jr., Joe Dorris, Jr., June Carroll, Ruth Howard, Frank Tinney, Jr., Lois Lait. **Gross:** $23,200. (Average, $20,000)

"SINNER TAKE ALL" (M-G-M)
"NIGHT WAITRESS" (RKO)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $4,800. (Average, $5,000)

"CAMILLE" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days, 2nd week. **Gross:** $10,500. (Average, $10,000)

"A MAN OF AFFAIRS" (G. B.)
MADISON—(2,000), 15c-65c, 7 days. **Gross:** $8,500. (Average, $10,000)

"Champagne" Dual Best Spokane Draw

Spokane, Feb. 23.—"Champagne Waltz" and "Smart Blonde" pulled $4,900 in six days on a dual at the Fox to lead the town.

"Camille" grossed $4,900 in seven days at the State, about $100 above par.

Total first run business was $13,000. Average is $12,500.

Estimated takings:

Week Ending Feb. 18:

"CHAMPAGNE WALTZ" (Para.)
"SMART BLONDE" (W.B.)
FOX—(2,300), 25c-40c, 6 days. **Gross:** $4,900. (Average, $4,500)

"CAMILLE" (M-G-M)
STATE—(1,000), 30c-40c, 7 days. **Gross:** $4,900. (Average, $4,800)

"GREAT O'MALLEY" (W.B.)
"THANK YOU, JEEVES" (20th-Fox)
ORPHEUM—(1,300,) 20c-30c, 4 days. **Gross:** $2,200. (Average, $2,200)

"DANGEROUS NUMBER" (M-G-M)
"LAUGHING AT TROUBLE" (20th-Fox)
ORPHEUM—(1,300), 20c-30c, 3 days. **Gross:** $1,000. (Average, $1,000)

Ray Aims to Produce

Hollywood, Feb. 23.—Charles Ray is said to plan a comeback as an independent producer. In association with Reginald Burns and Edyth H. Landier, he has set a $5,000,000 mark for world-wide operation, with the initial step the obtaining of a permit from the California Commissioner of Corporations to Charles Ray Publications to sell 1,000 shares of stock at $5,000 per share. Ray's *Hollywood Digest* will be an adjunct to the new enterprise.

5 BIG *March* ATTRACTIONS FROM GRAND NATIONAL

CURRENT RELEASES

●

SINS of CHILDREN
with Eric Linden and Cecilia Parker

●

DEVIL ON HORSEBACK
with Lili Damita (Mrs. Errol Flynn) in color

●

WHITE LEGION
with Tala Birell and Ian Keith

●

YELLOW CARGO
with Conrad Nagel and Eleanor Hunt

●

CAPT. CALAMITY
with George Houston and Movita, Gable's lead in "Mutiny on the Bounty" in color

●

HATS OFF
with Mae Clark, John Payne & Helen Lynd

●

James Cagney in
GREAT GUY

●

WE'RE IN THE LEGION NOW
with Reginald Denny and Esther Ralston in color

●

SCOTLAND YARD COMMANDS
with Clive Brook

●

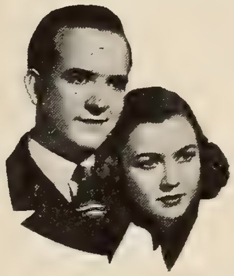
TEX RITTER
Musical Westerns

"23½ HOURS LEAVE"

with JAMES ELLISON and TERRY WALKER

The picture that skyrocketed Douglas MacLean to fame now produced by Douglas MacLean. From Mary Roberts Rinehart's brilliant Satevepost story.

★



"GIRL LOVES BOY"

featuring ERIC LINDEN and CECILIA PARKER

A Bennie F. Zeidman production. The sweethearts of "Ah, Wilderness!" and "Sins of Children" in a new romance of young love.

★

"NAVY SPY"

starring CONRAD NAGEL and ELEANOR HUNT

Federal Agent Series. Produced by George A. Hirliman. Matching wits with spies selling navy secrets to foreign powers.

★

"ROMANCE and RICHES"

with CARY GRANT and MARY BRIAN

From the novel by E. Phillips Oppenheim. A fast-moving comedy of a rich young man's quest for happiness.

★

"KILLERS OF THE SEA"

featuring CAPT. WALLACE CASWELL, Jr.

Dialogue by LOWELL THOMAS

A Raymond Friedgen Production. Exploitation sensation of 1937 with Capt. Caswell fighting the man-eaters of the deep.

Watch For

SOMETHING TO SING ABOUT • A Victor Schertzinger Prodn. Written and directed by the man who gave you "One Night of Love"

THE THOUSAND DOLLAR BILL • A Zion Myers Production. . . . Based on the Cosmopolitan magazine story of the same title.

DYNAMITE, starring James Cagney • Based on the story "Hot Oil". Produced by Richard A. Rowland. The red-headed dynamo of the screen in another great Cagney entertainment. Different—thrilling—timely.

"Jury," Ethel Waters Show Hit in Frisco

San Francisco, Feb. 23.—"We're on the Jury," with Ethel Waters and a colored revue on the stage at the Golden Gate, went to $20,500 on the week, by far the best showing among the first runs. The take topped par by $4,500.

"Maid of Salem" and "Holy Terror" turned in a snappy $19,000, up by $3,000, at the Fox. "Beloved Enemy" was in the money with $7,600 at the United Artists, but elsewhere there was no box-office excitement.

Total first-run business was $89,000. Average is $85,000.

Estimated takings:

Week Ending Feb. 16:

"NOW AND FOREVER" (Para.)
"HORSE FEATHERS" (Para.)

EMBASSY—(1,400), 15c-25c-35c, 7 days. **Gross:** $3,200. (Average, $4,500)

"WE'RE ON THE JURY" (RKO)

GOLDEN GATE—(2,850), 15c-30c-35c-40c-55c, 7 days. Stage: Ethel Waters and colored revue. **Gross:** $20,500. (Average, $16,000)

Week Ending Feb. 17:

"MAID OF SALEM" (Para.)
"HOLY TERROR" (20th-Fox)

FOX — (5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $19,000. (Average, $16,000)

"MORE THAN A SECRETARY" (Col.)
"MIGHTY TREVE" (Univ.)

ORPHEUM — (2,440), 15c-30c-35c-40c, 7 days, 2nd week. **Gross:** $7,200. (Average, $9,500)

"ON THE AVENUE" (20th-Fox)
"WOMAN ALONE" (G.B.)

PARAMOUNT—(2,740), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $13,400. (Average, $13,000)

"AFTER THE THIN MAN" (M-G-M)
"HATS OFF" (G.N.)

ST. FRANCIS—(1,400), 15c-30c-35c-40c, 7 days, 5th downtown week. **Gross:** $4,800. (Average, $6,000)

"BELOVED ENEMY" (U.A.)

UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days. **Gross:** $7,600. (Average, $6,000)

Week Ending Feb. 18:

"LLOYDS OF LONDON" (20th-Fox)
"OFF TO THE RACES" (20th-Fox)

WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days, 3rd week. **Gross:** $12,500. (Average, $13,000)

Week Ending Feb. 19:

"SKI CHASE" (Kraska)

CLAY—(400), 15c-35c, 7 days, 2nd week. **Gross:** $1,100. (Average, $1,000)

Davey to Speak on Ohio Relief Needs

Columbus, O., Feb. 23.—Governor Davey will deliver personally a message on poor and flood relief to a joint session of the Legislature at 10:15 next Tuesday night. The message will be broadcast over a statewide hookup.

He has estimated the relief load for the current two years will be $40,000,000. Several weeks ago he said $10,000,000 a year would be necessary for these requirements.

A suggestion as to the type of new tax levies to raise the additional revenues is expected in the Governor's message.

Plan Lapland Picture

Stockholm, Feb. 23. — George Schneevoigt, Danish director, will head a location unit of Nordisk Tonefilm and Svensk Filmindustri, which are cooperating in production, into Lapland for exterior scenes on "Laila," which was made originally about eight years ago as a silent.

Overseas Preview

"Moonlight Sonata"

(Continued from page 8)

it's a lot of classical music in one helping for that part of any audience which hasn't come to hear music but to see a picture.

It's true the concert hall setting is effective, that the camera angle shifts efficiently, that Paderewski is a fine, venerably imposing screen figure. Remains the fact, it's a piano recital, and a high-class one at that.

The story develops that Paderewski, seen welcomed at the end by a young couple and their child, was the means of bringing about the marriage years before. He tells the story, which is that a plane accident made him an enforced guest at a Swedish country house, that an unsophisticated girl there fell in love with an adventurer, that Paderewski's playing of "The Moonlight Sonata," which had originally brought together her father and mother, reconciled her to her true lover.

All this is affective enough sentimentally. There is a pretty scene where Paderewski plays his minuet to the dancing of school children. The production is a mixture of crudity and artistry; some scenes charming, some mawkish. The acting is uneven. Paderewski himself is a genuine screen personality, Marie Tempest, most famous of British stage comediennes, gets over all her charm and finish. There is a brilliant adventurer study from Eric Portman, a clever bit of comedy by Queenie Leonard. The juveniles, Charles Farrell and Barbara Greene, are from stock; the closeups of the latter should be cut.

This is a first class offering in any theatre which can hope to attract the musical public, and the story has woman appeal, but it certainly calls for special methods. The recording is worthy of the magnificent playing.

Running time, 90 minutes. "G." Allan

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Dead Yesterday"

(*20th Century-Fox*)

Hollywood, Feb. 23.—This is a mystery-drama that has enough creepy sequences to satisfy those who seek this form of entertainment. The action takes place entirely in a hospital following an early sequence in which George Walcott grapples with a gunman and seeks refuge.

Walcott's sister, Sally Blane, a nurse, contrives with Howard Phillips to have it appear that Walcott has died. The gangsters, however, follow him into the hospital and in the ensuing complications suspicion falls on Sig Rumann, the chief surgeon. Jane Darwell, as the night superintendent, beats Wade Boteler, a detective, to the solution of the crime, again showing up the cops as poor guessers.

The direction by James Tinling relieves the tension with comedy that is played by Joan Davis and manages to sustain the suspense. Thomas Beck, who is romantically linked with Miss Blane, does good work as a staff surgeon. Bess Meredyth, William Conselman and Jerry Cady wrote the screenplay from the story by Mignon Eberhart. The picture will find its greatest appeal in the neighborhood houses but should also be well received generally.

Production Code Seal No. 3,086. Running time, 60 minutes. "G."

"The King and the Chorus Girl"

(*Le Roy-Warners*)

Hollywood, Feb. 23.—With enough appeal for key cities to crossroads, Mervyn LeRoy's initial production under his own set-up for Warners seems headed for certain box-office championship. Smart showmanship is evident in every foot. Fernand Gravet, making his American debut, should become an immediate and general favorite. He has looks, personality and the ability to capture a following from both sexes. The story by Norman Krasna and Groucho Marx is light in theme and is ideal for getting the utmost from the star's talents.

Gravet is a dethroned monarch living in exile with a retinue of servants and two loyal followers, Edward Everett Horton and Mary Nash. Until he discovers Joan Blondell in a chorus he leads a life of inebriated boredom, rising after sunset and retiring before dawn. Coached by Miss Nash and Horton, Miss Blondell leads Gravet a merry

(Continued on page 11)

Short Subjects

"Magician Mickey"

(*Disney-U.A.*)

Mickey offers some of the finest magic ever demonstrated and performs the most amazing transformations on the heckling Donald. Foiling Donald at every turn he changes him successively into a kangaroo, sea lion, ape, etc. The hilarity is continuous and mounts to a state that will leave audiences limp and gasping. However, Donald finally gets his inning with a magic pistol and with all the tints that Technicolor can create the fireworks go off. Donald, later, gets his due. Production Code Seal No. 2,494. Running time, 8 mins. "G."

"Kick Me Again"

(*Vitaphone*)

Joe Palooka's engagements take him to France in this latest adventure. Surprise at the French footwork in the ring which he overcomes and the difficulties Shemp Howard, as Knobby Walsh, encounters as he tries to elude a hero's decoration which a beavered official is trying to pin on him for rescuing Lee Weber from a faked up rescue provide the merriment. The element of comedy, of the low-brow and slapstick type, is ever present and should please most audiences. Production Code Seal No. 01,366. Running time, 21 mins. "G."

"Don Donald"

(*Disney-U.A.*)

Disney's duck goes a-courting below the Rio Grande, to colorful Spanish rhythms, riding a cute burro. The object of his romantic pursuit, Donna, gives him screech for screech and her explosive indignation is marvelous. Synchronized to the stirring music they enact their precarious and hair-raising courtship in a glaring roadster that careens through the desert and which finally and noisily gives up the ghost. Donna rides her monocycle home and Donald gets the razz from the young jackass. It is quite unnecessary to mention that it's terrific, a wow, etc. Production Code Seal No. 2,342. Running time, 8 mins. "G."

"Where Snow Is King"

(*Paramount*)

Interesting camera work catching winter sports in Zermatt, at the foot of the Matterhorn in Switzerland. The various cold weather activities are well presented and the film closes with exciting and spectacular shots of a downhill slalom race. It is a timely item that should appeal to the up-and-coming ski enthusiasts. Production Code Seal No. 01,429. Running time, 9 mins. "G."

"Moose Hunters"

(*Disney-U.A.*)

A grand take-off on Mickey's hunting prowess. Starting with the usual lure business, the piece with ingenious execution offers a highly amusing account of the amorous habits of moose. Donald and the Goof impersonate a female of the species. When they are uncovered the animal's fury is let loose, accounting for a few moments of such whirlwind action that even the ground trembles. Mickey and his assistants are able to get away in the skeleton of their canoe. Production Code Seal No. 2,781. Running time, 8 mins. "G."

Mills Joins Company With Master Records

Irving Mills has closed a deal for the affiliation of his new phonograph recording company with Master Records, Inc., which will be the name of the merged company, with Mills as managing director. Two groups of records will be offered, Master records and Variety records.

The negotiations were conducted with Herbert J. Yates, who heads American Record Co. New studios have been constructed at 1776 Broadway. The first releases of the new company will appear on April 1, by which time Mills expects there will be 200 items in the new catalogue.

Universal District Heads End Meeting

Universal's district managers concluded a two-day meeting yesterday at which were discussed selling plans for "Top of the Town," the remaining pictures on the company's current schedule and preliminary plans for the 1937-38 season. James R. Grainger, general sales manager, was at the helm. At the conclusion of the sessions last night, he reported the meetings had been marked by enthusiasm.

Flash Previews

"Marked Woman"—Research into the lives of cabaret hostesses, this tells the tale of five girls who eventually overcame the machinations of an underworld boss.

"House of Secrets"—Routine comic-mystery fare produced in the atmosphere of an old English castle and Scotland Yard.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Warner Opening Set

PHILADELPHIA, Feb. 23.—Warners will open the new Center on Market St. on March 5. The house will be under the jurisdiction of Leonard Schlesinger, in charge of Warner Philadelphia neighborhood theatres, and Paul Castello, district manager.

Take Pittsburgh House

PITTSBURGH, Feb. 23.—The Beacon Amusement Co., headed by M. W. Korach, has taken over the Princess in Squirrel Hill and will change the name of the house to the Beacon. It is planned to remodel the house completely and install new equipment.

The B'way Reopening

The Broadway becomes the Cine Teatro Roma Saturday with its first picture, "Loyalty of Love" with Marta Abba, Italian actress now appearing in "Tovarich", stage play at the Plymouth.

Lam in Hospital

ROME, GA., Feb. 23.—Oscar C. Lam, head of the theatre company bearing his name, is still confined to the McCall Hospital, suffering from arthritis.

St. Louis Fund $21,500

ST. LOUIS, Feb. 23.—The flood fund raised by theatres here reached $21,500, according to a report from Clarence D. Bill of Columbia, who was treasurer.

Loew to Poli

New Haven, Dec. 23.—It's no longer simply Poli on the houses that S. Z. Poli built.

Loew's-Poli is the new official name.

British Board Firm On Sacred Figures

LONDON, Feb. 15.—The British Board of Film Censors, through a statement from its secretary, J. Brooke Wilkinson, intimates that there has been no change in its attitude toward films in which sacred figures are introduced. Where the figure of Christ is shown the board does not issue a certificate and the special conditions imposed by the London County Council and other licensing bodies permitting such films—that the film should be shown silent, no smoking be permitted and a special musical accompaniment be used—are approved by the censor board.

In regard to "The Green Pastures," the board says that "the problem does not arise in the same way . . . the board is prepared to issue certificates whenever religious susceptibilities are not offended."

U. S. Films Leading In Czechoslovakia

WASHINGTON, Feb. 23.—American films maintained the strong position in Czechoslovakia in 1936 that has been gained in the preceding year after an absence of approximately two and one-half years from the market, according to a report to the U. S. Dep't of Commerce from Acting Commercial Attache J. B. Smith, in Prague.

Imports of sound pictures into Czechoslovakia during 1936 totalled 277 as compared with 290 and 184 in 1935 and 1934, respectively. Of the 193 total, American films accounted for 130; German, 78; Austrian, 22; French, 17; British, 12, and Russian 9, the report states. Domestic production of sound features in Czechoslovakia declined in 1936 to 31, compared with 34 in 1935, it was stated.

Cooper Children's Host

LINCOLN, Feb. 23.—J. H. Cooper, head of Lincoln Theatres Corp. here, held the annual free theatre party for Lincoln youngsters last Saturday. He turned over all five of his theatres to the morning matinee, in celebration of the birthday of his son, Joseph, Jr. The party has become an annual institutional event, theatres and newspapers cooperating.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The King and the Chorus Girl"

(*Continued from page* 10)

chase until love inevitably becomes genuine. Then, in a series of novel and genuinely amusing gags, the courtship ends in marriage.

Le Roy's direction tops his producing effort and proper restraint is nicely balanced by clever directorial touches. Supporting players include Luis Alberni, Alan Mowbray and Adrian Roseley, who score in individual scenes. Two musical numbers written by Werner Heymann and Ted Koehler are sung by Kenny Baker and nicely staged by Bobby Connolly.

It is well worth preferred playing time and the picture should show golden returns.

Production Code Seal No. 2,873. Running time, 95 minutes. "G".

"Women of Glamour"

(*Columbia*)

HOLLYWOOD, Feb. 23.—Telling the story of an artist's love affairs, this picture does so in an arty way. Principally appealing to women, the film does not seem to be of the character that will create any great general audience enthusiasm. Basically the tale follows the dual theme of a man's mental and a woman's moral regeneration. As it unfolds it takes on the atmosphere of a problem play and, while there is a modicum of comedy, the prevailing tone is serious drama.

Artist Melvyn Douglas, never satisfied with his work, aspires to greater things. Although engaged to aristocratic Leona Maricle, he finds little inspiration in the association. Meeting Virginia Bruce, cafe entertainer, outwardly a woman of the world, but inwardly sweetly sincere, Douglas engages her as a model. During the time they are working together, they fall in love, a situation not at all pleasant to Miss Maricle or his father, Thurston Hall. Although Douglas sees in Miss Bruce an honesty of character not revealed to anyone else and seeks to educate her to the more noble things in life, she, in deference to Miss Maricle, poses as being infatuated with Reginald Denny. In the climax, however, Miss Bruce foregoes a philandering world tour with Denny to return to Douglas.

The work of the principals is consistently good and their efforts are strengthened by the contributions of Miss Bruce's crisply brittle companion, Pert Kelton.

An original screen play by Lynn Starling and Mary McCall, Jr., the picture was directed by Gordon Wiles.

Production Code Seal No. 2,819. Running time, 70 minutes. "G".

Quality Clause Is Urged in Australia

CANBERRA, Australia, Feb. 23.—Cresswell O'Reilly, film censor of the Commonwealth, urged in his annual report that if the quota legislation on British films is reenacted, it should include a clause stipulating the quality of the quota films, similar to recent legislation passed in New South Wales, in an effort to improve the quality of British product. British pictures vary in quality between greater extremes than those of other nations, O'Reilly declared.

The best "British" films are made in America, he said. The percentage of rejections on features for 1936 was: British 2.9; American, 1.4, compared with 6.5 and 3.1 in 1935. Of 453 features imported into Australia in 1936, 348 were American and 103 British, the report stated. Of 1,084 films of all types imported, the United States accounted for nearly two-thirds.

Japan Produced 496 Films During 1936

WASHINGTON, Feb. 23.—The extent of Japan's domestic production is indicated in a report to the U. S. Dep't of Commerce from Assistant Trade Commissioner C. H. Boehringer in Tokyo.

A total of 496 domestic films were passed by the official censor during 1936, of which 262 were talking, 107 with sound effects, and 127 silent, the report shows.

The latest available figures covering the number of theatres in Japan show that at the end of October, 1936, the total for Japan proper was 1,767, of which 1,469 were wired for sound. The corresponding total for Japanese colonies was 104, of which 86 were wired for sound, according to the report.

Domestic Pictures Show Gain in India

WASHINGTON, Feb. 23.—Films produced in India are offering steadily increasing competition to the foreign product in that country, according to a report to the U. S. Dep't of Commerce from Trade Commissioner C. Grant Isaacs, in Calcutta. The successful exhibition of foreign films is being more and more confined to the larger centers of India.

Approximately 300 pictures form the annual output of Indian studios at the present time. It is estimated that out of 650 theatres in the country, 450 are today showing domestic films. A recent convention of domestic film interests held at Madras decided again to petition the Government to abolish the duty on raw film and machinery imported into India, it was stated.

Henry King Re-Signed

HOLLYWOOD, Feb. 23.—Henry King, director, who has just finished Simone Simon's "Seventh Heaven" for 20th Century-Fox, has been signed to a straight five-year contract by that company.

New Seats Installed

OKLAHOMA CITY, Feb. 23.—Standard Theatres has installed new seats in the Liberty here, which will increase the seating capacity of the house to 1,350.

New Policy in MPTO Hinted By Kuykendall

(*Continued from page* 1)

important to the greatest number of exhibitors than the establishment of local conciliation boards, and for that reason he is not greatly disturbed, he said, over the apparent distributor inaction in setting up the local boards.

Kuykendall plans to leave here today for Washington and will return to his home at Columbus, Miss., from there. He will go to Miami about March 13 for the opening there, March 16, of the M.P.T.O.A. national convention.

Convention Plans Progress

The M.P.T.O.A. reported further progress on the completion of its convention program with Col. Carl Byoir, public relations counsel, scheduled to address the March 17 business session, which will deal with increasing attendance and better theatre management. The advertising and publicity directors of the eight major distribution companies have also been invited to address this session, among them Hy Daab, Columbia; Robert Gillham, Paramount; Charles E. McCarty, 20th Century-Fox; S. Barret McCormick, RKO Radio; Si Seadler, Loew's; Paul Gulick, Universal; Monroe Greenthal, United Artists, and S. Charles Einfeld, Warners.

Talks by the following have also been scheduled: Roy L. Smart, Wilby-Kincey Theatres; M. A. Lightman, Malco Theatres; Brownie Akers, Griffith Amusement Co.; Stanley Sumner, Cambridge, Mass.; Percy Phillipson, president, Automaticket, Ltd., London; Morgan Walsh, San Francisco, and Henry Anderson, Paramount.

Gets Extortion Threat

Meridian, Miss., Feb. 23.—H. Yeomans, wealthy former theatre owner, sent his family to another part of the state last week after reporting to the police that he had received an extortion threat for $1,000. Yeomans recently sold theatres in Meridian and Natchez for a purported $200,000.

★ ★ ★ ★

SLEEP OVERWEATHER TO CALIFORNIA

Fly OVERNIGHT to Los Angeles on the lower-level all-year Southern Transcontinental Route. In NEW 14-berth Flagship Sleepers. The largest, quietest, most luxurious planes.

Phone VAnderbilt 3-2580
or your travel agent
Ticket Office—45 Vanderbilt Ave.

AMERICAN
AIRLINES INC.

Purely Personal

Joseph M. Schenck leaves Hollywood in a few days for Miami where he will board his yacht and return to the coast via the Canal.

•

Thalia Sabanieeva, currently the feminine lead in the Ukrainian film, "The Girl from Poltava," has been signed by Avramenko Films for two features.

•

Oscar Serlin, Selznick International talent scout, will spend the next four to six weeks here searching for talent.

•

Si Seadler, M-G-M, and Monroe Greenthal, United Artists, will head for the coast this week, but not necessarily together.

•

Norman H. Moray, in charge of Vitaphone sales, arrives in Pittsburgh today. His next stop will be Cincinnati.

•

Arthur Greenblatt, G. B. eastern district manager, who was stricken with the flu in Washington last week, is recuperating at his home.

•

Mac D. Weinberger, general sales manager of General Pictures, leaves today for a swing around the exchanges.

•

Lowell Thomas has been signed by Grand National to do the narrative on a picture dealing with fighting fish.

•

Ben Piermont, formerly with Vitaphone and Erpi, has joined the 20th Century-Fox eastern talent department under Joe Pincus.

•

Billy Curtis, host of the Piccadilly bar, has been signed by Mentone for a role in a new musical featuring Niela Goodelle.

•

Harry and Mrs. Ritz and Jimmy Ritz are in from the coast and at the Warwick.

•

George J. Schaefer is back from Florida and goes to the coast Monday.

•

Harry Ross, in southern parts these days, has gone from Daytona to Miami.

•

Arthur W. Kelly left London yesterday on the *Berengaria*.

•

Mitchell Klupt is down with the grip again.

•

. . . Seattle

Ben Fish, formerly manager of the M-G-M exchange in this city and now western district manager for U. A., renewing friendships on Film Row.

Loren E. Kennedy, successor to J. M. Ridge with Erpi, here on his first business visit. His territory will include everything west of the city of Denver.

Charles Code and Mrs. Code, operators of the Dream, Nome, Alaska, visiting this city for the first time in many months.

Loew's Talking New Kansas City Lease

(*Continued from page* 1)

that the Midland bonds have recently shown considerable strength. In March, 1936, the original $2,500,000 issue of six per cent bonds was $2,002,000. The issue probably will not need financing until 1940, when $1,507,000 falls due. The bonds this week were quoted at 56 bid and none offered.

Minnesota Bill Bars Producers' Theatres

(*Continued from page* 1)

posal is a $10,000 fine, a year in jail or both. The purpose of the bill is to prevent unfair competition.

Allied is sponsoring similar measures in several States.

Kansas Has 2% Tax Bill

Kansas City, Feb. 23.—A two per cent tax on gross receipts of theatres, games, athletic events, and other places of amusements is provided in a bill introduced by Representative Reed.

Apparently the bill is the farmers' answer to the general sales tax which has been advocated as a chief source of the state's needed additional revenue. Revenue from the taxation would go for social security.

The Senate has had a ticket tax bill since Feb. 18. It provides for a tax of one cent for each 20 cents or fraction thereof.

Alabama Tax Signed

Montgomery, Ala., Feb. 23.—Alabama's two per cent sales tax became law today when Gov. Graves signed the measure, which includes a levy on all retail sales and amusement admissions. The new law repeals the state's 1½ per cent gross receipts tax law, and will go into effect March 1.

The state tax commission will issue brass and aluminum tokens to facilitate the payment of the tax by the consumer. The law expires on Sept. 30, 1939.

Ask 3% Wisconsin Tax

Madison, Wis., Feb. 23.—The Balzer bill in the Assembly provides for an amusement tax of three per cent on gross receipts of theatres. Revenue from the tax would go into the state general fund for old age assistance.

The bill exempts athletic contests of grammar and high schools and amusements sponsored by religious or charitable organizations.

Act on Alabama Tax Bill

Montgomery, Ala., Feb. 23.—Representative Miller's bill to permit film theatres to absorb the gross receipts tax and to deduct the amount of licenses from their tax payments was passed by the House, Feb. 19.

Sunday Bill Up in Maine

Augusta, Me., Feb. 23.—A second Sunday bill has been filed in Maine in an effort to get Sunday shows.

Another Play Closing

"And Now Goodbye," which opened at the John Golden Feb. 2, closed last night.

B'way Takes Rocket On Holiday Weekend

(*Continued from page* 1)

night, seats were at a premium in all theatres up to late Monday night. With advanced admission scales prevailing for three consecutive days and unsettled weather conditions prevailing over Sunday, grosses were boosted to record proportions.

The Music Hall did $64,000 in the four days through Monday with "When You're in Love," indicating a gross of better than $90,000 for the week. The picture will hold a second week. The Roxy grossed $32,000 for the four-day period with "Head Over Heels in Love," with a gross of $41,000 expected for the week, or about $4,300 less than the first week's gross. The Paramount garnered close to $30,000 on the weekend. "John Meade's Woman" is current, with Guy Lombardo and his orchestra on the stage.

The Strand counted $24,000 with "Green Light" for the four-day period covering the picture's second weekend on Broadway. The Rivoli, with "The Man Who Could Work Miracles," did $16,000 for the three days beginning Saturday. The Capitol took $26,000 with "The Last of Mrs. Cheyney." The Criterion counted $5,200 with "Man of Affairs."

N. O. Leading Contest

New Orleans is leading in the second week of Republic's liquidation contest, which extends to May 1. The southern division is leading the other groups, trailed by western, eastern and central in that order. Portland heads the western unit, Boston and New Haven the eastern and St. Louis the central.

Chodorov a Father

Hollywood, Feb. 23.—Edward Chodorov, Columbia Producer, was passing out the cigars here Saturday in celebration of the birth of a young daughter, six and a half pounds. The baby was born in the Cedars of Lebanon Hospital.

Wall Street

Board Off; Para. 1st pfd. 12⅛ Pts.

	High	Low	Close	Net Change
Columbia	36¼	36	36	— ⅝
Columbia, pfd.	45	44½	44½	— ¾
Consolidated	4¾	4¾	4¾	.....
Consolidated, pfd.	16⅝	16½	16½	— ⅛
Gen. T. Equip.	32	31	31	—1¼
Loew's, Inc.	74⅞	72	72	—2
Paramount	25⅛	23⅝	24	—1⅜
Paramount 1 pfd.	176	168	168	—12⅛
Paramount 2 pfd.	22	22	22	—1⅛
Pathe Film	9	8¾	8¾	— ⅛
RKO	9	8½	8½	— ⅜
20th Century-Fox.	35¼	34¼	34¼	—1¼
20th Century, pfd.	43½	43½	43½	—1
Warner Bros.	15⅛	14¾	14¾	— ⅜

Little Curb Change

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3¼	— ⅛
Sonotone	2⅛	2	2	.....
Technicolor	20⅜	19½	19½	— ⅛
Trans-Lux	4⅞	4¾	4¾	+ ⅛

Bonds Decline

	High	Low	Close	Net Change
Keith B. F. 6s '46.	98⅝	98⅝	98⅝	+ ⅛
Loew's 3½s '46.	99⅞	99¾	99¾	— ⅜
Paramount Pict. 6s '55	101⅝	100¾	100¾	— ¼
RKO 6s '41 pp.	119	119	119	—2
Warner Bros. 6s '39 wd	99	98½	98½	— ½

(Quotations at close of Feb. 23)

FCC Hearing Ordered for Six Stations

WASHINGTON, Feb. 23.—The F.C.C. today ordered hearings on applications for six new stations, as follows:

Clarence A. Berger and Saul B. Freeman, Coeur d'Alene, Idaho, for daytime station on 1,200 kilocycles, 100 watts power; F. W. Berton, Coral Gables, Fla., unlimited time on 1,420 kilocycles, 100 watts; C. P. Sudweeks, Spokane, Wash., unlimited time on 950 kilocycles, 500 watts night power, 1,000 watts day; Galesburg Printing and Publishing Co., Ill., daytime only on 1,500 kilocycles, 250 watts; W. W. Luce, Fort Lauderdale, Fla., limited time on 1,050 kilocycles, 100 watts; Dan B. Shields, Provo, Utah, unlimited time on 1,200 kilocycles, 100 watts.

Hearings also were ordered on the application of the Northwest Research Foundation, Inc., Seattle, for a new special broadcasting station on 1,530 kilocycles, 1,000 watts originally filed in the name of Ward Walker, and on the request of station KUOA, Siloam Springs, Ark., for authority to change frequency from 1,250 to 620 kilocycles and increase power from 2,500 watts to 5,000 watts.

To Consider Westinghouse Shift

Date for a hearing will be set in the near future on the application of the Westinghouse Mfg. Co., Boston, to move the transmitter of station WBZA from Boston to Agawam, Mass., and the studio from Boston to Springfield, change frequency from 990 to 550 kilocycles and operate on unlimited time.

At its weekly meeting today the broadcast division of the commission authorized station WTRC, Elkhart, Ind., to operate unlimited hours instead of sharing night time with station WLBC.

Operating licenses were granted, covering construction permits, to WFOY, St. Augustine, Fla., 1,210 kilocycles, 100 watts, unlimited time; WJAC, Johnstown, Pa., 1,310 kilocycles, 100 watts power night, 250 watts day, share time with WFBG, and WDWS Champaign, Ill., 1,370 kilocycles, 100 watts, day time.

Renewals Granted

Renewal of license for six months was granted to stations WPEN, Philadelphia; WRDO, Augusta, Me.; KWKH, Shreveport, La.; WMCA, New York; WHBI, Newark; KFDM, Beaumont, Tex.; KGKO, Wichita Falls, Tex.; KFUO, Clayton, Mo., and KSEI, Pocatello, Idaho.

Temporary extension of 30 to 60 days, pending action on applications for renewal, were ordered in the cases of stations WLAK, Lakeland, Fla.; KFQD, Anchorage, Alaska; WWJ, Detroit; KFYO, Amarillo, Tex.; KGNC, Amarillo, Tex.; KGFX, Pierre, S. Dak.; WPRO, Providence; KOAC, Corvallis, Ore.; WRAX, Philadelphia; KGFG, Oklahoma City, and WPRP, Ponce, P. R.

Acting on examiner's reports, the commission denied the applications of WSBT, South Bend, Ind., for change of frequency and increase of power, and Dr. F. P. Cerniglia, Monroe, La., for a new station.

WRC, a local NBC station, was granted authority to operate a portable transmitter for 30 days to make a survey for a new transmitter site.

Survey Shows Adult Serials Led Summer Daytime Hours

The adult serial drama during daytime network hours, May to September, 1936, was the most popular type of entertainment on the air and occupied one-half of the commercial network time before 6 P. M., a check-up, issued by the Cooperative Analysis of Broadcasting (the Crosley report) reveals.

The report is based on information supplied by over 161,000 radio homes located in 33 leading cities in the United States. The C. A. B. governing committee has released the findings to all subscribers.

The report is entitled "Radio Audiences—May to September, 1936," and gives detailed information on over 800 hours of commercial network broadcasting time. Over 160 sponsored programs are analyzed according to 24 types, four income levels, four geographical sections, and length of broadcast.

The popularity ratings of evening programs in the eastern time zone for the time period covered are based on findings gathered in 14 leading eastern cities. These are New York, Boston, Philadelphia, Pittsburgh, Baltimore, Detroit, Cleveland, Cincinnati, Hartford, Providence, Harrisburgh, Syracuse, Rochester, and Washington. The evening network programs, in the order of their favor with the listeners, are as follows:

Major Bowes, Jack Benny, Rudy Vallee's Variety Hour, Burns and Allen, Lux Radio Theatre, Hollywood Hotel, Packard Hour, and Bing Crosby's Music Hall series.

The midwest popularity of the evening programs were determined on findings gleaned in Chicago, St. Louis, Milwaukee, Kansas City, St. Paul, Omaha, and Minneapolis. The results:

Major Bowes, Lux Radio Theatre, General Motors Concerts, Maxwell House Showboat and Town Hall Tonight tied for fourth place, Jack Benny, Burns and Allen, Baker's Broadcasts, Rudy Vallee program and the Packard Hour tied for eighth place,

(*Continued on page* 14)

Old Favorites Show

Hollywood, Feb. 23.—Such favorites of yesteryear as Alice Lake, Helen Chadwick, Dot Farley, William Desmond, Creighton Hale, Lee De Cordova, Joseph de Grasso, and, possibly, too, Maurice Costello, will revive old melodramas in a special KMTR Artists' Bureau broadcast. The test featured "Rags to Riches," or "The Drunkard's Sister." Burton King directed, in the manner of two decades ago, the old play adapted for Radio by Eric Heath. J. Charles Davis, 2d, was the producer.

Mutual Ends 5-Week Contest on Racing

Mutual's racing contest, in which the listeners handicapped the horse races from Hialeah Park, closed last Saturday, its fifth week, with William J. Mitchell of Hartford, Conn., the winner. Mitchell and his wife will be the guests of Mutual and the Hialeah Jockey Club for the weekend of March 4.

According to Mutual, 43,639 listeners participated in the contest, 10,434 of whom were women. As a result of this showing, Mutual expects to secure a sponsor for the Hialeah broadcasts next season.

Signs 3 Oakie Shows

HOLLYWOOD, Feb. 23.—Judy Garland has been signed for the vocal spot for three Jack Oakie College shows over CBS. Her initial appearance was today. A 13-week contract is being held for the young singer pending an audience reaction from the three Camel programs.

Jessie Matthews on "Key"

Jessie Matthews will be heard from London via short-wave on the RCA "Magic Key" program this Sunday. Others on the program will be Maurice Evans, Bidu Sayao and Henri Deering.

Chase and Sanborn Keeps Actor Series

Chase and Sanborn, through the Hollywood office of J. Walter Thompson, have renewed Haven MacQuarrie's "Do You Want to Be an Actor?" program for an additional 13 weeks, effective next week. This series replaced the "Good-Will Court" several months ago.

Philadelphia Gas to Try Radio Programs

PHILADELPHIA, Feb. 23.—The Philadelphia Gas Co. turns to radio for the first time as a public relations measure. Heretofore, the utility has limited itself to newspaper advertising in acquainting consumers with its various services. Beatrice Cole Wagner, home service director for the gas company, conducts a weekly quarter hour period over WDAS. The same program is handled by the station's foreign language announcers to reach Polish, Italian and Jewish audiences.

Omaha Utility, Another

OMAHA, Feb. 23.—The "Northern Naturals," sponsored by the Northern Natural Gas Co., has been started over WOW at 3 P. M. Sunday. The program runs 30 minutes. Bozell & Jacobs, Omaha advertising agency, placed the program; Harry D. Burke, WOW's program director, arranged it; Madge West conducts the all-string ensemble, and Louise Seidl, harpist, and Eleanor Thatcher, formerly on the Kraft Music Hall, are featured soloists.

Canada Radios Pass Million, Says Checkup

OTTAWA, Feb. 23.—More than 1,000,000 receiving sets have been registered during the present fiscal year under the Dominion Government's license system, according to departmental sources. This is the first time that the total of licensed sets has exceeded the million mark. The total for last year was 862,109, but this is no absolute indication that the purchases of instruments have taken a sudden jump because of good times.

One answer is that the Canadian Mounties are getting their men by the wholesale—meaning that, for many weeks, the force has taken time off from more risky duties to scour the big and little towns for a roundup of delinquent radio license buyers at $2 per receiver, this being the annual license fee. The mounties have been making a house-to-house call in a wide checkup and they don't take "No" for an answer because they take a look around for unlicensed sets.

Indignant householders have registered complaints because the man in uniform insists on seeing the actual license certificate and sometimes they're hard to find when the slip of paper has been put away for months. The license year terminates March 31 and then the roundup will start all over again.

Columbia Buys WIP Time for "Horizon"

PHILADELPHIA, Feb. 23.—Columbia Pictures has bought spot announcements on WIP to plug the roadshowing of "Lost Horizon" at the Chestnut St., starting March 7. This is one of the very few instances where film exploitation over the radio involved an actual cash outlay. The general practice in local radio has been for the exhibitor to get picture mentions in return for passes.

Columbia has taken an announcement daily for eight days, through the Biow Co., New York.

Knox Gelatine Air Program Is Renewed

The Knox Gelatine program, broadcast Tuesdays and Thursdays from 11:15 to 11:30 P. M., E.S.T. was renewed yesterday for a period that will carry the series well into the summer months. The present contract expires late in March. The Federal Advertising Agency handles the account.

Meanwhile, the proposed new series for Sinclair Oil, also handled by Federal, still is in a highly nebulous state. Air time has been contracted for, and Babe Ruth is under option to be featured in the series, but beyond that nothing has been set.

Start Nat'l Music Week May 2

National Music Week will be ushered in for the 14th consecutive year the first Sunday of May.

David Sarnoff, president of RCA, is chairman of the National Music Week Committee.

New Shows On the Air

"Strathmore Serenade"

"The Strathmore Serenade," sponsored by Leavitt & Sons in the interests of a suburban real estate development has little to recommend it. Its obvious intent is to sell lots, and not to entertain.

This, of course, is not the fault of the entertainers. Bert Rogan possesses an acceptable baritone voice and John Monday's orchestra is an efficient combination of tunicians. The artists, however, never seem to be able to get started properly, due to the incessant bombardment from the announcer who, poor fellow, must certainly experience a feeling of guilt as he reads what the sponsor has set down for him to parrot.

Leavett & Sons lots may be all the sponsor says they are, but a bit more finesse, and a bit less of the bludgeon, would seem to be the better salesmanship.

Rogan did a fine job of vocalizing "The Song of the Open Road" and "Under Your Spell," while the orchestra more than held its own with its rendition of "The Year's Kisses" and another number whose title escapes us at the moment.

"Strathmore Serenade" is offered on WOR Sundays at 11 P. M., E.S.T.

"Lady Esther"

The "Lady Esther" serenades, featuring the waltz music of Wayne King's orchestra, invariably call for superlatives when referring to the music and brickbats when referring to the wordy commercials.

There is little hope that this review will cut any ice with the sponsor, for similar reviews have been written by the hundreds, without any appreciable shrinking in the size of the commercials.

We tuned in Washington's Birthday eve at 10 P. M., E.S.T., on the CBS network, the occasion being the beginning of the umpteenth renewal of the series. As a purveyor of dreamy waltz melodies, King is in a class by himself. In particular his interpretation of the Brahms waltz was an aural delight. However, just when the listener begins to glow with good feeling for the sponsor for making a series like this possible, in come the offensively high-powered commercials and up bubbles the resentment. The system just doesn't make sense.

"Three Little Funsters"

In the light of the "Three Little Funsters" record on the air—5,000 broadcasts under the one sponsorship—it seems rather fatuous to report that it is a good air show. It is almost like reporting now that "Mr. Deeds Goes to Town" is a good film or that "Gone with the Wind" is a good novel.

Nevertheless, the fact remains that "The Three Little Funsters" is a substantially entertaining series, well meriting the esteem in which it is so obviously held by its sponsor and its listeners.

We tuned in last Saturday night and listened to the 4,998th broadcast in the series. We liked the program for simple, informal style, for its refreshing lack of pretentiousness. The "Funsters," Messrs. Bill Hanson, Vincent Howard and Jim Brennan may not be sensational performers, but they know they have a job to do and set about their task in an efficient, businesslike fashion. Among the tunes they offered were "Take Your Girlie to the Movies," "Yesterday" and a medley of "Pretty Kitty Kelly," "There's a Long, Long Trail" and "I'd Love to Fall Asleep and Wake Up in My Mammy's Arms."

Sponsored by the Sachs Furniture Co., the "Funsters" broadcast over WMCA except Mondays at 9:30 P. M., E.S.T., and twice on Sundays.

"Hawaiian Serenade"

"Hawaiian Serenade" is in international exchange feature of the Canadian Broadcasting Company and the Mutual network, presented Saturday nights from the studio of KGMB, Mutual affiliate in Honolulu.

The Hawaiian Girls Glee Club, the Singing Surf Riders, and a string orchestra combine efforts in this 30-minute weekly series, and offer the plaintive songs of the islands in delightful fashion. Somewhat annoying, however, is the poetic and flowery phraseology of the narrator and announcer.

The series offers little likelihood of eventual sponsorship.

BANNER

Survey Shows Adult Serials Led Summer Daytime Hours

(Continued from page 13)

Kraft Music Hall, and Hollywood Hotel.

The south, based on findings in Louisville, Memphis, Atlanta, New Orleans, Dallas, Houston, and Oklahoma City:

Major Bowes, Kraft Music Hall, Ben Bernie, Town Hall Tonight, Maxwell House Showboat, Hollywood Hotel, Hit Parade on Wednesdays, Burns and Allen and Ed Wynn tied for eighth place, and Manhattan Merry-Go-Round.

The Pacific coast, based on reports made in San Francisco, Los Angeles, Portland, Seattle, and Spokane:

Major Bowes, Showboat, Town Hall Tonight, Kraft Music Hall, Death Valley Days and National Barn Dance, tied for fifth place, Amos 'n' Andy, One Man's Family, Hollywood Hotel and March of Time tied for eighth place, Shell Chateau, and Lum 'n' Abner.

The daytime programs in the order of their popularity in the east:

Today's Children, Story of Mary Marlin, Ma Perkins and Vic and Sade tied for third place, Romance of Helen Trent, Just Plain Bill, Betty & Bob, the Goldbergs all tied for fourth place, and Magic Key of RCA and The O'Neill's tied for fifth.

Midwest daytime program preferences were:

Today's Children, Betty and Bob, Story of Mary Marlin, Ma Perkins, and The O'Neill's.

Southern listeners voted for: Today's Children, Ma Perkins, Betty and Bob, Vic and Sade, and The O'Neill's.

The toplight Pacific Coast daytime programs were: Magic Key of RCA, The O'Neill's, Vic and Sade, Ma Perkins, Pepper Young's Family.

The report indicates that during the summer months there is a decided trend toward lighter entertainment, more time being devoted to dance music and novelty shows than during the winter; also a lesser amount of time for such serious types as classical and semi-classical music, and dramas.

Based on the complete report, the C. A. B. breakdown shows that the number of daytime and evening programs decreased about 15 per cent during the summer, compared with the winter. However, the average evening program had a summer audience only three-quarters of winter listeners, while the average daytime program lost only about one-seventh of its listeners in summer.

Substantially, the same programs were leaders in the summer as in the previous winter. However, the vacations of headliners such as Jack Benny, Fred Allen, and Phil Baker, during this period enabled several lower ranking shows to win a place in the table of summer leaders.

The members of the governing committee of the C. A. B. are D. P. Smelser, Procter & Gamble Co., chairman; George Gallup, Young and Rubicam, treasurer; C. H. Lang, General Electric Co.; George W. Vos, the Texas Co.,; L. D. H. Weld, McCann-Erickson, Inc.; and A. W. Lehman, manager.

Mutual Plans News Series from London

A series of bi-monthly news broadcasts from London is now being planned for Mutual network presentation, it was learned yesterday. The details are not yet available, but it is known that John Steele, Mutual's foreign representative, is now working on the set-up.

The current schedule calls for a half-hour period every other Sunday about 8:30 P. M., E.S.T., with Steele acting as the commentator. The starting date will be set shortly, it is understood.

Debut for New Music

LOS ANGELES, Feb. 23.—Radio premieres of two modern symphonic works, Steiner's "Rhapsodic Poem" and "Chindia" of Mihalovici, were broadcast during the "Sinfonietta" half-hour by KHJ and other Mutual stations from 7:00 to 7:30 P. M., P. S. T. In both offerings Milton Katims, viola virtuoso, was heard with the support of the concert orchestra. Haydn and Tschaikowsky numbers completed the program.

Indiana License Bill Killed

INDIANAPOLIS, Feb. 23.—A bill for the licensing of circuses, tent shows, carnival and radio acts, charging a daily fee of $100, $50, and $25, respectively, has been killed by an indefinite postponement in the House of Representatives here.

◂ Radio Personals ▸

LESTER GOTTLIEB, Mutual's publicity coordinator, leaves on an extended trip next week to visit Mutual publicity offices throughout the country . . . Gar Wood of NBC's trade news division on sick leave . . . WOR's Schaefer Beer program this Sunday will feature Bert Lahr in the guest role . . . Sally Eilers and Dick Arlen added to the Lux Radio Theatre cast for "Cappy Ricks," which will start Charles Winninger . . . Johnnie, the call boy on the Philip Morris, off the programs because of illness, now recovered and will be heard on subsequent broadcasts . . .

+

Don Shaw, assistant to the president at McCann-Erickson, left town yesterday for a trip to Chicago involving an agency deal. He will return in a week . . . Lew Amis, radio director at Erwin Wasey, back at his desk after a week away contacting clients . . . Ditto Fred Smith, publicity chief at Batten, Barton, Durstine and Osborn, who returned yesterday from Minneapolis . . . Arnold Eidus, 12-year-old violinist, will be Joseph Cherniavsky's guest on the International Silver program this Sunday . . . Mae Singhi Breen birthdays today . . . Adolph Menjou will be Ben Bernie's guest star March 9. Deal was set by the Herman Bernie office.

+

Radio commentators Edwin C. Hill, H. V. Kaltenborn, Boake Carter, Gabriel Heatter and Lowell Thomas will be speakers at the luncheon of the Advertising Club of New York from which WOR will broadcast tomorrow at 1:15 P.M., E.S.T. . . . Arch Oboler, author of the radio series "Lights Out," was married to Eleanor Helfand, U. of Chicago co-ed this past weekend . . . Ed Wynn's guest March 6 will be Frederick Jagel, while Carlos Salzedo will guest on Wynn's program March 13 . . .

+

J. Edward Bromberg, vacationing in New York from Hollywood, will be Bide Dudley's guest over WOR this Friday at 1:15 P.M., E.S.T. . . . Kay St. Germaine, who has been singing on Chicago network programs for the past several seasons, may be signed for a singing role in the new Ken Murray show . . . Dorothy Kirsten and Emile Renan, of the WINS staff, are now Bermuda bound . . . "The Movie Man," a new program of movieland gossip, made its debut on WINS last night at 9:45 P.M., E.S.T. It will be heard Tuesdays, Thursdays and Saturdays . . . Mrs. Franklin Delano Roosevelt will be the principal speaker on the Zionist program this Thursday at 10:30 P.M., E.S.T., on the NBC-Blue network . . .

Lillian Malone Marries

PITTSBURGH, Feb. 23.—Lillian Malone, known as Polly Malone to radio fans and who has a virtual monopoly on all women's programs over the Hearst station, WCAE, became the bride of Frank J. Lonergan of Pittsburgh over the weekend.

Miss Malone is the "Woman's Voice" of the *Sun-Telegraph*, afternoon newspaper that controls WCAE.

Studio Broadcasts Delayed to Mar. 14

Hollywood, Feb. 23.—The General Mills broadcasts, directly from the sound stages of major lots here, has been postponed until March 14. This is the deal closed by Bagley, Horton and Hoyt, Chicago agency.

So far, detail of personalities and programs is somewhat hazy. A problem to be cleared away is the schedule by which the programs from the various studios will be governed. Originally, the initial show was to be "Love Is New," 20th Century-Fox attraction, but the picture has been completed, indicating the first from the Zanuck lot will be another attraction.

Seek Bellingham Station

Bellingham, Wash., Feb. 23.—The Bellingham Publishing Co. has asked the F. C. C. for permission to construct and operate on unlimited time a 100-watt station. The publishing company states that there are inadequate broadcasting facilities in this town and a new station will not conflict with the local KVOS.

WCOP Wants Wave Increase

Boston, Feb. 23.—Gerard Slattery, manager of WCOP, has just returned from a three day trip to Washington and New York. While in Washington Slattery asked for an increase in the wave length for WCOP from 1,120 to 1,130 kilocycles. The F. C. C. now has the request and will make decision upon the request in the near future.

Ed Lush Goes to Carrier

New Haven, Feb. 23.—Following a permanent appointment to WELI as announcer 10 days ago, Ed Lush resigned to enter the advertising department of the Carrier Air Conditioning Co., Newark. Ralph Kanna, whom Lush replaced, also took an advertising position with Chase Brass & Copper Co.

Film Names for Dodge

Hollywood, Feb. 23.—The Dodge transcriptions which are being produced by Eddie Dunham of the New York office of Ruthrauff and Ryan will have Frank Morgan in the top spot as master of ceremonies.

Frances Langford has been set for three of the recordings with Ruby Keeler spotted prominently in the first one.

Carleton Cadell will announce the transcriptions which will run 15 minutes.

Fischer on Twice Weekly

Hollywood, Feb. 23. — George Fischer's "Hollywood Whispers," a studio gossip program, will be presented twice a week over KHJ and the Don Lee Network in the future. Fischer will be on the air from 7:00 to 7:15 P.M., P.S.T., on Mondays and Thursdays instead of the usual weekly airing.

"Mr. Deeds Goes to Town" is the top ranking film, according to a listeners' poll based on the Academy nominations, which is a feature of the program.

Wants Courtroom Ban

Trenton, N. J., Feb. 23.—A bill to ban all picture-taking and radio broadcasting devices from New Jersey court rooms has been introduced in State legislature by Senator Hendrickson.

Radio Playing Vital Role In Drama of War in Spain

Radio has played an increasingly important part in the activities of both factions during the seven-month course of the Spanish rebellion, for the dissemination of news, information with regard to missing persons and, above all, for propaganda, according to private advices from Spain to Motion Picture Daily.

It is pointed out that American-type DC and AC receivers will bring to the listener all of the Spanish short-wave and most of the broadcast stations, the majority of the European stations in both categories, and some American stations. Practically all stations broadcast in several languages, particularly with news and propaganda material. Also stressed is the importance of the fact that virtually all European stations are under the direct control of the respective governments.

Short Wave New Development

In Spain, outside of Madrid's Union Radio, prior to the war, there were no short-wave stations of any importance. Since the war began, all amateur transmitters have been requisitioned, and many other stations have been set up, until now there is at least one in practically every city of importance in the country. In addition, there are mobile and temporary stations operated on the various fronts.

Apart from the news, propaganda and entertainment features broadcast from these stations by either party, depending upon the control of the city in which the stations are located, the programs are often interrupted with broadcasts designed to locate and obtain news of missing friends and relatives in other cities. The transmitting stations in the cities involved in these broadcasts suspend "hostilities" during the announcements, which are of vital importance, in view of the fact that there are no other means of communication.

Strongly partisan feeling governs the broadcasting from all stations. Frequently broadcasts take the form of messages designed to goad an enemy station into heated reply, in which offensive references to the original speaker's party, its leaders, their families and antecedents constitute fierce aerial battles of words. Nothing is sacred, intimate or confidential, and no verbal holds are barred. News of atrocities, disasters, loss of life and the like are interspersed with records and all kinds of music.

Used Even in Trenches

Public address systems have been used to spread propaganda from one set of trenches to the other on numerous occasions. The stations operated by the Popular Front Government are very numerous as every political party that originally was in the Government coalition operates its own station. All are united in common opposition to Fascism, but each retains its original doctrines, as reflected in the broadcasts.

An interesting example of the general use of the radio during a situation such as that prevailing in Spain occurred early in the present uprising. The military forces in Barcelona were in charge of General Goded. Late one day his voice was heard on the air advising that he had surrendered and was notifying his followers in order to avoid unnecessary loss of life. General Goded later was executed.

History Revamped

Philadelphia, Feb. 23.—The monthly visual meeting of the WFIL Women's Club falling between St. Valentine's Day and Washington's Birthday, the station had to pull history's leg a bit to have the program in keeping with the holiday spirit. Honoring Washington as the father of our country, WFIL continuity writers made Mr. Cupid the vice-president in that first administration.

Renew "Shopping with Abbey"

The Crowell Publishing Co., through Geyer, Cornell & Newell, renews "Shopping with Jean Abbey" on WOR beginning March 9. The program is heard Tuesdays from 9:15 to 9:30 P. M., E.S.T.

Gardiner Joining WAIR

Donald S. Gardiner, NBC guide, leaves for Winston-Salem March 1 to join the announcing staff of WAIR. Gardiner won the post in an announcer's class conducted by P. J. Kelly, head of NBC's announcer department.

"Happy Homes" Starts March 1

Los Angeles, Feb. 23. — Norma Young, for 12 years popular with feminine listeners, is to inaugurate a new series over KHJ, Don Lee station, beginning March 1, styled a "Happy Homes" program.

Russell Shailer Joins WDRC

Hartford, Feb. 23.—WDRC has appointed Russell C. Shailer assistant commercial manager working under William F. Malo. Shailer has been in Providence selling field for the past 14 years.

"Thrills" Goes to Honolulu

Hollywood, Feb. 23.—The Union Oil program, "Thrills," an NBC-Red coast network program, has been to Honolulu. The show was short-waved over RCA and re-broadcast by the Honolulu station, KGU.

Unite for KSO Program

Des Moines, Feb. 23.—All artists of KSO and KRNT are participating in a new variety show "Everything Stops For Tea," over KSO. The hour long program, sponsored by several local business firms, is given each weekday and Sunday at 2 P. M.

Two Join Agencies

Milwaukee, Wis., Feb. 23.—Howard L. Peck, former WISN sports announcer, has been named radio director for Hoffman & York, local advertising agency.

Fred Schnake, formerly associated with WISN here, will handle radio merchandising for the Morrison Advertising Agency.

WFIL's News Bureau Has City Room Aura

Philadelphia, Feb. 23. — The WFIL news bureau has taken on an atmosphere of a newspaper office. A morgue is being set up for the teletype tape fed by I.N.S. and U.P. to serve as material in dramatizing important events of the week. A direct line from the control room to the news desk is being installed, enabling the station to cut in on sustaining shows with news scoops as they are being flashed on the machines. Sound of a high speed oscillator signaling "here's a WFIL news flash" precedes and follows each dispatch. In addition to the five daily news periods aired under sponsorship of Tydol Oil and Adams Clothes, the station is adding a sustaining period for the afternoon. Reorganization was directed by Donald Withycomb, WFIL general manager, with Joe Connelly in charge.

Receiver Prices Cut

London, Feb. 15.—Following the adoption of the E.M.I. system exclusively for television transmission by the BBC, drastic cuts were made in the prices of television receiving sets. E.M.L. offers a set at £63 against a previous low of £89. Its combined television and all-world radio receiver is reduced from £126 to £84. General Electric and Baird are expected to announce cuts immediately and Scophony forecast a standard price of £50 within the year.

Using the extra studio space available at the Alexandra Palace through the scrapping of duplicate transmission facilities, the BBC will shortly inaugurate an extra daily hour of television. Sunday transmissions are expected this summer.

New Program on KLO

Salt Lake City, Feb. 23.—KLO of Ogden has started the Iodent Dress Rehearsal program starring Joe Rines and his band, Mable Albertson, Pinky Lee, comedian, and Morton Bowe, tenor, at 9:30 A. M. every Sunday.

Joan Kay, Chicago radio star, is here writing and was featured on the Fair Trade Practice Laws meeting.

Bennet Larson, former Salt Lake radio staff man and now with Ruthrauff and Ryan of New York, is visiting his mother, Mrs. Ardell B. Welch.

Williams to WMCA

Philadelphia, Feb. 23.—Alun Williams is the newest WIP recruit to the WMCA announcing staff, taking up his new post last Monday. No replacement at WIP has been made as yet.

★ When you build an Electrical Transcription in our Studios, you are guaranteed PRIVACY, plus expert recording.

UNITED ARTISTS and GAUMONT BRITISH
and many others use this famous service.

RADIO & FILM METHODS
101 Park Ave. - New York
CAledonia 5-7530

FUN'S FUN

. . . and it's good business, too!

These new one and two-reel featurettes pack a big laugh for everybody, especially for the showman who exploits *Educational's* combination of big names and big fun to make big extra profits.

JEFFERSON MACHAMER
and his
"Gags and Gals"
in
"FUN'S FUN"

BUSTER KEATON
in
"JAIL BAIT"
and "DITTO"

PAT ROONEY Jr.
and HERMAN
TIMBERG Jr.
in
"HOLD IT"

"SISTERS OF
THE SKILLET"
in
"PRACTICALLY
PERFECT"

TIM and IRENE
in
"THE BIG
COURTSHIP"

IRIS ADRIAN
in
"MAN TO MAN"

Coming
Watch for these in March

- BERT LAHR
- BUSTER WEST and TOM PATRICOLA
- NIELA GOODELLE

Presented by E. W. HAMMONS

Educational Pictures
"THE SPICE OF THE PROGRAM"
Reg. U. S. Pat. Off.
DISTRIBUTED in U. S. A.
BY 20TH CENTURY-FOX
FILM CORPORATION

TERRY-TOONS • Song and Comedy Hits

PUDDY THE PUP
in THE BOOK SHOP
•
FARMER AL FALFA
in THE BIG GAME HUNT
•
KIKO THE KANGAROO
in RED HOT MUSIC

★

"SEE UNCLE SOL"
with
Eddie Lambert
and four big
specialty acts
. . .
"DENTAL FOLLIES"
with
Pinky Lee

presenting a
variety of
song and
dance hits

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 41. NO. 46 NEW YORK, THURSDAY, FEBRUARY 25, 1937 TEN CENTS

May Ask Writ To Forestall G.B. Dividend

Maxwell Plans Action If Illegality Shown

By BRUCE ALLAN

London, Feb. 24.—It is understood that John Maxwell and other members of the board of directors of Gaumont British who voted against the payment of a preference dividend will seek an injunction restraining the board from paying the dividend, in the event that the legal advice which they have sought indicates the payment of the dividend is illegal. Dissenting members were outvoted by five to four.

It is the general belief here that all the events of the moment in the board split are part of the Maxwell fight with the Ostrers for control of the company, with the odds at the moment on the former.

In an official statement issued today by Gaumont British it was declared that the board of directors recognizes the public interest in the future of the

(*Continued on page* 3)

Order Court Review On Sale of Orpheum

An order providing for a review of Referee Oscar W. Ehrhorn's order authorizing Marcus Heiman, trustee in bankruptcy for Orpheum Circuit, to accept RKO's $700,000 cash offer for uncontested title to Orpheum's assets, was obtained from Federal Judge Francis G. Caffey in U. S. District Court here yesterday by the preferred stockholders' committee of Orpheum Circuit.

The order restrains Stadium Theatres Corp., wholly owned RKO subsidiary, from disposing of the Orpheum assets acquired subsequent to Referee Ehrhorn's order and restrains Heiman from disbursing the

(*Continued on page* 3)

Heart Attack Kills Sir Guy Standing

Hollywood, Feb. 24.—Sir Guy Standing, seized with a heart attack in motor warerooms here today, died en route to the hospital. He was 63. Funeral plans have not been made.

A brother and a son are the only known survivors of the deceased.

Adolph Zukor, deeply grieved by

(*Continued on page* 2)

Radio—Pages 14-15

Loew Drops Games Here; RKO Action Is National

Decisions Lend Impetus To Growing Movement To End Giveaways

The growing movement for the complete elimination of Bank Night, Screeno and similar chance games, especially in the New York area, received a powerful impetus yesterday with the definite decision by Loew's to drop all games in Greater New York and by the RKO circuit to discard all games nationally.

Beginning next Monday, Loew's will commence the abandonment of chance games, completing the operation by March 8, by which time approximately $15,000 in accrued Bank Night awards and Screeno prizes will be distributed to patrons, it was stated in a letter to Motion Picture Daily yesterday from C. C. Moskowitz, in charge of all Loew's theatres in Greater New York. "This will completely wind up the games as far as our theatres are concerned," Moskowitz said.

Pointing out that Loew's theatres were among the last to adopt the games and declaring a desire to be the first to abandon them, Moskowitz said, "All games will be eliminated from Loew theatres permanently or until such time as the public indicates without a shadow of a doubt that they will not patronize our theatres unless we do have the games."

A similar letter was received by Motion Picture Daily yesterday from Nate Blumberg, general manager of the RKO circuit, who declared that within the next two weeks the circuit will discontinue all cash giveaways.

Blumberg said in part, "We at RKO have never been in sympathy with

(*Continued on page* 6)

Daily's Stand Commended

Motion Picture Daily's *editorial calling for the immediate eradication of all games of chance in the nation's theatres brought a number of telephone calls yesterday. The following letters, one from C. C. Moskowitz, executive in charge of the Loew theatres in Greater New York, and the other from Nate J. Blumberg, general manager of the RKO circuit, were delivered by messenger*:

Mr. Maurice Kann,
Motion Picture Daily,
New York City.

Dear Red:

We read with a great deal of interest, your article on Bank Nights and other audience games in today's issue.

We want to congratulate you in the most enthusiastic terms, and immediately go on record as being in complete sympathy with you. Loew's Theatres in New York were among the last to go in for Bank Nights, Screeno and similar games.

Now in line with your article, we want to be the first to abandon them—all games will be eliminated from Loew's Theatres—permanentely, or, until such a time as the public indicates, without a shadow of a doubt, that they will not patronize our theatres unless we do have the games. However,

(*Continued on page* 6)

Mr. Maurice Kann,
Motion Picture Daily,
New York, N. Y.

Dear Red:

I have just read your editorial entitled "Every Night But Show Night," in today's Motion Picture Daily.

You surely hit the nail right on the head in pointing out the folly of the theatres in exerting effort and spending money to sell games of chance to their community when they should be selling screen entertainment.

There is no question but that it is a vicious practice for any exhibitor to base his appeal for patronage on the proposition that the patron may get "something for nothing."

Here at RKO we have never been in sympathy with Bank Night, Screeno or other similar games of chance. We were the

(*Continued on page* 6)

'Tis an American Art, Sez Minsky; Needs Protection

By BERTRAM F. LINZ

Washington, Feb. 24.—Alien artists will have no opportunity to undress for the entertainment of the American burlesque fan, members of the House Immigration Committee were told today by Herbert Kay Minsky, New York impresario, as the current week's version of the Alien Actor Bill hearings opened for a one-day performance.

"Stripping is definitely an American art," Minsky said, as he explained the technique of the strip tease to an interested committee.

Burlesque today offers the only opportunity for thousands of vaudeville performers whose stages were wiped out by motion pictures, he explained, and the popularity of burlesque is growing to such an extent that between 100 and 150 houses are now operating throughout the country.

Foreigners brought in by film producers and others, and unable to find work, have sought employment as strip tease artistes, he declared indignantly, but receive no welcome in the 10 Minsky houses.

American art is American art and must be protected from foreign influences, it seems.

Burlesque, Minsky asserted, is now the only school for talent for films

(*Continued on page* 6)

Pettengill Insists Bill to Be Pressed

By CLARENCE LINZ

Washington, Feb. 24.—Flatly denying that he would seek to take care of the block booking problem by amendment of pending legislation dealing with the Federal Trade Commission, Representative Samuel B. Pettengill of Indiana tonight declared that he would ask Chairman Lea of the House Interstate and Foreign Commerce Committee for hearings on his film bill as soon as an opportunity offers.

Pettengill's statement was prompted

(*Continued on page* 6)

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Heart Attack Kills Sir Guy Standing

(Continued from page 1)

the loss of the actor and friend, stated, "During his association with Paramount Sir Guy Standing had no written contract but always a mutual understanding that he would be with us as long as he lived. Sir Guy did sign a contract in 1913 but when England went into the war he asked my permission to enlist which I readily granted. He promised to come back at the end of the war and he did. During subsequent association there never was any question of a contract."

Daly, Former Marine, Killed

HOLLYWOOD, Feb. 24.—George R. Daly, former Marine Corps gunner employed by Universal as a machine gun expert in the filming of "The Road Back," died today from a concussion resulting from the explosion of a paper bomb.

Felix McManus Dead

VANCOUVER, Feb. 24.—Felix McManus, manager of the Famous Players' Strand Theatre at Chilliwack, B. C., dropped dead from a heart attack recently.

Purely Personal

MILTON SCHWARZWALD threw a surprise party for his wife at Alfredo's last night. A goodly crowd was there including Nate and Mrs. Blumberg, Herman and Mrs. Gluckman, Helen Gershenson, Joe Byrnes of Cleveland, William and Mrs. Rainey, Charles Prutzman, Russell and Mrs. Emde, Mrs. Fred Meyer, Mrs. Betty Schwartzchild, Jack Schaindlin, Edgar and Mrs. Zane, Mr. and Mrs. Loeb of Zurich, Switzerland and Arnold Schwarzwald.

•

BELLE KANTER, formerly with Universal and Warners in Hollywood, has returned to New York and again is associated with Universal handling special feature work in cooperation with BEULAH LIVINGSTONE on "The Top o' the Town."

•

ED KUYKENDALL, M.P.T.O.A. president, who had planned to leave for Washington yesterday, was confined at his hotel here with a cold. He expects to leave New York today.

•

F. L. HARLEY, of the 20th Century-Fox London office, JOHN GIELGUD, FRANK LAWTON, EVELYN LAYE and EDMUND GWENN sailed on the *Queen Mary* yesterday.

•

PERCY PHILLIPSON, president of General Register, has gone to Canada, where he will make business visits to Montreal, Toronto and Quebec.

•

FRANK BUCK flew in from Hollywood yesterday to supervise unloading of a cargo of wild animals from the *Steel Scientist*.

•

OSCAR STRAUS, Viennese composer, who will write the score for the next BOBBY BREEN film, arrived on the *Paris* yesterday.

•

JOSEPH M. SCHENCK, JAY TAYLOR and MRS. TAYLOR, and LOU WERTHEIMER are at the Sherry-Netherlands.

•

S. CHARLES EINFELD and MRS. EINFELD leave for the coast this weekend, probably by boat.

•

ARTHUR A. LEE, G. B. vice-president, and Al Margolies, director of publicity, leave tonight for a business trip to Montreal.

•

LARRY GOLOB of the Warner home office advertising staff is in Philadelphia today on business.

•

CLEMENCE DANE is coming to New York for the opening of "Fire Over England" at the Music Hall March 4.

•

CHARLES WEEGHMAN, former president of the Chicago Cubs, is now with the Stork Club.

•

MONROE GREENTHAL leaves for the coast tomorrow.

•

GEORGE SCHAEFER leaves for New Orleans Monday and goes to the coast from there.

•

Mrs. GRAD SEARS, Mrs. CARL LESERMAN and Mrs. CRESS SMITH made up a threesome at the Tavern for lunch yesterday.

Sit-Down Gets Play

Sit-down strikes have the publicity boys steamed up.

At Omaha Ted Emerson, publicity director for Tri-States, and Manager James Schlatter of the Omaha had two sit-downers on the curb for two days with signs reading: "We're on a sit-down strike until the Omaha plays 'Maid of Salem'."

At Willow Glen, Cal., a sit-downer stayed in the Grover for three days because he hadn't won the Bank Night prize.

At Hinsdale, Ill., George Kruger, manager of the Hinsdale, put up this sign: "Only One Feature Picture: No Sit-Down Contest Here."

•

BARNEY BALABAN is expected here from Chicago next Tuesday.

•

MILTON SHUBERT and EDWARD ANTHONY arrive today on the *Rex*.

•

ALEC MOSS back from Miami.

•

GEORGE RAFT is at the Warwick.

•

. . . Denver

SAM STEINBERG is in the territory making a study for National Screen Accessories, Inc., prior to contemplated opening of a Denver branch.

J. J. MORGAN, manager of National Theatre Supply here, is on business in Los Angeles.

HARRY COHEN, RKO western division manager, in town for conferences with J. H. ASHBY, Denver manager.

JERRY SAFRON, western division manager for Columbia, in Denver several days on business.

"Thin Man" January Top in Herald Poll

M-G-M's "After the Thin Man" took top honors in the listing of Box-Office Champions for January, as published today in *Motion Picture Herald*. Six other pictures were listed for the month as follows, in the order of their ranking: "The Plainsman," Paramount; "College Holiday," Paramount; "One in a Million," 20th Century-Fox; "Sing Me a Love Song," Warners; "That Girl from Paris," RKO Radio; "Three Smart Girls," Universal.

Disney and RCA Sign

HOLLYWOOD, Feb. 24.—A contract for the exclusive use of RCA High Fidelity sound recording has been signed by Walt Disney for Mickey Mouse, Silly Symphonies and all other productions for the next 10 years. Additionally, all Disney cartoons and dramatics will utilize RCA sound apparatus during the next decade.

G. N. Signs for New Sound

Grand National has completed negotiations with Erpi for the installation of the new sound equipment in the studios.

Retitle "Skidding"

HOLLYWOOD, Feb. 24.—"I Stand Accused" will be the release title of M-G-M's "Skidding."

Para. May Get Year End Reports Today

Paramount's fourth quarter financial report may be submitted to the board of directors at the monthly meeting scheduled for today. The report is expected to show a net of between $3,500,000 and $4,000,000. The company's annual report is not expected for another six weeks.

It was not certain yesterday whether or not a quorum could be obtained for today's meeting, due to the absence from the city of Barney Balaban, president; John D. Hertz and several other directors. If no quorum is obtained the meeting may be put over for another two weeks or a month.

Temporary Deal May Be Made with Blank

A temporary extension of the present operating agreement between A. H. Blank and Paramount for the Tri-States Circuit may be placed in effect pending completion of current negotiations for a new permanent operating agreement for the circuit, it was stated at Paramount yesterday.

Efforts are being made to work out a new agreement under which Paramount would relinquish its right to repurchase Blank's 50 per cent stock interest in the circuit and place the operation on a permanent basis under which both Paramount and Blank would retain a half interest. The negotiations were interrupted when Blank was called back to Des Moines, but will be renewed on his return here in the near future. If no agreement is reached by March 6, the expiration date for the current operating agreement, it would be extended on its present temporary basis for the time being.

Seek Withdrawal of Momand Boston Suit

BOSTON, Feb. 24.—Major companies, which are defendants in the $100,000 anti-trust suit filed here by George S. Ryan, attorney, for Mrs. Loretta Momand, have filed a plea in the U. S. District Court asking that the case be withdrawn from the local court. Mrs. Momand is the mother of A. B. Momand, plaintiff in a similar action for $5,000,000 filed in Oklahoma. Ryan is also attorney in that case.

The defendants in this action, with the exception of RKO, contend that Boston is too far from the scene of the alleged cause of action, which is the Odeon in Shawnee, Okla. They claim trial of the case here would cause great inconvenience and expense in bringing witnesses here. Ryan answered that in matters of this sort the law reads that the defendants may be prosecuted where they do business or where they may be found or where they transact business. RKO's contention was that it does not have a place of business here. A hearing on the motion will be held shortly.

Postpone Zukor Dinner

The testimonial dinner to be given by theatre owners to Adolph Zukor has been postponed from March 27 to March 29 because March 27 is the second night of Passover. The place remains the same, the Waldorf-Astoria.

May Ask Writ To Forestall G.B. Dividend

(*Continued from page 1*)

corporation, but "their first duty must be to the shareholders. Any premature statement must prejudice the delicate complex negotiations which have as their object the strengthening of the company's trading position."

Continuing, the statement said, "All that can be said at this stage is that a proposal is under examination which would assure substantial revenue on the production side, while leaving the company free to develop its prosperous theatre interests."

Conferences are being held today with C. M. Wolff relative to a distributing affiliation with the latter. The G. B. board will meet formally tomorrow to consider the results of the conference.

Order Court Review On Sale of Orpheum

(*Continued from page 1*)

cash to creditors of Orpheum pending the review. The Orpheum preferred stockholders' committee made a competitive bid of $2,000,000 for the Orpheum assets which were acquired by RKO in consideration for the subordinating of more than $3,000,000 in claims against Orpheum in addition to the $700,000 cash. No date for the review of Referee Ehrhorn's order was set by Judge Caffey.

The Orpheum stockholders' committee's petition claimed that it represented 40 per cent of the non-voting preferred stock of Orpheum, and charged that the entire proceedings and the sale of the assets "constituted steps in a scheme whereby the financial interests who are reorganizing RKO will be enabled to get the Orpheum assets at a fraction of their value and thus freeze out the non-voting stockholders." The petition also charged that the entire proceedings involving the purchase of the Orpheum assets constituted a "fraud at law."

Develop Fixing Process

WASHINGTON, Feb. 24.—Hauff A. G. of Feuerbach, Germany, according to the German press, has brought out a solution under the trade name of "Unigen" which is said to develop and fix photographic film in one process, according to a report to the U. S. Dept. of Commerce from Assistant Trade Commissioner Rolland Welch in Berlin.

Invade Shanghai Theatre

SHANGHAI, Feb. 24.—Italians, identified as from a warship anchored here, invaded a theatre, routed the patrons and seized the Russian film dealing with the Italian conquest of Ethiopia. The interior of the theatre was wrecked.

Sherman to Do Musical

HOLLYWOOD, Feb. 24.—Harry Sherman has outlined plans to depart from his usual western production and film a musical. The title will be "Miss Hollywood, Jr."

The Ceremony at Rollins

Harry M. Warner with a group of international figures who received honorary degrees at Rollins College. Warner received the degree of Doctor of Humane Letters. Left to right, Thomas J. Watson, Warner, Lord Davies, President Hamilton Holt of Rollins, Dr. Van Vlissingen, and Rev. Ralph W. Sockman.

Court Quashes Suit Over "Chango" Film

Federal Judge Murray Hulbert yesterday dismissed the action for an injunction and damages brought by the Davenport-Quigley Expeditions, Inc., against Century Products, Samuel Cummins, Empire Laboratories, Inc., Richard Fiedler and the Bob-Ed Theatres Corp. The plaintiff claimed infringement of copyright of their picture "Jango," also known as "Ubango" in the defendants' picture called "The Jungle Killer."

Judge Hulbert in dismissing the complaint said that although he regretted that he was compelled to do this, it was necessary on a technicality, since it was clear that the defendants had purloined scenes from the plaintiff's picture. "Jango" was originally made by Daniel Davenport, who in March, 1929, sold it to Nathan Braunstein, but failed to include in the bill of sale the rights to the copyright. Braunstein later sold the film to the plaintiff corporation and included the copyright. The court, however, held that the original failure to include the copyright in Davenport's bill of sale prevented the plaintiff from recovering a judgment. The judge also refused to allow court costs.

Dismiss "Dead End" Case

Federal Judge John M. Woolsey yesterday dismissed the complaint of Edna Buckler after trial of her $2,000,000 plagiarism suit against Norman Kingsley, Norman Bel Geddes and Random House. She charged plagiarism of her play "Money" in Kingsley's show, "Dead End."

Gets Evergreen Post

SEATTLE, Feb. 24.—Kenneth Schultz has been appointed purchasing department head for Evergreen State Theatres by Frank L. Newman, general manager. He succeeds R. Barbour, who resigned recently to enter the wholesale drug business.

Schultz was formerly in the Seattle office of the National Theatre Supply. Co. He has been succeeded in that position by William Stoebel.

Ticket Tax Receipts Show Holiday Slump

WASHINGTON, Feb. 24.—Holiday theatre attendance showed the usual slump, but was well over that of 1935, it was indicated by figures made public today by the Bureau of Internal Revenue.

January collections from the admission tax, representing the business of the preceding month, totaled $1,505,676, the bureau reported, compared with $2,194,585 in December and $1,459,694 in January, 1936.

Total collections from all taxes amounted to $207,483,011, compared with $478,632,854 in December and $180,984,742 in January of last year. The heavy drop from December to January was due to the quarterly payments in the previous month of corporation and individual income taxes.

Seattle to Get Showboat

SEATTLE, Feb. 24.—Approval for the construction of a real showboat for Pacific Northwest has been granted by WPA officials in Washington, according to word received here by George P. Weber, district director.

The theatre will be built on a barge in Lake Union at a cost of $17,000. About $11,000 for labor will be furnished by the WPA and $6,000 for materials by the University of Washington drama department. The showboat will be towed around the Puget Sound region, presenting plays by University of Washington players.

New Enterprises

The following film and theatre companies have been incorporated:

At Albany:

Dalescar Theatre Corp., New York City, exhibition, by Augusta Kessler, Bessie Goldenberg, Anne Nadelman.

Deposit Theatres, Inc., Oneida, exhibition, by Myron J. Kallet, William T. MacNeilly, Alexander L. Saul.

Rochester Palace Corp., New York City, exhibition, Malcolm Kingsberg, L. E. Thompson, Leon Goldberg.

Garrett Klement Pictures, Ltd., distribution, Otto Klement.

Urges Pennsylvania To Drop Ticket Tax

HARRISBURG, Feb. 24.—Abolition of the Pennsylvania amusement tax, which became effective July 1, 1935, as an emergency relief measure, was recommended by Governor George H. Earle, 3rd, in his budget message submitted to the Legislature today. If the Legislature acts favorably, this tax will be discontinued as of July 1, next.

The tax amounts to one cent on each 25 cents or fraction thereof paid for tickets to Film theatres or other places of amusement. The Governor estimates the tax has been yielding the state at the rate of $6,700,000 in the present biennium. The governor recommended the abolition of all the emergency taxes which total $31,450,000.

Connecticut Bills Get Hearings Today

HARTFORD, Feb. 24.—Several bills affecting the industry are scheduled for hearing tomorrow before the House Judiciary Committee.

One extends the hours for film exhibition from 2 P.M.-10:30 P.M. to 2 P.M.-11:30 P.M. Another retains the hours in the present law, but changes the words "motion picture" to "theatrical" exhibition. Still another authorizes Sunday vaudeville. There are two other bills affecting projectors.

A ticket tax bill aiming for a tax of one cent on each 10 cents or fraction thereof is scheduled for hearing before the Senate Finance Committee, March 4.

Kill Indiana Censor Bill

INDIANAPOLIS, Feb. 24.—The Indiana House today killed by indefinite postponement a bill which would have created a film censorship board and would have assessed a tax of $3 per reel on all film coming into the state.

Representative Harry Muller of Anderson, who operates the State there, moved to postpone consideration indefinitely. The bill's author, Representative William E. Treadway of Spencer, sought to table this motion, but fewer than a dozen members voted with him.

Will Discuss Ohio Bills

COLUMBUS, Feb. 24.—Directors of the Ohio I. T. O. have been summoned by President Martin G. Smith to a luncheon meeting at the Deshler-Wallick on March 2 to discuss the organization's attitude toward 10 bills now pending in the Legislature.

The bills range from a two-men-in-a-booth measure to one for the imposition of a 10 per cent tax on all admissions over 25 cents.

To Do Standard Oil Film

HOLLYWOOD, Feb. 24.—Rafael G. Wolff, Inc., will produce a feature length commercial film for Standard Oil of Indiana with Robert Armstrong, Peggy Shannon and Andy Clyde in the lead roles. The story is from a Homer Croy original with screenplay by Huston Branch. Marshall Neilan will direct on the RKO-Pathe lot. Distribution will be through Standard's own organization for dealers and sales meetings, clubs and luncheons. Free exhibition in theatres is not contemplated.

LETTER to the EDITORS:

Dear Editors of the Trade Papers:

We apologize for taking so
words about our March musical honey
But telling the trade about our four
wow-of-the-week, Errol Flynn and Anit
has kept us so busy we just couldn't

Yessir, it's a grand sensat
keep those superlatives flowing our wa
you're having as much pleasure reviewi
Sears Drive sockos as all our exhibitor

Y

P.S. Better tune your typewriters for a
Fernand Gravet, that sensational 'find'
"The King and the Chorus Girl" is plenty

to acknowledge your kind

ady, Willing and Able".

February films (like the

ise in "Green Light")

a syllable in sidewise.

to watch you fellows

t actually looks like

ur steady succession of

s have playing them!

for more bold-face type,

Warner Bros.

ege of extra-heavy duty--

Mervyn LeRoy's due soon in

good copy!

READY, WILLING AND ABLE

with
RUBY
KEELER
LEE
DIXON
Allen Jenkins
Louise Fazenda
Carol Hughes
Ross Alexander
Winifred Shaw
Teddy Hart
Hugh O'Connell
Directed by Ray Enright

THIS IS THE KEY SCENE of the unique "TOO MARVELOUS FOR WORDS" number. The 3 other swell tunes by Richard Whiting and Johnny Mercer are "HANDY WITH YOUR FEET" • "JUST A QUIET EVENING" "SENTIMENTAL AND MELANCHOLY"

American Art, Says Minsky of His Specialty

(*Continued from page* 1)

and the radio, and he cited among those who have graduated to other fields Bert Lahr, Jack Pearl, Eddie Cantor, Fannie Brice, Joe Penner, Bobby Clark and Gypsy Rose Lee. Miss Lee, he said, would have appeared at the hearing had not her $2,000 a week contract with 20th Century-Fox prevented.

They'll be later hearings, however, and this art business requires thorough study. The native style of de-costuming may be threatened.

Going from burlesque to melodrama, the committee heard as the second act the life history of Anthony Pesci, operatic tenor, who told of terrorism of opera singers by the New York "opera claque" started at the time of the late Enrico Caruso, he said, but now conducted by 20 musical Brooklyn gangsters who want only 65 per cent of the artists' earnings. The gang, he said, "backs those it selects for the Metropolitan and shuts out those who won't contribute." Refusing to "kick in," he said, he has been driven from the operatic stage and his life has been repeatedly threatened.

Passage of the bill, he told the committee, would "starve the gang out" and provide opportunities for American singers. "Claques" are an alien art that have flourished abroad for generations.

Actor Asks Passage

Support for the Dickstein bill was given by Stuart Beebe, actor, representing the American Players' Ass'n. Beebe admitted he had not read the bill and also was ignorant of the fact that foreign actors cannot enter as such unless they have contracts.

The legitimate theatre is gradually coming back to a healthy condition, he said, and by barring alien actors opportunities will be afforded for domestic talent.

The final act was presented by Nikolai Sokoloff, director of the WPA Federal Music Project, which now has 13,600 musicians on its rolls and at its peak last August had 16,000, who charged that the advent of sound in the film industry had taken the jobs from 50,000 musicians.

Sokoloff's major complaint was that the leaders of three of the 12 leading orchestras of the country are aliens. He advocated closing the gates to all but the most outstanding talent in order that the United States might build up an artistic culture of its own.

The next performance of the Dickstein Varieties will be given March 3.

RKO Acquires "Irene"

Hollywood, Feb. 24.—Radio has acquired the rights to the Ziegfeld musical, "Irene," which will be a starring vehicle for Ginger Rogers. Pandro S. Berman will produce.

Import Duty £178,000

London, Feb. 24.—Duty paid on imported film in the past year was approximately £178,000, according to an official statement.

Loew's, RKO Dropping All Chance Games

(*Continued from page* 1)

Bank Night, Screeno or similar games of chance. We were the last theatre operators to resort to the use of these devices and did so only as a protective measure."

The Skouras circuit indicated yesterday that although no specific action relative to the game situation has been planned the entire problem is being given close study with a possible view to future action.

At Warners it was said that there are very few situations in the national Warner circuit which are using chance games, and in those cases the policy was placed in effect purely for competitive reasons.

Laurence S. Bolognino, head of Consolidated Amusement Enterprises, which operates 20 New York theatres, declared yesterday that he is "heartily in sympathy" with the movement to abandon all chance games. He said, however, that he cannot see his way to their elimination in the houses of his circuit unless the theatres which follow his give evidence, at least, of willingness to do likewise.

Bolognino Willing

"I would be more than happy to go along with any movement for the elimination of games," he said. Bolognino, who is a member of the I.T.O.A., declared that he would be perfectly willing to lead the way among other members of the New York exhibitor association, if there was an indication of a desire on the part of the organization generally to bring about the elimination of games.

The I.T.O.A. has insisted for some time, and the stand was reiterated yesterday by Melvin Albert, attorney for the organization, that the organization will not drop games in the city until the major circuits have increased prices to the extent where there will be a marked differential between the circuit prices and those of I.T.O.A. houses. Exactly what the differential should be in the organization view has never been specified. Harry Brandt, I.T.O.A. president, is in Florida and will not return until March 3.

Moskowitz declared yesterday, with reference to prices in New York and their relation to chance games that the circuits have been increasing their admissions "when and where they deemed it good business. We, however, will not be dictated to as to policy," he said.

Questioned as to the willingness of Loew's to discuss the matter of prices with the I.T.O.A., or with Albert, Moskowitz said, "We have conferred a number of times and have gotten nowhere. However, if he has the authority to make a deal, we would be glad to talk again."

Albert indicated at the conference last week on chance games in the office of Paul Moss, license commissioner of New York, that he could not act specifically in any such matter without the approval of Brandt.

Blumberg, queried on the same matter, indicated firmly that it was the position of RKO that it would operate its circuit as it believed proper, without regard to the attitude of the independent theatre owners. The circuit had made a specific decision to abandon all chance games, and intended holding to it, Blumberg indicated, whether or not the independents decided to take similar action.

Jackson Ruling Stands

Jackson, Miss., Feb. 24.—Attorney General Greek L. Rice has refused to amend his recent ruling that Bank Night drawings are illegal, saying a group of attorneys headed by J. H. Currie of Meridian had presented nothing to cause him to change his opinion. "There can be no compromisé with a lottery," he said.

Shift Mexican Censor

Mexico City, Feb. 19.—The industry has been afforded a great break in censorship with the placing of the national board under jurisdiction of the recently established Federal Government Publicity and Publications Dep't. Under the new method, reviewing costs the industry nothing. The department is holding conferences with producers with a view to aiding them.

Caramba!

Hollywood, Feb. 24.—Billowy women who worry about the tonnage have a new one for sipping during these evenings when smudge pots keep the orange groves from freezing. It's a "Teresa Carreno."

Just hot chocolate with a shot of gin.

Some research expert discovered Mme. Carreno, concert pianist of 20 years ago who kept her figure until her death, used to use the stuff.

Daily's Stand Commended

[Moscowitz Letter]

(*Continued from page* 1)

I do not feel that this is the feeling of the public now—or will be.

Starting on Monday, March 1, and washing up completely on Monday, March 8, some $15,000 in accrued Bank Night awards and Screeno prizes will be distributed to our patrons. This will completely wind up the games as far as our theatres are concerned.

Sincerely yours,
Charles C. Moskowitz

[Blumberg Letter]

(*Continued from page* 1)

last theatre operators to resort to the use of these devices and did so only as a protective measure. We are very happy to say that within the next two weeks we will discontinue the use of all cash give-aways, Screeno and other games of similar nature.

Constructive editorials such as "Every Night But Show Night" are a definite force in helping the various interests in this industry to formulate sound policies of operation. We hope that you will continue the good work.

Sincerely yours,
N. J. Blumberg.

20th-Fox Silent on Australian Houses

Comment on Stuart F. Doyle's statement that the operating combine between Greater Union Theatres and Hoyts, Australia's largest theatre operating interests, would be cancelled next Dec. 31, was withheld at 20th Century-Fox yesterday pending receipt of additional information from Australia.

Walter J. Hutchinson of 20th Century-Fox, which holds a controlling interest in Hoyts, cabled Australia yesterday for additional information. Pending a reply, no decision has been made on whether or not the proposed Australian visit next summer of Sidney R. Kent and Hutchinson would be cancelled, it was said.

Pettengill Insists Bill to Be Pressed

(*Continued from page* 1)

by reports, which he branded as false. that he has asked the Federal Trade Commission for a legal opinion as to whether its authority could be so extended as to give it jurisdiction over controversies and practices in the film industry.

No such method of dealing with the question has ever been under consideration, Pettengill said, and he has every intention of pressing his measure, which was the subject of lengthy hearings last session, as soon as the committee disposes of more important legislation which is now before it.

Walter Catlett Sued

Los Angeles, Feb. 24.—Suit against Walter Catlett was filed in Superior Court here today by Joyce & Selznick, Ltd., alleging failure to fulfill conditions of an agency contract dated July 12, 1932, and running for five years.

The agency charges that although Catlett has earned $35,000 from Feb. 14, 1933 to date, he has paid only $1,095 in commissions. A demand is made for $2,405 plus attorneys' fees of $1,000.

Flash Preview

"La Tendre Enemie"—A fantasy, novel, interesting and touched up with satirical Gallic humor.

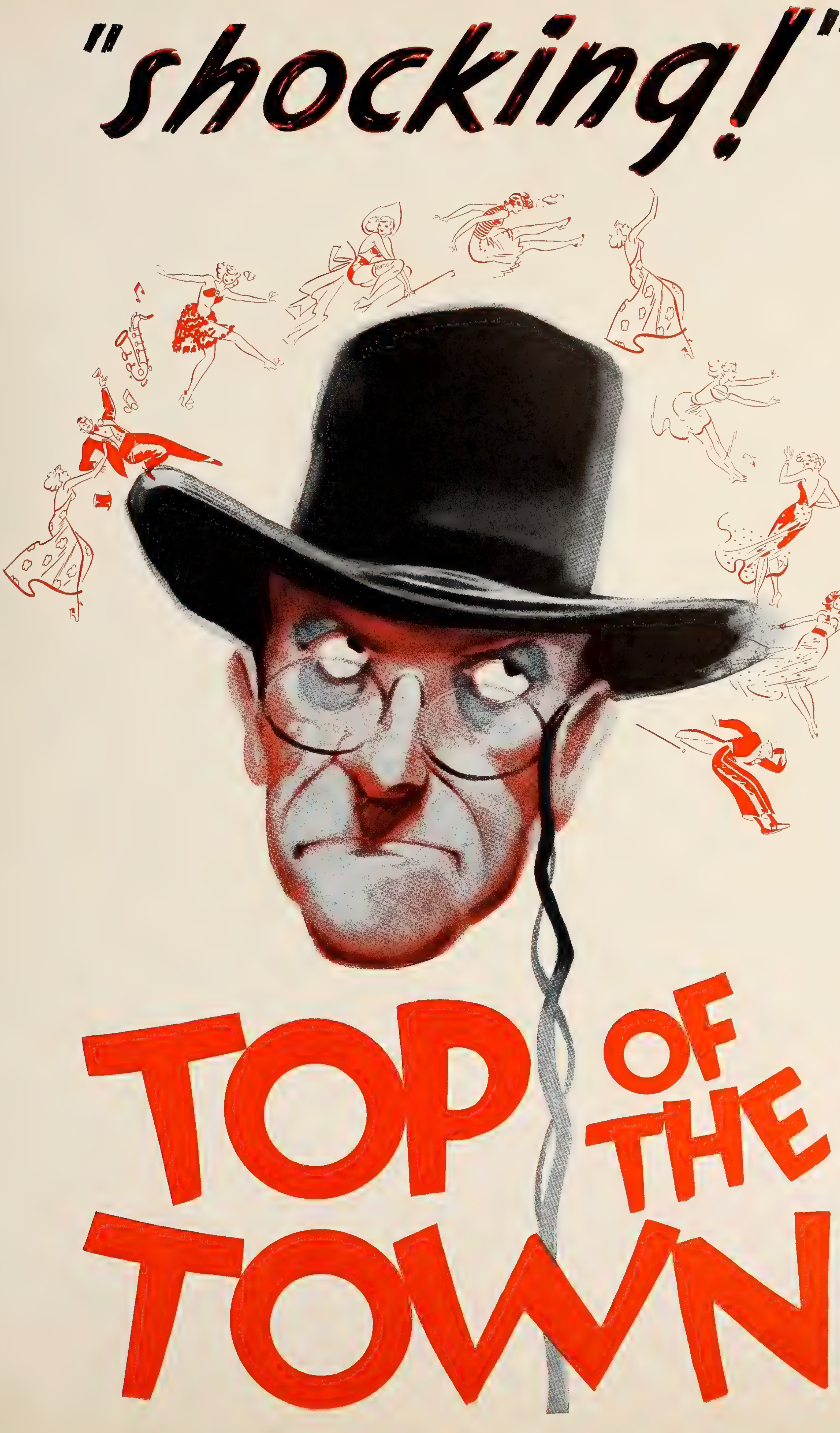
This film will be reviewed in full in a coming issue of Motion Picture Daily.

Hyman Passman Resigns

Boston, Feb. 24.—Hyman Passman has resigned as manager of the Liberty. He has been succeeded by Bernard Phillips, assistant manager of the Codman Square. Bernard Lynch has been transferred from the Strand to Phillips' former position.

Wanger Signs Jones

Hollywood, Feb. 24. — Walter Wanger has signed Grover Jones, veteran scenario writer, to a long term contract.


"shocking!"
TOP OF THE TOWN

The New Universal, which gave you "My Man Godfrey" and "Three Smart Girls", again comes through with another world-wide winner, "Top of the Town"

"Lloyds" and "Avenue" Hit Pitt Records

PITTSBURGH, Feb. 24.—There was cause for celebration here by the 20th Century-Fox. At the Alvin and Fulton, practically next door to each other, two of the Zanuck productions hung up new house records, "Lloyds of London" getting $12,750 at the Alvin to top by just a few dollars the previous high made by "The Country Doctor" and "On the Avenue" smashing through with $11,000 at the Fulton. Both were held for a second week and may even stay a third.

Although weather conditions were ideal, the big business for these two pictures naturally had a sizeable effect on grosses elsewhere. "Stolen Holiday" was a disappointment at the Stanley, where it did only $8,000, the lowest this house has hit in some time, but the Warner did all right with "General Spanky" and "The Accusing Finger" at $5,400.

Total first run grosses were $48,650. Average is $37,500.

Estimated takings for the week ending Feb. 18:

"LLOYDS OF LONDON" (20th-Fox)
ALVIN—(2,000), 25c-40c, 7 days. **Gross:** $12,750. (Average, $5,500)

"ON THE AVENUE" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $11,000. (Average, $4,500)

"YOU ONLY LIVE ONCE" (U.A.)
PENN— 3,300), 25c-50c, 7 days. **Gross:** $11,000. (Average, $11,500)

"GENERAL SPANKY" (M-G-M)
"ACCUSING FINGER" (Para.)
WARNER — (2,000), 25c-40c, 7 days. **Gross:** $5,400. (Average, $5,000)

"STOLEN HOLIDAY" (F.N.)
STANLEY — (3,600), 25c-50c, 7 days. **Gross:** $8,000. (Average, $11,500)

"Black Cat," Show Oklahoma's Leader

OKLAHOMA CITY, Feb. 24.—"The Case of the Black Cat" and a vaudeville bill were the only combination to make much of an impression here last week. The gross at the Liberty for four days was $2,400. Normal for seven days is $3,000.

"Lloyds of London" took a par $5,000 at the Criterion.

Total first run business $13,200. Average is $14,000.

Estimated takings for the week ending Feb. 20:

"LLOYDS OF LONDON" (20th-Fox)
CRITERION—(1,700), 10c-35c-55c, 7 days. **Gross:** $5,000. (Average, $5,000)

"GOD'S COUNTRY AND THE WOMAN" (W.B.)
MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $3,700. (Average, $4,000)

"PLOUGH AND THE STARS" (RKO)
CAPITOL—(1,200), 10c-25c-40c, 7 days. **Gross:** $1,500. (Average, $2,000)

"CASE OF THE BLACK CAT" (W.B.)
LIBERTY—(1,500), 10c-25c-40c, 4 days. Stage: Eight acts vaudeville. **Gross:** $2,400. (Average for week, $3,000)

"DANCING PIRATE" (RKO)
"THE PLOT THICKENS" (RKO)
LIBERTY—(1,500), 10c-25c-35c, 3 days. **Gross:** $600. (Average, for week, $3,000)

Building Foreign House

Consolidated Amusement Enterprises will enter the foreign exhibition field with the erection of the Esquire at 44th St. and 8th Ave., now under construction. Foreign films will play at the circuit's Ascot in the Bronx following the Esquire runs.

"Secretary" Dual Tops in New Haven

NEW HAVEN, Feb. 24.—"More Than A Secretary" and "Sinner Take All" at the College made the best first run showing, grossing $3,600, over the usual by $800.

The higher-admission Poli, with "Dangerous Number" and "You Only Live Once," exceeded average $7,000 by $700. "Stolen Holiday" and "Mysterious Crossing" at the Roger Sherman dipped under the average $4,700 by $900; while "Outcast" and "Let's Make a Million" took the usual Paramount gross of $4,900, down by $1,400. An exceptionally poor Ash Wednesday cut the week's business short.

Total first run business was $18,600. Average is $19,400.

Estimated takings for the week ending Feb. 21:

"MORE THAN A SECRETARY" (Col.)
"SINNER TAKE ALL" (M-G-M)
COLLEGE — (1,499), 25c-35c, 7 days. **Gross:** $3,600. (Average, $2,800)

"OUTCAST" (Para.)
"LET'S MAKE A MILLION" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $3,500. (Average, $4,900)

"YOU ONLY LIVE ONCE" (U.A.)
"DANGEROUS NUMBER" (M-G-M)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $7,700. (Average, $7,000)

"STOLEN HOLIDAY" (F.N.)
"MYSTERIOUS CROSSING" (Univ.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $3,600. (Average, $4,700)

"Breezing," Show Indianapolis Draw

INDIANAPOLIS, Feb. 24.—"Breezing Home," coupled with an elaborate stage presentation, crashed through a quiet Lenten week to give $10,300 to the Lyric, $3,300 upstairs. The stage show was the main draw, presenting a special appearance of Molly O'Day in addition to the scheduled "Greenwich Village Scandals" of Frank Mitchell and Jack Durant.

"Lloyds of London" held up well in its second and final week. The Apollo took $4,000 with it, which tied par.

Competition included a six-day bicycle race at the Butler University field house. The weather was mild.

Total first run business was $23,300. Average is $21,000.

Estimated takings for the week ending Feb. 19:

"LLOYDS OF LONDON" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days, 2nd week. **Gross:** $4,000. (Average, $4,000)

"WE'RE ON THE JURY" (Radio)
"OUTCAST" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $3,000. (Average, $4,000)

"DANGEROUS NUMBER" (M-G-M)
"DEVIL'S PLAYGROUND" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $6,000. (Average, $6,000)

"BREEZING HOME" (Univ.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: "Greenwich Village Scandals" with Molly O'Day, Frank Mitchell and Jack Durant. **Gross:** $10,300. (Average, $7,000)

"Avenue" Sets $16,500 Pace In Cleveland

CLEVELAND, Feb. 24.—"On the Avenue" clicked with the local fans at Warners' Hippodrome in spite of Lent and bad weather. It grossed $16,500, topping average by $6,500.

"The Great O'Malley" on the RKO Palace screen with the Ritz Brothers in person topping the vaudeville bill struck a high note with $23,000. This was $8,000 over par. "We Who Are About to Die" was $1,000 over the line at the Allen with $6,000.

"Rembrandt" at Loew's State was weak at $8,500. Average is $15,000, and "Under Cover of Night" at Loew's Stillman was $2,000 shy of par with a take of $4,000.

Total first run business was $58,000. Average is $51,000.

Estimated takings for the week ending Feb. 19:

"WE WHO ARE ABOUT TO DIE" (RKO)
ALLEN—(3,300), 30c-35c-42c, 7 days. **Gross:** $6,000. (Average, $5,000.

"REMBRANDT" (U.A.)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $8,500. (Average, $15,000)

"UNDER COVER OF NIGHT" (M-G-M)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days. **Gross:** $4,000. (Average, $6,000)

"THE GREAT O'MALLEY" (W.B.)
RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: Ritz Brothers heading vaudeville bill. **Gross:** $23,000. (Average, $15,000)

"ON THE AVENUE" (20th-Fox)
WARNERS' HIPPODROME — (3,800), 30c-35c-42c, 7 days. **Gross:** $16,500) (Average, $10,000)

Secure Red Bank Site

A syndicate headed by Morris Jacks has acquired a site for a 1,500-seat theatre at Red Bank, N. J. It is located on East Front St.

"Lloyds" High In Dull Week At the Capital

WASHINGTON, Feb. 24.—"Lloyds of London" stepped out front in the Lenten slump here by getting $18,000 at Loew's Palace. This was $2,100 in the profit column.

"Devil's Playground" took second honors with $6,300 at the Metropolitan, over the line by $2,000.

The stage-screen houses were weak, the Earle taking $16,000 for "The Great O'Malley" and a near-nameless vaudeville show, and Loew's Fox getting $18,000 for "Under Cover of Night" and Stepin Fetchit and Clyde McCoy's orchestra. First is $2,400 under, the second $2,900 under their respective pars.

A return engagement of "Champagne Waltz" went $400 over par to a take of $4,000 at Loew's Columbia.

Total first run business was $67,800. Average is $73,700.

Estimated takings, exclusive of tax:

6 Days Ending Feb. 17:

"MEN ARE NOT GODS" (U.A.)
RKO-KEITH'S—(1,836), 25c-55c, 6 days. **Gross:** $5,500. (Average, 7 days, $10,600)

Week Ending Feb. 18:

"THE GREAT O'MALLEY" (W.B.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Cilly Feindt & Her Horse, Three Radio Ramblers, Lela Moore, Balabanow Revue. **Gross:** $16,000. (Average, $18,400)

"UNDER COVER OF NIGHT" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Stepin Fetchit, Wally Ward, Arthur LeFleur, Clyde McCoy & Orchestra. **Gross:** $18,000. (Average, $20,900)

"CHAMPAGNE WALTZ" (Para.)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,000. (Average, first run, $3,600)

"LLOYDS OF LONDON" (20th-Fox)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $18,000. (Average, $15,900)

"DEVIL'S PLAYGROUND" (Col.)
METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $6,300. (Average, $4,300)

"Avenue" Dual Gets $17,100 In St. Louis

ST. LOUIS, Feb. 24.—"On the Avenue" and "Criminal Lawyer" at the Fox proved the best draw of the week with a take of $17,100, or about $4,100 above average.

At the St. Louis, Johnny Perkins continued his popularity as a master of ceremonies and with a second run of "Three Smart Girls" socked the cash register for $10,000, the first time that this house has hit a five figure week since it was reopened some months ago. Average is $7,000.

None of the other local first runs was able to attain par in comparison with its recent averages.

Total first run business was $61,250. Average is $59,000.

Estimated takings for the week ending Feb. 18:

"STOLEN HOLIDAY" (W.B.)
AMBASSADOR—(3,018), 25c-40c-55c, 7 days. Stage, specialty acts. **Gross:** $12,900. (Average, $14,000)

"ON THE AVENUE" (20th-Fox)
"CRIMINAL LAWYER" (RKO)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $17,100. (Average, $13,000)

"UNDER COVER OF NIGHT" (M-G-M)
"MAMA STEPS OUT" (M-G-M)
LOEW'S—(3,162), 25c-35c-55c, 7 days. **Gross:** $11,750. (Average, $14,000)

"BLACK LEGION" (W.B.)
"WE'RE ON THE JURY" (RKO)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $10,000. (Average, $11,000)

"THREE SMART GIRLS" (Univ.)
ST. LOUIS — (4,000), 25c-40c, 7 days. Stage: Johnny Perkins girls' chorus and vaudeville. **Gross:** $10,000. (Average, $7,000)

"Counterfeit" Best Take in Milwaukee

MILWAUKEE, Feb. 24.—"Counterfeit Lady" and a third anniversary week celebration stage show at E. J. Weisfeldt's Riverside was the week's leader with a $5,200 take, just $200 to the good.

Second money went to "Rainbow on the River" and "Criminal Lawyer," which grossed $5,000 at the Warner for just average business.

Any benefits which might have accrued from several conventions were offset by the Golden Gloves tournament, which drew 16,000.

Total first run business was $17,800. Average is $24,500.

Estimated takings:

Week Ending Feb. 16:

"MAN OF THE PEOPLE" (M-G-M)
"OFF TO THE RACES" (20th-Fox)
WISCONSIN—(3,200), 25c-35c-50c, 4 days. **Gross:** $2,500. (Average, $8,000)

Week Ending Feb. 17:

"RAINBOW ON THE RIVER" (RKO)
"CRIMINAL LAWYER" (RKO)
WARNER—(2,400), 25c-35c-50c, 7 days. **Gross:** $4,800. (Average, $5,000)

Week Ending Feb. 18:

"SINS OF CHILDREN" (G.N.)
"STRANGERS ON A HONEYMOON" (G.B.)
PALACE—(2,400), 25c-35c-50c, 6 days. **Gross:** $4,000. (Average, $5,000)

"COUNTERFEIT LADY" (Col.)
RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: 12 Dorothy Hild Girls, Medley & Dupree, Frank Conville and Sunny Dale, The Dixie Four, Countess Emil Von Lozen, Howard Nicolls. **Gross:** $5,200. (Average, $5,000)

"AFTER THE THIN MAN" (M-G-M)
"MAN OF AFFAIRS" (G.B.)
STRAND—(1,400), 25c-35c-50c, 7 days, 2nd week. **Gross:** $1,300. (Average, $1,500)

"Holiday" and Duchin Boston Top $26,000

BOSTON, Feb. 24.—Lent slightly affected local grosses while the weather remained fair and warm. "Stolen Holiday" and Eddie Duchin and his band at the Metropolitan grossed $26,000. Average is $22,000.

"Beloved Enemy," with "Women of Glamour," also did well at Loew's Orpheum with a gross of $16,000, $4,000 over par. The same program grossed $13,000 at Loew's State.

"You Only Live Once" drew $500 over average at the RKO Memorial with a gross of $12,500. "Black Legion," with "Holy Terror" at the Paramount, grossed $1,000 above par with $8,000.

Total first run business was $100,000. Average is $88,500.

Estimated takings for the week ending Feb. 17:

"BLACK LEGION" (W.B.)
"HOLY TERROR" (20th-Fox)
FENWAY — (1,392), 30c-50c, 7 days. **Gross:** $5,000. (Average, $4,500)

"BELOVED ENEMY" (U.A.)
"WOMEN OF GLAMOUR" (Col.)
ORPHEUM—(2,970), 25c-45c-65c, 7 days. **Gross:** $16,000. (Average, $12,000)

"BELOVED ENEMY" (U.A.)
"WOMEN OF GLAMOUR" (Col.)
STATE — (3,537), 25c-45c-65c, 7 days. **Gross:** $13,000. (Average, $11,000)

"YOU ONLY LIVE ONCE" (U.A.)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $12,500. (Average, $12,000)

"STOLEN HOLIDAY" (F.N.)
METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Eddie Duchin and band. **Gross:** $26,000. (Average, $22,000)

"BLACK LEGION" (W.B.)
"HOLY TERROR" (20th-Fox)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)

"CONDEMNED ROW" (RKO)
RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: Olsen & Johnson in "Fun Marches On." **Gross:** $19,500. (Average, $20,000)

"Million" on Dual $8,900, Portland

PORTLAND, Feb. 24.—In its third week at the Paramount, "One in a Million" with a new partner, "Woman in Distress," grossed $8,900, over average by $3,900.

"Green Light" at the United Artists took $7,000, over par by $2,000. "Theodora Goes Wild," on a dual, was held for its eighth downtown week at the Blue Mouse.

Total first run business was $34,400. Average is $24,700.

Estimated takings for the week ending Feb. 20:

"LAST OF MRS. CHEYNEY" (M-G-M)
"DANGEROUS NUMBER" (M-G-M)
BROADWAY—(1,912), 30c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"THEODORA GOES WILD" (Col.)
"LADY FROM NOWHERE" (Col.)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 8th downtown week. **Gross:** $2,500. (Average, $1,700)

"CONDEMNED ROW"
"LET'S MAKE A MILLION" (Para.)
MAYFAIR—(1,700), 30c-35c-40c, 7 days. **Gross:** $4,000. (Average, $3,000)

"THAT GIRL FROM PARIS" (RKO)
"CRACK-UP" (20th-Fox)
ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"ONE IN A MILLION" (20th-Fox)
"WOMAN IN DISTRESS" (Col.)
PARAMOUNT—(3,008), 30c-35c-40c, 7 days, 3rd week. **Gross:** $8,900. (Average, $5,000)

"GREEN LIGHT" (W. B.)
UNITED ARTISTS—(945), 30c-35c-40, 7 days. **Gross:** $7,000. (Average, $5,000)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Marked Woman"

(Warners)

HOLLYWOOD, Feb. 23.—This melodrama delves deeply into the lives of demi-mondes, but offers little of entertainment value save thrills for the morbidly curious. There is no relief from grim tragedy. It is written and performed deftly, but whether there is a valid reason for its production will be questioned by many.

Bette Davis, Lola Lane, Isabel Jewell, Rosalind Marquis and Mayo Methot, cabaret hostesses, work under the iron rule of Eduardo Cianelli, underworld boss. All obey orders and accept their plight until Jane Bryan, Bette Davis' sister, is caught in the web and murdered.

One by one they turn on their ruthless master. Miss Davis is first. She is severely beaten. Finally, the others go to Humphrey Bogart, district attorney, and agree to testify. With evidence furnished by the girls, Bogart is able to obtain convictions and break the ring. The girls go off in a fog, their future uncertain..

Robert Rossen's and Abem Finels' original screenplay depicts the subject with such forbidding realism that it may defeat the picture as a commercial property. The direction by Lloyd Bacon allows no letdown in the hammering at the tragedy and permits only one comedy sequence, played by Allen Jenkins, which does little to relieve the tension. Other performers include Ben Welden, John Litel and Raymond Hatton, who have been well cast for types.

It is distinctly adult entertainment and exhibitors will have to handle the exploitation with extereme care.

Production Code Seal No. 2,936. Running time, 98 minutes. "A."

Looking 'Em Over

"House of Secrets"

(Chesterfield)

There is little of consequence in "House of Secrets" to rate it other than as an item for the double bills. It is routine in the unfolding of its comic-mystery plot. Trite dialogue and seemingly indifferent acting do not lend enhancement.

Leslie Fenton, heir to an old English castle, tries to take possession. He is warded off by a strange assortment of characters ranging from the Home Secretary to the chief of Scotland Yard. Each sally to the property results in further complications to Fenton. A detective friend, Sidney Blackmer, is likewise baffled. These situations tend to develop a romance between Fenton and Muriel Evans. After many rebuffs and painful encounters with the various interested parties Fenton begins to see his way clear. Blackmer gets a lead on the strange doings, and in a melodramatic finish the affair is cleared up. As an anti-climax pirate treasure is dug up.

The supporting cast includes Noel Madison, Morgan Wallace, Holmes Herbert, Ian McLarnin, Jameson Thomas, Matty Fain, Sid Saylor and George Rosener. Roland D. Reed directed. The screenplay is by John W. Krafft.

Production Code Seal No. 2,759. Running time, 65 minutes. "G."

(Additional reviews on page 13)

Bissell Opens Branch

CLEVELAND, Feb. 24.—Holbrook C. Bissell, former local Columbia branch manager, is president and general manager and C. Lenehan is secretary and treasurer of Imperial Pictures of Ohio, which has opened an office in the Film Building. Jessie Wiltshire has left Columbia to join the new Imperial organization as booker.

Girardville House Burns

GIRARDVILLE, Pa., Feb. 24.—Flames swept through the Girard Opera House yesterday, causing a loss estimated at $100,000 by the owner, Frank Hollister. Only the sound apparatus was saved.

Heads Dallas Operators

DALLAS, Feb. 24.—H. D. Hill has been elected president of the M. P. Machine Operators' organization here. Other new officers are Charles Harcum, vice-president; C. E. Rupard, business representative; N. E. Hoyleman, treasurer; P. W. Humphries, financial secretary.

"Pastures" Run Begins

LONDON, Feb. 16.—"The Green Pastures," which is in its ninth week in the West End of London, is about to start out of town runs at the Central Cinema, Cambridge, followed by a run at Oxford on March 1.

Short Subjects

"I Only Have Eyes for You"

(Vitaphone)

Following a rather routine plot, but well colored and scored, this tuneful cartoon should satisfy. It is the familiar stuff concerning the crooner-mad girl, here portrayed by a bird, and her ardent but incapable-of-crooning swain who drives an ice-wagon. His attempt to deceive the girl with a ventriloquist is uncovered and he resignedly marries an old maid who cooks well. It is the usual light, pleasant fare. Production Code Seal No. 3,018. Running time, 8 mins. "G."

"An Underwater Romance"

(Paramount)

A novel and entertaining subject, this pictures a courtship under difficulties supplied by a group of young girls, a visit to a "night club" and a "wedding," all under water. Taken in Florida, and, according to a foreword, done without trickery, the result is clever and often amusing. Some excellent swimming went into the making.

Production Code Seal No. 01,383. Running time, 10 mins. "G."

"Swing For Sale"

(Vitaphone)

A lavishly produced two-reel musical that is replete with well-turned dance sequences, a light romantic interest and all the other necessities to make it delightfully entertaining. What story there is concerns Hal Leroy's romantic interests. He is engaged to be married to a divorcee, but finally marries another at the last moment. Throughout it is clever stuff of highly pleasing calibre. Production Code Seal No. 01,310. Running time, 20 mins. "G."

"Whoops! I'm an Indian"

(Paramount)

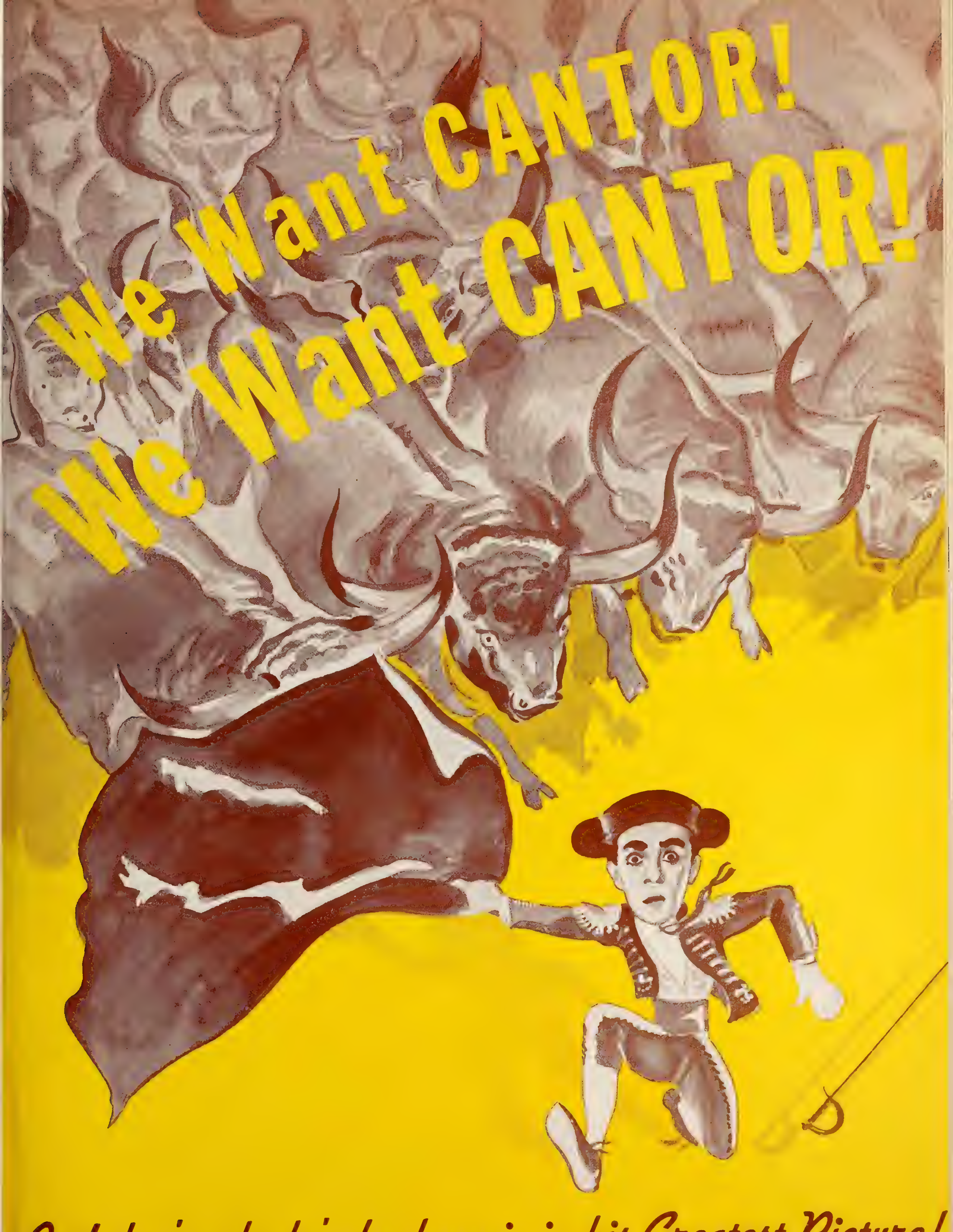
Wiffle Piffle, a new cartoon character, is animated in a routine comedy affair which revolves around his desire to become a cowboy in order to attract Betty Boop. He goes out west and joins up with a school that puts him through a thorough course in range technique, fails on every count and hitch hikes a ride home in a squaw's rumble. A mediocre item. Production Code Seal No. 01,257. Running time, 7 mins. "G."

Keith Houses Celebrate

BOSTON, Feb. 24.—Keith's Memorial and the RKO Boston are celebrating the 55th anniversary of RKO Keith's. Congratulatory telegrams have been received from Wallace Beery, Paul Muni, Ginger Rogers, Fred Astaire, Miriam Hopkins, Irving Berlin, Madeleine Carroll, and numerous political and civic personages by Division Manager Charles Koerner.

Goodman Joins Filmack

CLEVELAND, Feb. 24.—Mort Goodman, for the past eight years with the Warner publicity department here, has resigned to join Filmack Trailer Co. of Chicago.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Here he is! With all the thrills and tunes of his great bull-fighting musical romance! Eddie loses his heart to the gorgeous Goldwyn Girls... while the bull loses his mind over the most side-splitting torero that ever stepped into an arena!...Revel in the glittering, gay fiesta with its sweeping, breathless beauty! Hear radio's greatest musicomedian sing and gag as only HE can!

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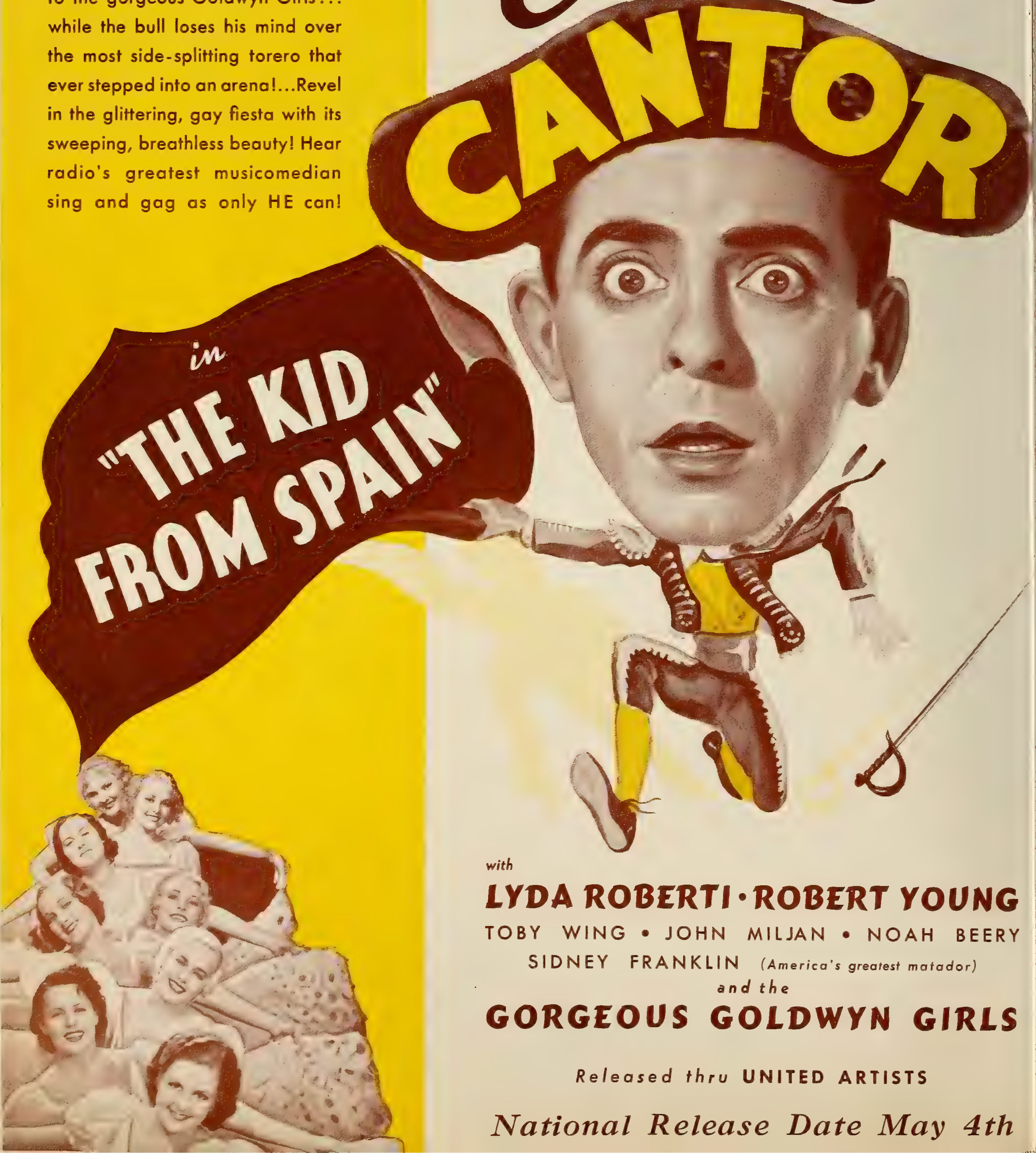

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Pool Change Causes K. C. Scale Shifts

Kansas City, Feb. 24.—With assumption of complete ownership of the Tower by Fox Midwest, which gives the circuit two first runs, and with a new RKO pool handling the Mainstreet and Newman, prices have been shifted both upward and downward. The Tower has gone to a new high evening price for its lower floor of 40 cents.

The Newman, which instituted a policy of double bills Feb. 19, is going to 25 cents on balcony seats at night, and the Mainstreet will do likewise with its Feb. 26 show. The Tower has always sold its balcony for 25 cents and its lower floor, most of the time, at 35 cents. Fox Uptown went to the 25-cent balcony price for evenings with the opening of the new season last fall. Loew's Midland was the first to adopt the policy several years ago in order to meet increased competition of suburban theatres which were turning to 10-cent nights and double bills.

This means that out of a total combined first run seating capacity of 13,200 seats, 5,825 balcony seats will now be sold at night for 25 cents, leaving 7,375 seats to go for 40 cents. This is exclusive of the Mainstreet's stage shows, a policy it resumed with the dissolution of the Fox Midwest pool that included Uptown, Tower, Newman and Mainstreet.

Lawrence Fox Gets Set to Start Soon

Hollywood, Feb. 24.—Lawrence Fox., Jr., who resigned from Standard Capital recently to produce the "Crime Club" stories, is completing his organization and will soon be ready to announce the company through which he will release.

Fox, through a deal with publishers Doubleday-Doran, has exclusive rights to the "Crime Club" trade mark for pictures, and has already secured rights to several books including "Five Million in Cash," by O. B. King; "Headed for a Hearse," by Jonathan Lederman, and "Murder in the Surgery," by Dr. James S. Andrews.

British Technicians Ask Permit Refusal

London, Feb. 24.—In a statement commenting upon the possible suspension of production by Gaumont British, the Ass'n of Cine Technicians today urged the withdrawal of labor permits for foreign technicians.

The statement said more than 30 per cent of British technicians are unemployed and the factor of scarcity of skilled men no longer exists.

Balanchine Ballet Signed by Goldwyn

Hollywood, Feb. 24.—Samuel Goldwyn has signed Georges Balanchine and his American ballet, with the Ritz Brothers, to appear in his forthcoming musical, "Goldwyn Follies."

Goldwyn's idea, he says, is to present something new in the way of ballets, and the Ritz Brothers will be used "contrapuntally" in comedy numbers to be called "Belly Laughs in Ballet."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Girl Overboard"

(Universal)

Hollywood, Feb. 24.—Although this film runs but 60 minutes so much extraneous matter has been worked in that the germ of a good motivating idea is only partially developed. Elements potentially promising are included, but the mechanics of their application fall short. Because of this and because names presented are not overly strong, the picture can only be considered as a secondary attraction.

Sidney Blackmer, stylist, unsuccessful in his efforts to impose his attentions upon Gloria Stuart, a model, is found dead at a dock after a steamer sails. Police radio an order for Mary's arrest. Fire breaks out on the boat as Miss Stuart's companion, Charlotte Wynters, pens a confession. She loses her life. Miss Stuart is rescued as she saves motherless Billy Burrud. She is gowned in Miss Wynters' coat. District Attorney Walter Pidgeon, father of Billy, takes her to his home. Hobart Cavanaugh, a reporter, believes he has evidence implicating Miss Stuart in the killing. Situations combining to build romance and drama ensue. Pidgeon is suspected by the police of shielding the girl. In the climax, Pidgeon demonstrates that Miss Stuart is not the killer and there is romantic happiness all around.

The film does not justify any intensive business building campaign, but it may suit as a companion piece to some more pretentious attraction. It is based on a story by Sarah Elizabeth Rodger. Tristram Tupper did the screenplay and Sidney Salkow directed.

Production Code Seal No. 2,960. Running time, 60 minutes. "G."

Overseas Previews

"Les Hommes Nouveaux"

("New Men")

(S. F. P. F.-Lauzin)

Paris, Feb. 16.—This film, of which a silent version was made, was adapted from the novel of the well known French author, Claude Farrère. It possesses all the elements necessary to a great picture, as the subject is the birth of the French Empire in Morocco, and the work accomplished by Marshal Lyautey. "New Men" ought to have been, for France, a national film of importance. But, regrettably, the subject has not been used to its full advantage, and lacks unity. It was directed by Marcel L'Herbier.

The film may be divided into two parts, the first set in 1912, during the time of the conquest of Morocco, featuring the work of the great French colonial figures of Lyautey, Mangin, Jounart. Eventually there appears on the screen the man around whom the story revolves, a workman, a strong, stubborn and brutal man, Bouron.

The second part of the film shows the Morocco of about 10 years later. Pacified and organized by Marshal Lyautey, it is a country in the throes of development. Civilians have built new roads and towns. Bouron reappears and the remainder of the film is devoted to his unhappy love story. The subject of the film, which could have been used far more advantageously, falls to the level of ordinary romantic drama. This part of the film, however, is well directed, with moving scenes and good performances. All the exteriors were filmed in Morocco, resulting in excellent photography. The first part of the film, the historical reconstruction, is interesting, although it sometimes seems to be lacking in authenticity.

Harry Baur adds to his many successes in the role of Bouron, Nathalie Paley is beautiful and moving, Signoret brings to life the portrait of Marshal Lyautey.

Taken as a whole, the film is an important French production, which, in spite of its faults and of the long drawn out action, shows a real effort, although not always a successful one.

Running time, 120 minutes. "A."

Autre

SMPE Meets Tonight

The Atlantic Coast Section of the Society of M. P. Engineers will hold a monthly meeting tonight at the home office of Fox Movietone News. H. I. Riskind of RCA Photophone will read an article on "Single-Channel Recording and Re-Recording Installation."

Pick Dietrich Story

Hollywood, Feb. 24.—William LeBaron has picked a story tentatively titled "Midnight" as the next Paramount effort for Marlene Dietrich after the completion of "Angel," which is to start soon. Franz Schulz is working on "Midnight."

Variety Club

Indianapolis

Indianapolis, Feb. 24.—About 140 persons attended a dinner-dance of the Indianapolis Variety Club. Members who had parties at the affair included Marc Wolf and Harry Markun and, with their wives, Kenneth T. Collins, Burt Jolley, Floyd Brown, George Levey, Al Lachnit, Gail Black, Thomas McCleaster, Joe R. Neger, Sol Greenberg, Carl Niesse, Duff Newman, Claude Davis, Roy Harold, A. C. Zaring, Roy Churchill, Stuart Tomlinson, Percy Barr, Martin Solomon, E. J. Barnard, Hadley Hall and Watts Rossiter.

Members of the auxiliary held a bridge party the other afternoon in the club home with Mrs. Barney Barnard and Mrs. Burt Jolley in charge.

Shows Back to Stanley

Pittsburgh, Feb. 24.—After six weeks of straight pictures, the Stanley will resume stage shows March 5, with James Melton and Red Nichols' band as the attractions. The presentation policy, however, will not be permanent, with Harry Kalmine, zone manager for Warners here, planning to play shows only when name talent is available.

"Green Light" Pulls Well

In its first week of release "Green Light" has set a fast pace, according to Warners. Reports have been received from Albany, New Haven, Hartford, Newark, Akron, Youngstown, Philadelphia, Pittsburgh, Milwaukee, Washington, Memphis, Boston, Portland, Detroit and San Francisco.

Birdwell Pact Renewed

Hollywood, Feb. 24.—Russell J. Birdwell, advertising and publicity director for Selznick International, has had his contract with the producer renewed for one year.

Wall Street

Board Revives; Paramount Up 6¾ Points

	High	Low	Close	Net Change
Columbia	35½	35½	35½	— ½
Columbia, pfd.	44¾	44¾	44¾	+ ¼
Consolidated	4¾	4⅝	4⅝	— ⅛
Consolidated, pfd.	16½	15⅞	16½	.....
Eastman Kodak	171	170	170	— ½
Eastman, pfd.	160¼	160	160¼	+ ¼
Gen. T. Equip.	31¼	31	31	.....
Loew's, Inc.	74½	72	74¼	+2¼
Loew's, pfd.	107¼	107	107	— ½
Paramount	25¼	23⅝	25⅛	+1⅛
Paramount 1 pfd.	174¾	169	174¾	+6¾
Paramount 2 pfd.	23	21⅝	23	+1
Pathe Film	9⅛	8¾	9⅛	+ ⅜
RKO	8¾	8½	8⅝	+ ⅛
20th Century-Fox.	34½	33¾	34	— ¼
Warner Bros.	15⅝	14⅞	15⅜	+ ⅝

Curb Has Light Increases

	High	Low	Close	Net Change
Grand National	3½	3¼	3½	+ ⅛
Sonotone	2	2	2	.....
Technicolor	19⅝	19⅝	19⅝	+ ⅛
Trans-Lux	4⅞	4¾	4⅞	+ ⅛

RKO, Warner Bonds Off

	High	Low	Close	Net Change
Keith B. F. 6s '46.	98⅝	98⅝	98⅝	.....
Loew's 3½s '46	100	99¾	100	+ ¼
Paramount Pict. 6s '55	101⅛	100½	101⅛	+ ⅜
RKO 6s '41 pp.	119	118	118	—1
Warner Bros. 6s '39 wd	98½	98	98	— ½

(Quotations at close of Feb. 24)

Columbia Sets Wide Air Plugs For "Horizon"

Columbia Pictures, in arrangement with its advertising agency, Biow & Co., has contracted for one of the most ambitious film-radio spot campaigns in air history. The film to be exploited via the air "plugs" is "Lost Horizon."

The Biow agency now is lining up time buys on stations located in cities scheduled to show the picture during the coming months. The agency was unwilling to tell how many stations will be involved in the deal, but it is expected that the number will be several hundred at the outside.

The platters calling attention to the picture's forthcoming arrival at a local theatre, will be aired daily for a week preceding the opening. Grosses will be studied carefully to determine the influence of the air "plugs" at the box-office. If the results warrant, the plan may be adopted for other Columbia specials, it is believed.

The deal marks one of the few instances involving actual station time purchases by a film company. Heretofore, the general practice has been for the exhibitor, acting independently of the producer, to get picture mentions on the air in return for passes or straight promotional contests benefiting both exhibitor and station owner.

Start Trailer Contest

"The Gumps," air serial based on the cartoon character, institutes a trailer contest immediately, with an automobile trailer the award for the best letter telling why the applicant wants one of the houses on wheels. The series is aired Mondays through Fridays at noon, over the CBS network. Lennen and Mitchell, agents for Lehn and Fink, sponsors of the program, worked out the details of the contest.

Buys Sound Recorder

Cleveland, Feb. 24.—Complete sound recording equipment is being installed in the United Broadcasting Co. stations WHK-WJAY, Cleveland. Purchase has been made from Fairchild-Proctor Sound Recording Equipment. One use of the new equipment will be to record programs and also to record voices of announcers for critical purposes.

Melton Gets Contract

Jimmy Melton has been signed to contract with J. Walter Thompson making him the permanent master of ceromonies for the Sealtest "Saturday Night Party" series.

Countess Albani Signed

Countess Olga Albani, who guest appeared on the NBC Ford program last Friday, was signed as a permanent feature of the cast by N. W. Ayer and Son Tuesday. The contract is for an indefinite period.

Powell Quits Ayer Post

Edward Powell, head of the publicity department in the main office of N. W. Ayer & Son in Philadelphia, resigned yesterday. He has been succeeded by A. A. Zweier, formerly his assistant.

Lohr, NBC Head, Denies Radio-Film Talent Pact

Lenox R. Lohr, president of NBC, who returned to New York yesterday after a cross-country trip which kept him in Hollywood for some weeks, denied emphatically that a film-radio compact, designed to regulate the appearances of motion picture players on the air during the best box-office hours, is now, or at any time was, in the making.

Lohr's statement runs contrary to the general opinion in film and radio circles, and his statement, therefore, may be interpreted in one of two ways:

1. That his comment was intended as a screen to hide the real facts, or
2. That the negotiations to bring about an end or curtailment to the growing radio practice of presenting screen players on the air during peak box-office hours, have collapsed.

Lohr said that he met with Will Hays, president of the M. P. P. D. A. several times during his stay in Hollywood, and that the meetings were at all times cordial. At no time did Hays even hint that producers were dissatisfied with conditions as they were, stated Lohr. He branded the reported encroachment of radio on film box-offices as a myth.

Calls Radio "Ally"

He said that if anything, radio was an ally, rather than an enemy, of the picture business.

"Box-office records have been soaring of late," he said, attributing the rise to the increasing number of appearances of picture players on the air and to the numerous picture re-enactments on radio programs.

The current agitation, he charged, has been brought about by exhibitors, rather than by producers.

When it was pointed out to him that Paramount Pictures, in cooperation with NBC, had signed to put on the air a new picture-radio program especially designed to be broadcast at noon on Sundays, in the East, admittedly a non-competitive box-office hour, he stated that he knew nothing whatsoever about the intent of the deal.

Chevrolet-WMCA in Deal

The Chevrolet Motor Co. through Campbell-Ewald, has placed a contract for the reading of 84 spot announcements on WMCA, six times daily, effective immediately.

An additional WMCA account, which began this week, is the electrically transcribed "Musical Grab Bag," placed through the Sterling Advertising Agency. The contract is for 52 weeks. Platters will be spun Mondays, Wednesdays and Fridays, 10:30 to 10:45 A.M.; Tuesdays, Thursdays and Saturdays, 9:35 to 9:50 A.M.

J. B. Ford Series Set

"A Page From Your Life," new script show sponsored by the J. B. Ford Co., whose product is Wyandotte cleaning products, will begin March 2, and be heard every Tuesday, Thursday and Saturday from 2 to 2:15 P. M. over CBS. The station setup is not yet complete, as new stations are expected to be added shortly. N. W. Ayer is the agency.

Who Was It?

Terre Haute, Ind., Feb. 24.—Few people could recall the name of "America's Sweetheart" in an audition contest sponsored over WBOW. Younger folks had no knowledge of the person in mention. One, however, said it was Joan Crawford. One elder contestant said, "I guess it is Mary Pickford." The question proved a stumbling block to most of the contestants.

Toscanini to Direct 10 Concerts for RCA

Meeting formally with the press yesterday afternoon at Radio City, David S. Sarnoff, president of RCA, revealed the terms of the RCA contract with Arturo Toscanini, who will begin a series of 10 broadcasts for NBC shortly after his arrival here from Italy in December.

Toscanini will be paid $4,000 per broadcast. The price is net. RCA will pay all taxes on Toscanini's salary.

The present NBC symphony orchestra, numbering about 45 musicians, will be augmented to full symphony strength, about 80 men, for the Toscanini-directed broadcasts.

The maestro will make two public appearances at Carnegie Hall during his brief stay here, the proceeds of which will be turned over to charities named by him.

Time, night, or network are still undecided. Sarnoff said the broadcasts would either be an hour or an hour and a half in length. The broadcasts will not conflict with those of the New York Philharmonic.

Admission to the studios will be by invitation only.

Present Deed Today

Will Hays, Jesse H. Jones, Major L. E. Thompson of RKO, and Harold Rodner of Warners will broadcast over WMCA this afternoon, 3:45 to 4 P. M., E.S.T. from the Fox Movietone studios when the presentation of the deed for the Will Rogers Memorial Hospital at Saranac will be made in behalf of the film industry. Jones, president of the Will Rogers Memorial Commission, will receive the deed.

Shell Holds Joe Cook

Joe Cook, star of the "Chateau" series sponsored by Shell Gas Co. and handled by J. Walter Thompson agency, has been renewed for an additional 13-week period effective five weeks hence, at which time his present contract runs out.

Barnes to Talk on Film

Howard Barnes, film critic of the New York *Herald Tribune* will reveal "inside" details on the actual production of pictures this Saturday from 10:15 to 10:30 A.M. over WOR when he guests on the "Radio League" program.

"Koffee Club" Sales Campaign Is Planned

Philadelphia, Feb. 24.—An elaborate merchandising campaign has been arranged by the William Montgomery Co., makers of Montco coffee, in connection with their co-sponsorship of the "Koffee Club" show on the Mutual net. The plan has been mapped out with the WFIL sales promotion department, the program being heard locally over that station.

More than 150,000 window-streamers will be distributed to grocery stores in the WFIL coverage area. The company's house organ, with a circulation of 35,000, will have fan copy. Letters and every invoice will carry a sticker mentioning the program and station. Newspaper advertising will be used by both the Montgomery Co. and WFIL.

Jayne Signs for New Announcement Series

D. Jayne & Sons, Philadelphia, have signed for a new series of 15-minute spot announcements over the California Radio System, to begin immediately. The series totals 26.

Additionally, Tom Wallace, the "Horsesense" Philosopher, will broadcast a "live" program for D. Jayne & Sons over KEHE, Los Angeles; KFBK, Sacramento; KYA, San Francisco; KERN, Bakersfield; KMJ, Fresno; KWG, Stockton.

The account was placed by Hearst Radio, national representatives for the above regional network, through the Carter-Thompson Agency, Philadelphia.

Kellogg and 20th-Fox Dicker

Hollywood, Feb. 24.—The Kellogg Co. of Michigan is negotiating with 20th Century-Fox for a broadcast series based on "The Jones Family," using the studio cast in its entirety. Transcriptions have already been made by the Jack Gardner office, handlers of the deal.

Strike conditions in Michigan are said to have prevented an earlier consummation of the deal.

Off on Derby Sponsorship

C. E. Midgeley, radio production chief at Batten, Barton, Durstine and Osborn, left for Louisville, yesterday afternoon. The agency kept his mission secret, but it is believed the trip is for the purpose of completing the deal for sponsorship of the Kentucky Derby broadcast by the Brown and Williamson Tobacco Corp.

Film Reviews Broadcast

Boston, Feb. 24.—"Show Time," a 15-minute review of films at local theatres given three times weekly, Monday, Wednesday and Friday by Dorothy Proctor over WLOR, has been acclaimed by local film fans. Miss Proctor reviews the shows and then offers her opening via the air on "Show Time."

Helping the Correspondents

CBS Artists Bureau will contribute radio talent to the White House Correspondents' dinner in Washington Saturday night. Among the artists who will appear are Jane Froman, Lanny Ross, Mark Warnow's orchestra, and Al Pierce as "em cee." President Roosevelt will attend.

WSPD and WRC File F. C. C. Applications

WASHINGTON, Feb. 24.—The F.C.C. today announced the receipt of an application from WSPD, Toledo, for an increase in night power from 1,000 to 5,000 watts.

An application also made public by the commission shows that WRC, Washington, an NBC station, plans to move its transmitter into nearby Maryland and increase its power from 500 watts at night and 1,000 watts daytime to 1,000 watts at night and 5,000 watts for day operation.

Also before the commission are applications from KRNR, Roseburg, Ore., for approval of a voluntary assignment of license from Southern Oregon Publishing Co. to the News-Review Co., and from the South Bend *Tribune*, South Bend, Ind., for permission to construct and operate two high frequency and one low frequency relay broadcasting stations.

A new application filed by George H. Payne, San Jose, Cal., calls for a new station operating on 1,440 kilocycles with power of 500 watts replacing Payne's original request of 1,010 kilocycles with 1,000 watts.

Two New KMTR Shows

LOS ANGELES, Feb. 24.—Mary G. Roessler, authoress, is featured in informal chats, titled "The Kaleidoscope of Life" in a new weekly program, over KHTR, the initial release last Friday from 8:30 to 8:45 P. M., P. S. T. From the same studios, Wednesdays, 2:15 to 2:30 P. M., P. S. T., "sassiety doin's" are chattily related by a veiled woman reporter. Even the studio staff knows not who she is nor whence she comes.

Benny Coming East for 3

Jack Benny and his entire Jello troupe shift from Hollywood to New York for three broadcasts. The first program to originate here will be heard Mar. 7.

Andy Devine, film comic, is expected to accompany the troupe east.

Prepare Salutes for WFEA

WFEA, Manchester, N. H., which last fall signed a contract to become an optional member of NBC's Red and Blue networks, will be greeted as an active affiliate of NBC on Monday, Mar. 1. Salutes will be broadcast from both networks during the day.

Philippine Diplomats at NBC

Dr. Carlos P. Romulo, owner and publisher of a chain of newspapers in the Philippine Islands, and Senator Felipe Buencamino, both members of President Manuel Quezon's delegation now in the United States, visited NBC yesterday.

General Foods Renews

General Foods Corp. has renewed its Sunday afternoon series featuring Stoopnagle and Budd for an additional 13-week period. The program is heard at 5.30 P. M., E.S.T., on the NBC-Blue network in behalf of Minute Tapioca. The agency, Young & Rubicam.

WTIC Gets Extension

HARTFORD, Feb. 24.—WTIC, 50,000-watter, has been granted an extension to Aug. 1 of its special F.C.C. authority to operate on the 1040-kilocycle band, simultaneously with KRLD, Dallas.

◂ Radio Personals ▸

JOE KEELY, publicity head of the N. W. Ayer office in New York, off to the main office of the agency in Philadelphia for a short trip . . . Fred Weber, general manager of Mutual, leaves for Texas this Sunday. Mutual has no station in Texas, therefore the possibility that Weber may be planning to add an outlet . . . The "Strathmore Revue," which made its debut on WOR last Sunday, adds 15 minutes to its time beginning with this Sunday's broadcast . . . "Hollywood Hotel" music tomorrow night will feature the score of Republic Picture's forthcoming release, "The Hit Parade" . . .

✚

Ray Sinatra celebrates his 15th year in radio and third as conductor on his CBS "Five Star Revue" program March 1. His first 12 years were spent as arranger and pianist for Jacques Renard . . . Homer Fickett, March of Time director, is on sick leave . . . Jack Fulton and Franklyn MacCormack of "Poetic Melodies" being set for vaudeville . . . Carole Lombard set for the Lucky Strike testimonial appearance on "Hit Parade" March 6 . . . Emily Klein, mistress of ceremonies on WMCA's "Grandma's Night Out" now recovering from a long illness and will be back on the program within another week or so . . .

✚

Roland Young will be the guest star of Radie Harris on the WHN "Movie Club" this Friday at 8 P.M. . . . Sam Taylor, radio screen commentator, returned to Hollywood last night . . . Frank Crumit and Harry Salter's orchestra auditioning for a prospective sponsor this week . . . Phil Duey, heard on both Philip Morris programs has won two contract renewals . . . Starting March 1 "Pepper Young's Family" will add WICC, Bridgeport, to its hookup of stations . . . On the WICC sick list: Controlmen Ed Dayton and Angus Blow . . .

✚

In the Quaker Town

PHILADELPHIA, Feb. 24.—After an absence of four months, Mac Parker, former *Record* feature writer, returns to WCAU as newscaster for Booth's ginger ale . . . Catherine Drinker Bowen, whose latest novel was the February choice of the Book-of-the-Month Club, will be heard over WFIL Feb. 27 . . . Dr. Leon Levy, WCAU president, was singled out as one of the 10 best-dressed men in Philadelphia . . . Harold Davis, WDAS program director, chatter columning for *Radio Press* under a Billy Penn, Jr., byline . . . Christine Murdoch Kendrick, WIP songstress, announces her engagement to Dr. Craig Wright Muckle . . . Bill Dyer, who will again do the baseball play-by-plays for Wheaties over WCAU, follows the teams to their Southern training camps . . . Robert Davis, member of the Social Security Board, answers questions and discusses all phases of the law over WDAS.

✚

Along Chicago's Radio Row

CHICAGO, Feb. 24.—They are betting on the rise and fall in Roy Shield's weight at the NBC these days. He's on a diet, but it's not doing so well. . . . The Maple City Four got back from Hollywood in time to appear on the National Barn Dance on schedule. . . . Perry Como of the Ted Weems band is listening to offers from film scouts. . . . Jack Fulton dropped his work on the "Swing With Strings" program to devote all his time to the "Poetic Melodies" broadcast. . . . Kay Brinker, who was starred in "The Night of January 16" here, is now on the "Modern Cinderella" program. . . . Frank Watanabe is here to act for NBC after many years broadcasting on the coast. . . . Fritz Blocki's wife, Louise, of the "Modern Cinderella" show has changed her radio name to Louise Barklie. . . . Neil Shaffner, after years of producing tent shows in the midwestern states, is now on the National Barn Dance as "Toby." . . . Karl Davis of the Cumberland Ridge Runners is the proud father of a daughter named Marilyn. Karl and his gang are now on WJJD. . . . J. Oren Weaver, who gave up the ministry to be a writer, is the new WBBM news editor. . . . Authoress Bess Flynn has sold her "We Are Four" show to Libby's. . . . Landee Hanson, NBC page has passed the government test and is now the recipient of a broadcast engineer's license. . . . William Drips and Everett Mitchell are in Florida for a series of broadcasts.

Pooled Newsreel

London, Feb. 16.—British newsreel companies have decided to pool resources to produce, as quickly as possible, a coronation film giving a complete record of the procession and ceremonies. In conference with the general purposes committee of the Cinematograph Exhibitors Ass'n. plans are being shaped to rush prints for immediate display in a greater number of theatres than have ever previously been given express service.

✚

Out Hollywood Way

HOLLYWOOD, Feb. 24. — "Down Sports Lane," recalling high spots in arena and on diamond and girdiron and starting with the story of Batting Nelson's first fight with the "Man-Eating Terror of the Ring," to be broadcast by "The Old Observer," Monday, Tuesday and Friday, 7:30 P. M., P.S.T., from KNX. . . Poet-soldier, Joyce Kilmer, whose original manuscript of "Trees" was lately sold at public auction, subject of biographical talk by Prof. Charles A. McQuillen, of Loyola University on the "Radio University" program from KHJ and other Mutual-Dom Lee stations, Tuesday night. . . . Ancient Negro spiritual "De Ol' Ark's a-Moverin" and standard Gospel hymns to be sung by the "Chapel Voices" over KHJ and Mutual-Don Lee network Wednesday from 11:30 to 11:45 A. M., P. S. T. . . . With Bob Elson at the mike, the "Golden Gloves" boxing tournament at the Chicago Stadium will be relayed through HKJ and Mutual Wednesday, 7:00 to 7:30 P. M., P.S.T., following similar broadcast of the previous bouts.

Television Prices Cut

LONDON, Feb. 16.—Baird Television today announced a cut in the price of its standard receiver to £57:15, which marks a new low.

Plan to Fly Films Of Coronation Here

LONDON, Feb. 16.—Plans to fly negatives and prints of the coronoation film to New York are being perfected by Sir Gordon Craig, general manager of British Movietone News, on lines discussed with Truman Talley, American chief, during his recent visit.

The present plan is that the airship *Hindenburg,* due in New York on May 14, will carry negatives, but that earlier prints will be rushed by plane, or perhaps planes, piloted by Colonel Lindbergh, Amy Mollison or Beryl Markham. All are willing to cooperate, it is stated. The Lindbergh scheme for a transatlantic air service may be in operation at that date.

Talent Search Set For WLOR Programs

BOSTON, Feb. 24.—"A Search for Talent" program has been instituted by James K. Phelan, head of WLOR, which will run for 16 weeks, during which time, through the cooperation of local and suburban newspapers, talent will be selected to appear on the station's program. The finalists will be given a screen test by Al Lutringer, head of Screen Test Guild in Boston.

The program is handled by Dorothy Proctor, who selects and trains the leading contestants who appear on the weekly Saturday show. The result of the screen tests will be forwarded to producers in Hollywood in search for new radio and film talent.

Schneider Going to Camp

PITTSBURGH, Feb. 24.—Ray Schneider, WWSW announcer and the daily newsreeler for the morning *Post-Gazette,* has obtained a three-month leave of absence from the station and newspaper to attend the Field Artillery School at Fort Sill, Okla., until June 1. He's a second lieutenant in the reserve corps.

During Schneider's absence, his duties will be taken over by John J. Davis, a member of the Pittsburgh Playhouse company. It's a first time for him in radio.

Power Company Has Another

SALT LAKE CITY, Feb. 24.—With the conclusion of the series of programs starring Harriet Page, the Utah Power and Light Co. has begun a new three-a-week series, "The Laugh Parade," over KDYL.

Young Broun, Woolcott on Air

PHILADELPHIA, Feb. 24.—Heywood Broun, Jr., and Joan Woolcott, neice of Alexander, will be in a Swarthmore College Dramatic Club sketch to be broadcast by WFIL Friday night.

Nason Oldham to Return

COLUMBUS, Feb. 24.—"Hutton Corners," will return to the air when "Simp" Hagle, played by Nason Oldham, comes back from a hospital, recovered from a throat infection. WHKC plans it for 1 P.M. daily.

RADIO EVENTS, INC.
AN INDEPENDENT PRODUCING GROUP
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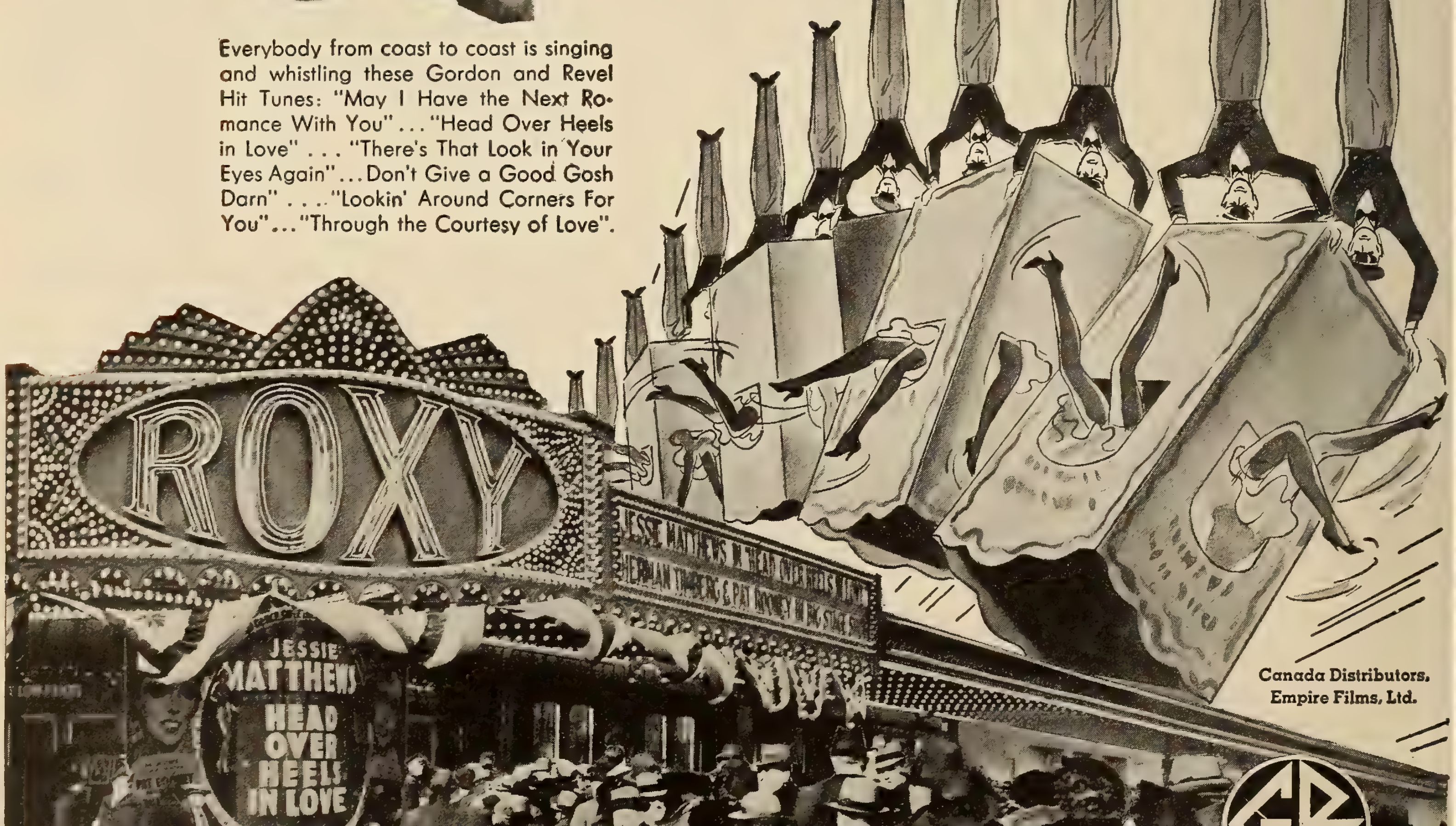
535 Fifth Avenue,
New York, N.Y.
From script to production—
that "extra" something that's good radio

HELD OVER AT THE ROXY

Managers—Cashiers—Ushers—Doormen—and even the Press Agent—were shoved Head Over Heels—and loved it—by the crowds pushing their way in to see the lovely

Jessie
MATTHEWS
In her newest and best dance-sing musical
"HEAD OVER HEELS in LOVE"

Everybody from coast to coast is singing and whistling these Gordon and Revel Hit Tunes: "May I Have the Next Romance With You" . . . "Head Over Heels in Love" . . . "There's That Look in Your Eyes Again" . . . Don't Give a Good Gosh Darn" . . . "Lookin' Around Corners For You" . . . "Through the Courtesy of Love".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HERMAN TIMBERG & PAT ROONEY IN BIG STAGE
JESSIE MATTHEWS
HEAD OVER HEELS IN LOVE

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VOL. 41. NO. 47 NEW YORK, FRIDAY, FEBRUARY 26, 1937 TEN CENTS

J. J. McCarthy Dies on Coast In 59th Year

Built Film Roadshows; Headed Ad Council

Beverly Hills, Feb. 25.—Joseph Jefferson, familiarly known as J. J. McCarthy, chairman of the Advertising Advisory Council of the M.P.P.D.A., and the man who is credited with the development of the roadshow policy in exhibition, died at his home here this morning after an illness of several weeks. He was 58 and had been suffering from diabetes and a liver disorder for some time. Mrs. McCarthy was at the bedside when her husband died.

McCarthy came to the coast from New York in October of last year, planning to spend six months here, after having contracted a serious ill-

(*Continued on page* 5)

Toeplitz Forms New Producing Company

London, Feb. 25.—A new company, Two Cities Films, Ltd., has been formed by Ludovico Toeplitz, with six films planned during the 1937-38 season. The directors are Toeplitz, Sir Charles Petrie, Major A. W. Sassoon and Lieut. Col. G. R. Crossfield.

Some of the films will be made in the Imperial Films, S. A., studio at Rome in which Toeplitz is joint managing director with G. D. Musso. Petrie is also a director. Ralph Block will be associate producer. All films will be in English with British and American casts and will be made at an average cost of £70,000.

It is said that 60,000,000 lira is available in Italian capital and that "Cavelleria Rusticana" is on the schedule.

Title Transferred On Rogers Hospital

Title to the Will Rogers Memorial Hospital at Saranac Lake was transferred yesterday to the Rogers Memorial Commission in a brief ceremony at 20th Century-Fox Movietone studio here yesterday. The presentation was made by Will H. Hays on behalf of the industry to Jesse H.

(*Continued on page* 12)

Radio—Pages 14-15

Hearing Set On New Pact For Orpheum

Irving Trust Asks That It Be Made Effective

Federal Judge William Bondy yesterday set March 9 for a hearing on a petition by Irving Trust Co., trustee for RKO, to place in effect a new agreement under which Stadium Theatres Corp., wholly owned RKO subsidiary, will acquire complete ownership of Orpheum Circuit through the transfer to Stadium of $486,030 of Orpheum's notes now held by Keith-Albee-Orpheum. The new agreement will replace the one made April 1, 1933, under which Stadium acquired the principal obligations of Orpheum which were theretofore held by K-A-O and RKO.

Under the new agreement, K-A-O also releases Orpheum from liability for a claim of $3,001,239, which was filed by the former in the Orpheum bankruptcy proceedings. Under the 1933 agreement, Stadium was required to pay K-A-O any excess realized above the amount of the Orpheum notes assigned to Stadium by K-A-O, and the latter was held liable to Stadium for any deficit. Both provisions

(*Continued on page* 12)

Warners Try Shows In Oklahoma House

Oklahoma City, Feb. 25.—Beginning tomorrow the Warner will have four days of vaudeville featuring the Radio Rogues and Phillis Dare, roller skater. The last three days of each week will be devoted to double features. Up to the present the only double feature house in Oklahoma City has been the Liberty. The Liberty will continue its policy, but will run pictures for a full week instead of the split week of four and three days as heretofore.

The Liberty will discontinue vaudeville.

Tax End May Reduce Philadelphia Scales

Philadelphia, Feb. 25.—Lower admission rates are in prospect, it is indicated here, as a result of Governor Earle's recommendation to the Legislature that it drop the present amusement tax. Passage of the measure is believed to be certain.

The tax is one cent on each 25 cents of admission and totals to $6,700,000 annually in the state. Exhibitors have added it to ticket prices.

G. B. and Woolf Complete Deal

By BRUCE ALLAN

London, Friday, Feb. 26.—The board of directors of G.B., at the close of a meeting which started yesterday afternoon and ended at 3:20 A.M. this morning, issued the following statement:

"Negotiations between G.B. and General Film Distributors have been successfully concluded. A full statement will be issued later."

Today's development indicates the cessation of production at Shepherd's Bush and the taking over by C. M. Woolf of distribution through General Film Distributors. It portends the transfer of Jessie Matthews to Pinewood and the settling of contractual obligations with G.B. directors and players.

John Maxwell, who opposed the move which was favored by the Ostrers, left the meeting of the directorate at 11 P.M. last night.

Hutchinson Holds Hoyt Deal Likely

The possibility of an agreement being reached next summer between Greater Union Theatres and Hoyts which would continue the present operating combine of Australia's two largest theatre interests was voiced yesterday by Walter J. Hutchinson of 20th Century-Fox, which holds a controlling interest in Hoyts.

Hutchinson and Sidney R. Kent plan to go to Australia next August to confer with Stuart F. Doyle, managing director of Greater Union, on an extension of the present agreement which does not expire until next Dec. 31. Doyle recently issued a statement here in which he said that by mutual notice it had been agreed by Greater Union and Hoyts to cancel the present operating combine on Dec. 31. Hutchinson declined to comment on the Doyle statement other than to say that there was a possibility of a new agreement being reached as a result of the projected visit to Australia of Kent and himself.

"Maytime" to Have Series of Openings

M-G-M has arranged a series of simultaneous pre-release bookings in approximately 50 cities for "Maytime." Each of these will be put on with intensive promotional and adver-

(*Continued on page* 4)

Harry Brandt Noncommittal On Game Issue

Declares Willingness to Discuss Problem

Harry Brandt, president of the I.T.O.A., declined to commit himself or his organization definitely with respect to the abandonment of chance games in New York, it was indicated in a telegram received by Motion Picture Daily yesterday in response to a wired query. Brandt is in Miami Beach, and is due back in New York next Wednesday.

The inquiry was addressed to the head of the local exhibitor organization following the decision of Loew's to abandon all chance games in the New York territory, and of the RKO circuit to do likewise on a national basis.

Brandt, in his telegram, expressed a willingness to discuss "anything that might tend to better exhibition in New York City," and referred to various of the problems confronting the exhibition situation locally at the moment, but made no specific statement of possible I.T.O.A. action as a result of the abandonment of games by the two major circuits.

The I.T.O.A. has persisted in its attitude that its member theatres will eliminate all chance games only when

(*Continued on page* 4)

Philadelphia Court Hears Case on Game

Philadelphia, Feb. 25.—Disregarding the plea of Assistant City Solicitor Ryan for postponement, Judge Harry S. McDevitt in Common Pleas Court here today heard the first chance games case, and directed the filing of briefs by the plaintiff tomorrow, and by Ryan March 5. A decision will be handed down following the submission of briefs.

The action was a bill in equity to

(*Continued on page* 4)

Post Omaha Police In Bank Night Row

Omaha, Feb. 25.—City Finance Commissioner Harry Knudsen, acting mayor during the absence of Dan Butler, has joined the City Council opposition to Bank Night by posting policemen at every one of the 27 theatres cooperating in the free drawing.

Knudsen, going over the head of Police Commissioner Richard Jepsen, went to the police station personally to give his order.

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MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
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RIO DE JANEIRO: Caixa Postal 3358; A. Weissman, Representative.
ROME: Viale Gorizia; Vittorio Malpassuti, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Nuestiftgasse, 55; Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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Industry to Discuss World Fair March 17

The industry in New York has been issued a call for a luncheon at the Hotel Astor March 17 at which plans for its participation in the World's Fair are slated for discussion. Nicholas M. Schenck is chairman of the committee, but in his absence in Florida, Charles C. Moskowitz and Louis K. Sidney are undertaking organizational endeavor. The speaker of the day has not been designated, but may be Grover Whalen.

Balsdon Is Gaining

LOS ANGELES, Feb. 25.—George Balsdon, National Theatres' booker injured recently in an auto crash, is showing signs of improvement at the Stockton Hospital, according to the local offices of FWC. Nick Turner is expected to be discharged in a few days and Sumner Gambee, vice-president of the circuit, will most likely be out in a few weeks. Both are on the road to recovery.

Selznick Names Klune

HOLLYWOOD, Feb. 25.—R. A. Klune today was named as assistant general manager of Selznick International.

Llanuza Files Suit Over a Cartoon Idea

Pedro Llanuza has sued Columbia Pictures Corp., Winkler Film Corp., United Artists Corp., Walt Disney and Charles Mintz for an accounting of profits which the defendants have made from the production and exhibition of cartoons which originally were supplied by the plaintiff. The plaintiff also would enjoin the defendants from further exhibition of the cartoons complained of.

The suit was revealed in the N. Y. Supreme Court yesterday when Columbia filed a motion asking that a commission be appointed to take testimony from George Stallings, Earl Hurd, Ted Fears, Bill Nolan, Jack King and Mintz, all of whom are now in California. The motion will be argued today before Justice Lloyd Church.

Llanuza charges that in 1931 he perfected an idea to produce cartoons presenting caricatures of popular screen stars and then offered the idea to Columbia for a consideration. The defendants allegedly capitalized on the idea without reimbursing the plaintiff, thus violating an agreement between the plaintiff and Columbia. In an affidavit Abraham Schneider, treasurer of Columbia, says that Stallings and the other prospective witnesses will be able to contravert the plaintiff's claim and show that they had produced animated cartoons in which screen stars were presented long prior to 1931.

Dismisses Crites Suit

Federal Judge Robert T. Patterson yesterday dismissed the complaint of Virgil C. Crites against Albert Radtke and Warner Bros. on the ground that the plaintiff had delayed too long in bringing the suit. He gave the plaintiff 30 days in which to make an amended complaint giving an explanation of the delay.

In his action, the plaintiff asserts that he invented a device for the improvement in recording of sound and that while Radtke was in his employ in 1916-1917 he gained this knowledge which he used in patenting certain devices in 1922 and 1929. Warners enter the action since they own part of the device patented in 1929.

Thibault Suit Stands

Justice Joseph M. Callahan in N. Y. Supreme Court refused yesterday to dismiss an accounting suit brought by Harry Hollander against Conrad Thibault, the singer. Hollander asserts that the defendant has failed to pay him for services rendered as his business manager. Thibault in his answer said that Hollander had been paid in full in conformance with an agreement entered into in 1932 and that the accounting suit should be dismissed.

No Para. Board Quorum

The monthly meeting of the Paramount board of directors was postponed without date yesterday because of the lack of a quorum. Barney Balaban, president, is expected here next Tuesday from Chicago.

Zanuck Buys Cain Yarn

HOLLYWOOD, Feb. 25.—Darryl F. Zanuck has purchased James M. Cain's story, "Career in C Major."

Another Doob

In England, they call it the "Agony Column." In New York, the *Times* merely calls it "Public Notices." For several weeks now, this has been appearing in it:

"Any one knowing whereabouts of Oscar Doob, write Mr. C. Hunter. C 591 *Times*."

Which made the staff of Loew's Oscar Doob wonder, not excepting Mrs. Doob. Was it a case of bad debts? Or an inheritance? Or merely a gag?

Investigation ensued and proved it was another Oscar Doob who went to college with Mr. C. Hunter. The latter is merely seeking to locate his chum.

New Opinion Issued In Action by Frels

DALLAS, Feb. 25.—Judge Atwell of the U. S. District Court here has issued a second opinion in the case of Ruben Frels, exhibitor, whose action for alleged conspiracy is pending against the Jefferson Amusement Co. and major distributors. In the opinion the court sustained a number of exceptions in the pleadings in the case and declared it his opinion that it is best to allow the case to go to trial.

In the course of the opinion the court held that Frels was enjoying a monopoly in exhibition at Victoria, El Campo, Yorktown and Belleville, Tex. He said further, "On its face, it would appear to be a fight between the plaintiff and the Jefferson Amusement Co. for the theatre business at the towns mentioned. That may be what it will ultimately be shown to be."

Ampa Prize Material To Be on Exhibition

At a meeting of the committee on Ampa's annual awards held last night at the Hotel Edison it was voted to hold a public exhibition of the material presented by the various companies. Last night's meeting was presided over by Vincent Trotta and was attended by Mort Blumenstock, Paul Gulick, Al Selig, Herb Berg, "Hap" Hadley, Gordon White and A-Mike Vogel.

It was decided to hold the presentation of the various awards some time in April. Gulick was named chairman of a sub-committee for the selection of judges. He will be assisted by Blumenstock, White, Trotta and S. Barret McCormick.

Paul Benjamin was selected to head a committee for the exhibition. He will be assisted by Milton Weiss, Selig and Hadley.

Feinberg Going to MPTO

MINNEAPOLIS, Feb. 25.—J. George Feinberg, vice-president and sales manager of International Chair Corp., who has been ill since a trip to Alaska last June, will attend the M. P. T. O. A. convention at Miami March 16-18.

With C. C. Koontz, secretary of the company, he will have an exhibit there.

Nebraskans Line Up Fight on Tax Bills

OMAHA, Feb. 25.—Following a series of conferences here, C. E. Williams, president of M. P. T. O. unit; Regina Molseed, secretary of the Film Board of Trade, and E. R. Cummings, district manager for Tri-States, lined up plans for a fight against the theatre tax bills in the legislature.

The most troublesome bill seeks to assess an annual $1,000 license fee against distributors and prohibit exhibitors from purchasing more film than they can show. Since the bill would place enforcement in hands of the State Railway Commission, observers are alarmed over the possibility that the commission might even be allowed to regulate admission prices.

On the overbuying angle distributors vision the possibility that film salesmen might have to consult the Railway Commission to learn if an exhibitor has overbought.

Two bills seek taxes on exhibitors. One calls for a 10 per cent tax on rentals. The burden would be on exhibitors inasmuch as film contracts provide that any taxes enacted will be passed on by producers to exhibitors.

A proposed 10 per cent tax on amusements could not be passed on to the public because of the way the bill is worded.

Varied New Taxes Up In Kansas Law Mill

KANSAS CITY, Feb. 25.—A special amusement license tax bill, another for a five per cent income tax on corporations and a third providing for a two per cent sales tax are now pending in the Kansas Legislature. A personal income tax starting at two per cent also is sought.

The time for introduction of any but committee bills has passed and adjournment is predicted for March 15.

The proposed two per cent sales tax would apply to theatre tickets. It is intended to raise $8,000,000 for social security and school purposes.

New Idaho Tax Bill In

BOISE, Idaho, Feb. 25.—A one per cent sales tax bill to replace the two per cent law which expired recently is now before the Legislature.

Utah Bill Hits Pin Games

SALT LAKE CITY, Feb. 25.—The Utah Senate is considering a bill to classify pin and marble machines as games of chance. The same bill would ban punch boards as lotteries.

"U" Contracts Reach New High—Grainger

Universal has closed more domestic accounts than at any other time in its history, according to James R. Grainger. By April 1, he declared yesterday, 8,200 theatres will be recorded in Universal's sales ledgers. The new figure came to light and was discussed as one piece of business at the district managers' meetings which terminated in New York Tuesday night.

Rogers Leaves Sunday

HOLLYWOOD, Feb. 25.—Charles R. Rogers now expects to leave for New York Sunday.

WELL GIRLS, I SEE "ON THE AVENUE" IS HELD OVER IN MILWAUKEE, BALTIMORE, SAN FRANCISCO, SEATTLE, BOSTON, RICHMOND . . .
AND IN DALLAS, MINNEAPOLIS, NEW YORK, ST. LOUIS . . .
DON'T FORGET PITTSBURGH, CLEVELAND, KANSAS CITY . . .
. . . AND MY HOME TOWN PHILADELPHIA!
SURE! EVEN A NIT-WIT KNOWS THAT "ON THE AVENUE" WOULD BE HELD OVER EVERYWHERE!
20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

DICK POWELL and MADELEINE CARROLL in IRVING BERLIN'S "ON THE AVENUE" with ALICE FAYE, RITZ BROTHERS and GEORGE BARBIER, Alan Mowbray, Cora Witherspoon, Stepin Fetchit, Sig Rumann. Directed by Roy Del Ruth. Associate Producer Gene Markey. Screen play by Gene Markey and William Conselman. Music and lyrics by Irving Berlin. Dances staged by Seymour Felix. Darryl F. Zanuck in charge of production

P.S.

"ONE IN A MILLION" breaks all-time Kansas City record by holding for 4th first-run week (also in 8th Seattle week!)

"WINGS OF THE MORNING" held over 4th week in Montreal! **"LLOYDS"** holding over, smashing records everywhere!

Harry Brandt Noncommittal On Game Issue

(Continued from page 1)

the two major circuits have raised their prices to the extent where an adequate differential is reached between I.T.O.A. member prices and those of the circuit houses, in addition to the abandonment of games by Loew's and RKO.

Brandt's telegram to MOTION PICTURE DAILY read:

"Am prepared to discuss with Loew's and RKO anything that might tend to better exhibition in New York City. That goes for giveaways, admission prices, legislation and operating policies. Will be back in New York March 3, at which time I am prepared to discuss these matters fully."

C. C. Moskowitz, executive in charge of Loew's theatres in New York, declared his willingness to discuss policies with the I.T.O.A., indicating, however, that conversations in the past have not been productive.

Nate J. Blumberg, general manager of the RKO circuit, took the attitude that the circuit would conduct its operations without regard to the position taken by the independent theatre owners.

Philadelphia Court Hears Case on Game

(Continued from page 1)

restrain Mayor Wilson, Director of Public Safety Emanuel and Police Superintendent Hubbs from interfering with the games. The plaintiffs were Morris Somerson, Palm Theatre; Abe Rovner and Walt Mueller, Girard and Leo Posel and William Spiegel, Lyric. Ryan has sought a postponement to decide on one test case, and pointed out that the police are not interfering with the games during the present four-week truce which was declared at the beginning of this month by the mayor.

The attorney for the plaintiffs, David S. Malis, argued that the court could decide the cases of the three complainants on the evidence from the Palm and succeeded in confining the hearing to the game of Lucky. The testimony of a policeman and the operators of the theatre featured the hearing. The judge indicated his willingness to hear all cases on their merits.

"Maytime" to Have Series of Openings

(Continued from page 1)

tising campaigns, with a special exploitation staff working on details.

On opening day full page newspaper spreads will be used in addition to preliminary four and five-column ads. Magazines also will be used.

Dates have been set as follows: Montreal, March 5; Los Angeles, March 10; Milwaukee, Denver and San Francisco, March 11; Chicago and Memphis, March 13; Evansville, March 14; Seattle, Portland and Boston, March 26. On March 12 the openings will be in the following cities: Salt Lake City, St. Louis, Toledo, Wilmington, New Orleans, Indianapolis, Kansas City, Louisville, Atlanta, Houston, Nashville, Rochester, Syracuse, Baltimore, Norfolk, Richmond, Pittsburgh, Columbus, Dayton, Akron, Canton, Cleveland, Harrisburg, Reading, Providence, Springfield, Worcester, Bridgeport, Hartford, New Haven, Waterbury, Detroit, Buffalo, Cincinnati and Philadelphia.

Special engagements also will be arranged in six Florida cities.

Heads Continental Film

Ira Greene has been named president of Continental Film Industries, Inc., which will participate in the financing of production, supply laboratory service and the like.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Espionage"

(M-G-M)

HOLLYWOOD, Feb. 25.—Cleverly satirizing spy melodramas, this romantic comedy promises wide and popular appeal. It has a fast-breaking story, sparkling with surprising twists that give Edmund Lowe, Madge Evans, Paul Lukas, Ketti Gallian, Skeets Gallagher, William Gargan and Leonard Kinsky opportunity to check in with novel, well moulded performances. Few pictures considered class B are as well directed as the manner in which Kurt Neuman has handled this one.

Maintaining an atmosphere of unexpected development, the motivation is well knit and the players do their most effective work in the proper spots. Starting as a melodrama, the film quickly turns uniquely comic.

Ordered to follow Lukas, a munitions maker, who holds the fate of the world in his hands, Lowe and Miss Evans, rival reporters, are forced to occupy the same compartment of a trans-European train and act as husband and wife. Lukas and his companion, Miss Gallian, preserve the dramatic illusion. Lowe and Miss Evans, striking up an acquaintance with their "copy," are suspected of being planning Lukas' assisination. In gay fashion the story runs out in Switzerland, where it develops that Lukas and Miss Gallian are merely eloping. Lowe and Miss Evans forget their journalistic rivalry and duty and marry.

The screenplay was adapted from Walter Hackett's play by Manuel Seff, Leonard Lee and Ainsworth Morgan, and is a smart combination of entertaining elements.

Production Code Seal No. 3,095. Running time, 5 minutes. "G."

"China Passage"

(Radio)

HOLLYWOOD, Feb. 25.—Murder, mystery and romance surrounding the theft and subsequent attempt to smuggle a valuable diamond, form the plot structure of this unpretentious, but moderately entertaining picture.

Three settings are involved, Shanghai, a liner en route to San Francisco, and the pier in the latter city. Featured are two new faces, Constance Worth, an Australian importation, who is attractive and capable, and Vinton Haworth, a satisfactory if not outstanding performer. The cast lacks name draw, the only really familiar name being that of Leslie Fenton, who is properly sinister when the occasion demands.

The screenplay of J. Robert Bren and Edmund L. Hartman from Taylor Caven's original, tells of the theft of a diamond belonging to a Chinese war lord, which is being guarded by two Americans, one of them Haworth. It is understood that their lives will be forfeit unless it is returned. Involved in its possible theft are Miss Worth, Fenton and several other people, all found near the scene of the theft, all boarding the boat to San Francisco on which the gem is understood to have been taken.

From that point, via several murders, the knowledge that Miss Worth is an insurance agent, as is another suspect, and the developing romance of Miss Worth and Haworth, the yarn moves swiftly. The climax comes on the pier, as Fenton's valet, then Fenton, are trapped by Miss Worth, and the romance is completed. Edward Killy directed.

Production Code Seal No. 2,972. Running time, 65 minutes. "G."

Franklin Re-Signed

HOLLYWOOD, Feb. 25.—Sidney Franklin, who directed "The Good Earth," has been given a new long-term contract by M-G-M.

Franklin's first under his new M-G-M will be "Sea of Grass."

The studio has acquired the sound rights to "All the Brothers Were Valiant," by Ben Ames Williams. M-G-M produced this story as a silent film many years ago. It will be filmed on a large scale.

Repairing Fire Damage

SAN FRANCISCO, Feb. 25. — Golden State's Milano will be closed for 60 days to repair damage sustained when a $5,000 fire completely destroyed the balcony. Other improvements may be made at the same time.

Short Subjects

"Hi De Ho"

(Vitaphone)

A well-produced and executed fantasy featuring the popular singing of Cab Calloway and music by his band. Tastefully directed, it deals with the Calloway aspirations to lead his own orchestra. A fortune teller shows him the future and there are dissolves into rhythmic reality. It should be very favorably received. Production Code Seal No. 01,391. Running time, 11 mins. "G."

"Music by Morgan"

(Paramount)

Russ Morgan's orchestra plays a few rhythmic numbers, Lewis Julian and Linda Lee vocalize in solo, all set in a hunting lodge supper room. It is a fair band offering. It concludes with "our own arrangement of 'Limehouse Blues.'" Production Code Seal No. 01,428. Running time, 10 mins. "G."

"Picador Porky"

(Vitaphone)

Amusing cartoon skullduggery by the stuttering pig character. Set in what is presumably a Mexican bull ring, the antics of the star and his hobo aides as they try for prize money with a phoney bull are of the whirlwind variety. It is humorously diverting. Production Code Seal No. 3042. Running time, 8 mins. "G."

"Excursions Into Science, No. 3"

(A. O. Bondy-General Electric)

Another interesting glimpse into research laboratories where new devices of eventual benefit to the public are being developed. In this number new ideas in the field of magnetics, remote control of trains by electrified sound impulses, well-planned lawn sprinkling, and others, are revealed in actual usage, although in model form. An enlightening narrative intelligently explains the various mechanisms. The film may be had gratis. Reviewed without production code seal. Running time, 10 mins. "G."

"Land of Midnight Sun"

(Vitaphone)

Interesting studies of the rarely photographed inhabitants of Lapland are a highlight of this Norwegian travel short. In addition there are finely colored scenes of Oslo, markkets and the famous fjords. A novel departure from the routine. Production Code Seal No. 01,266. Running time, 10 mins. "G."

Leased to Nuovo Mondo

Nuovo Mondo Pictures, which occupied the Cine Roma, now the Oriental, last year for Italian pictures, has leased the Broadway and opens "Loyalty of Love" there Saturday. Stage presentations will augment the film content.

Mel Washburn to Coast

NEW ORLEANS, Feb. 25.—Mel Washburn, columnist and critic for the *Item* and *Tribune*, has gone to the coast to get material for a series of articles.

J. J. McCarthy Dies on Coast In 59th Year

(*Continued from page* 1)

ness during the winter of 1935-36 in New York.

Funeral services will be held at 10:00 A. M., Saturday, at the Church of the Good Shepherd here. The requiem Mass will be said by Father John J. Devlin, pastor of St. Victor's R. C. Church, West Hollywood. Rosary services will be held Friday, at 8:00 P. M., at the residence, 703 North Alpine Drive.

The body will be sent to New York on Saturday for burial, where final arrangement for interment have not been completed.

J. J. McCarthy was associated with the stage and screen practically from boyhood. His greatest contribution to the film industry was his practical demonstration, in terms of dollars and cents, of the fact that the public willingly will pay high prices for screen entertainment of a high order. He was a roadshow specialist, adapting the principles of the legitimate show on the road to the film industry, with a high degree of success.

Most notable of his roadshow operations was that with "The Birth of a Nation," which cost $100,000 and grossed something approximating $10,000,000 over a period of years.

Humble Beginning

McCarthy was born in New Orleans and started his career as a bill poster. There followed many years of activity in the legitimate theatre, during which he managed Vernon and Irene Castle, Mary Shaw, who played Ibsen and was the first to offer Ibsen's "Ghost" in this country on tour, and many others.

He was first company manager, then general manager for George Brennan, who produced "The Clansmen" on the stage. When D. W. Griffith began his production of "The Clansmen," McCarthy naturally was closely connected with it. When censorship and political expediency dictated a change in title for the film from "The Clansmen" to "The Birth of a Nation," and the film was ready to be shown, McCarthy handled that notable New York opening at the Liberty, on March 13, 1915, with admissions at the almost unheard of top of $2, with reserved seats. What happened to the picture in the New York and other roadshow engagements, particularly at the Chestnut St. Opera House in Philadelphia, form an outstanding and highly significant chapter in the history of the industry.

Will Hays Pays Tribute

Will H. Hays, president of the M. P. P. D. A., yesterday paid tribute to J. J. McCarthy, who died at his home at Beverly Hills. The statement follows:

"The death of J. J. McCarthy is an irreparable loss. The motion picture industry loses one of its finest leaders and I lose an invaluable associate and a loyal friend.

"Jeff McCarthy was part of the history of motion pictures. No man knew more of their development. No man ever stood more firmly or courageously for what was right and good.

"His work in connection with our advertising code won universal approval. His character, his integrity, his experience, his vision and his counsel are qualities which we can ill afford to spare. His memory will never fade."

Maynard Made Manager

OTTAWA, Feb. 25.—Robert Maynard, son of the late W. H. Maynard, old time exhibitor, has been named manager of the Regent by T. Ray Tubman, supervisor here for Famous Players Canadian.

Ambrose Nolan, son of former mayor Nolan of Ottawa, has been made manager of the Capitol of Aylmer, Quebec.

Looking 'Em Over

"Find the Witness"

(*Columbia*)

As light and lively romantic melodrama, "Find the Witness" should prove acceptable. It is a well-paced story of a reporter assigned to get a story on the marital status of a "foreign" opera singer who arrives one sunny day in Los Angeles. His nose for news leads him into a romance with Rosalind Keith, the warbler's secretary, and later into a murder which, following the rules, builds up to an exciting and ingenious climax. It holds interest and will be satisfactory entertainment.

Charles Quigley, as the newspaperman, has a lead on Henry Mollison, estranged magician-husband of Rita La Roy, the woman in the case. From Mollison Quigley gets an inside story, but he cannot print it. Later, while Mollison is doing a publicity stunt—getting himself submerged in a casket for three hours—Quigley, his affair hanging in the balance, drifts off to the diva's apartment and finds her murdered. The evidence of the crime points at Miss Keith. But Quigley, putting two and two together, with the aid of his editor plans a stunt that draws the murderer out and leads to his apprehension. This, of course, after a series of thrilling events in which Miss Keith outwits the escaping criminal while she drives him away from the crime into the hands of the navy. The denouement is cleverly handled. While the audience possibly will deduce the killer's identity they will be properly rewarded when he is finally caught.

In the support are James Conlon, Charles Wilson, Wade Boteler, Harry Depp and Alyce Ardell. The screenplay is the joint work of Grace Neville and Fred Niblo, Jr. David Selman directed.

Production Code Seal No. 2,823. Running time, 57 minutes. "G."

"La Tendre Enemie" ("The Gentle Enemy")

(*French M. P. Corp.*)

The story treatment of this French importation is a novel departure from routine plot handling. It is a fantasy, lightened from rather heavy dramatic planes, with touches of satirical Gallic humor. As an offering for little "cinemas" it should be appreciatively received by such audiences. There are English titles.

A loveless marriage is to take place. Two ghosts come down to the engagement party and as they become aware of the true light of things they fall to discussing their mortal affairs with the girl's mother. It seems one was her unloved husband and the other her lover. They discuss even their deaths, lamenting their early passing. Later they are joined by a third shade. But at the engagement dinner they decide not to let the young girl experience the trouble her mother did and with ghostly proceedings they get her off to the man she loves, an aviator. The camera work and musical treatment in the film are very well done and the atmosphere of the flashbacks to ghostly reminiscence is cleverly created.

The cast includes a few names that are familiar here: Simone Berriau, Georges Vitray, Jacqueline Daix and Catherine Fonteney. In the support are Marc Valbel, Lucien Nat, Camille Bert, Laura Diana and Maurice Devienne. Max Ophüls directed. It was produced by Eden at the Pathe studios.

Reviewed without production code seal number. Running time, 65 minutes. "A."

Humphrey Pearson Is Found Dead at Home

PALM SPRINGS, Cal., Feb. 25.—Humphrey Pearson, film writer, was found dead today in bed by Mrs. Pearson, at his cottage here. He had been shot twice in the chest.

Police Chief Lloyd Butler says the gun with which the shots were fired has been found.

Pearson's last adaptation was "The Red Salute." He had worked on many pictures in recent years.

Standing Funeral Monday

LOS ANGELES, Feb. 25.—Funeral services for Sir Guy Standing will be held Monday at St. Stephens Episcopal Church. Interment will take place in England.

Variety Club

Omaha

OMAHA, Feb. 25.—Local Variety Club members will be guests March 1 of R. S. BALLANTYNE of Scott-Ballantyne Co. and WALTER GREEN of Fepco at a "special stag party." Assisting the hosts will be GUS HARMS and FRANK THOMASSEN, both of Scott-Ballantyne.

BALLANTYNE and GREEN gave a similar party last year and announce they plan to make it an annual affair. The party will be in the club's headquarters in Hotel Fontenelle.

FWC Transfers Two Salt Lake Theatres

SALT LAKE CITY, Feb. 25.—Control of the Orpheum and Studio here were relinquished yesterday by F. W. C. to Intermountain Theatres, Inc., a National Theatres' subsidiary, according to Max Goldstein, regional booker for National.

Harry David, vice-president and general manager of Intermountain, has confirmed the transfer and adds that the policy outlined on Jan. 1 stands. Under the policy announced the Orpheum, Capitol, Paramount and Victory will continue as first runs, the Studio showing outstanding product held over.

David settled matters leading to actual control while in the east last week. C. Clair Woods is manager of the Orpheum, Paul Hendry, the Studio; Jack Taylor and H. Wayne Bateman, former managers here, to be assigned new posts by F. W. C.

Report Huffman Deal

DENVER, Feb. 25.—Contracts are understood to have been drawn in the deal whereby Intermountain Theatres will take over operation of a number of Harry Huffman's units here.

Start Caldwell Projects

CALDWELL, O., Feb. 25.—Mrs. M. Flieham, Woodsfield, O., has started razing the Beymer hotel on the site of which she will erect a new theatre.

The Brothers Lafhinsky—Isador, Frank and Harry—operating houses at Senecaville and Cambridge, O., have purchased the Cain Hotel, which they will remodel into a theatre.

Upon completion, this 1,700 population town will have three theatres.

Buy Theatre Building

ROCKVILLE, Ind., Feb. 25.—Carey and Alexander, owners of the Ritz here, have purchased the building housing the theatre from the Parke County Protestant Bldg. Ass'n. for $12,000.

Theatre to Be Store

OKLAHOMA CITY, Feb. 25.—Standard Theatres has closed the Capitol here permanently, having subleased the property. After remodeling, a women's clothing store will open on the site in about 90 days.

Pick Spartanburg Board

SPARTANBURG, S. C., Feb. 25.—Members of the newly created operators' examining board are: Frank Blakely, electrical contractor; Frank Amos, projectionist for the State, and A. M. Miles, city electrical inspector.

Copyright Fee In Australia At Old Scale

By CLIFF HOLT

SYDNEY, Feb. 6.—(*By Air Mail Via London*).—Under the arbitration decision given by the arbitrator, H. H. Mason, and agreed to by mutual consent of the interested parties, copyright fees revert to the rate agreed upon by the Australian Performing Right Ass'n. and Australian exhibitors in 1926. The decision is the outcome of prolonged discussions and hearings which have intermittently taken place since 1934 when the A. P. R. A. demanded from exhibitors a new scale based on one penny in the pound of gross receipts. As it was calculated that this represented an increase varying from 200 per cent to 400 per cent in some cases by comparison with the 1926 scale, an interstate conference of exhibitors was called to consider the demands.

Mediator Chosen

After several times failing to reach a decision with A. P. R. A., the parties in dispute agreed to go before an arbitrator, who has finally decided that the fees should be the same as those originally agreed to when the A. P. R. A. made their first call on theatre proprietors in 1926. Under this scale, city theatres which have respectively been paying at the rate of 90 shillings and 45 shillings per annum per 100 seats will continue to do the same. Other city theatres which do not exceed a weekly average gross of £1,000 will pay at the rate of 25 shillings per 100 seats. This rate also applies to suburban theatres operating six nights a week. Proportionate reductions are made for theatres which are open five nights.

Although the 1926 rates represent a reduction on what theatres have been paying since 1928 the reduction is not as as large as exhibitors had hoped and leading theatre men expressed disappointment at the arbitrator's decision.

Charles E. Munro, managing director of Hoyt's, said that exhibitors could not understand what they were buying for the money they paid the A. P. R. A., and that since the actual music played in the theatres was far less than in the silent era, it was disheartening to find the same scale of heavy charges remaining.

Seeks Aid for Extras

LONDON, Feb. 17.—During the debate on the second reading of the Factories bill, in the House of Commons Major Procter, M. P., welcoming the fact that the measure applied to film studios, regretted that players were not protected by clauses referring to employes. He declared that the thousands of poorly paid extras, if injured, had no right to compensation under the existing law, and that this should be remedied.

Lehmann to Visit Coast

PARIS, Feb. 25.—Maurice Lehmann, director of two important theatres here, Le Chatalet and La Porte Saint-Martin, and a former actor, plans a visit to Hollywood in April.

Observe "Pons" Day

Norwalk, Feb. 25.—This city will celebrate "Lily Pons Day" March 7 when "The Girl from Paris" opens at the Palace.

Miss Pons, who recently purchased a home here, will be welcomed as a resident by Mayor Frank T. Stack. A reception will follow at the theatre under the direction of Manuel Kugell, manager, assisted by a long list of patrons and patronesses.

Seek to Halt State Censor in Australia

MELBOURNE, Feb. 6.—(*By Air Mail via London*).—Following a recommendation by the Victoria Chief Secretary, a move is afoot here to abolish the state film censorship system except for the classification of films for children. At present the Commonwealth film censor, Cresswell O'Reilly, is also Victorian censor. By reason of this dual authority it is possible that two separate decisions can be given on the same picture.

The Minister for Customs in the Federal cabinet said that censorship at entry into Australia, by one central authority, was obviously preferable to a number of state censorships. He hoped that other states would follow the example set by Victoria. If Victoria relinquishes the censorship of films New South Wales and South Australia would be the only states with censorships of their own, and censorship in the former state is merely nominal, he said. Distributors and exhibitors also advocate one central authority.

O'Reilly recently banned the Russian film, "Ten Days That Shook the World," from Australia. The appeal board reversed the decision and the exhibition of the film was permitted in every state except Victoria, where O'Reilly, in his capacity as state censor, had banned the film outside his jurisdiction as Commonwealth authority. The film was then taken to the state appeal board, which upheld O'Reilly's finding. After some agitation, however, the appeal board finally approved it.

Business Up in Sydney

SYDNEY, Feb. 6.—(*By Air Mail Via London*).—A total of 275 features was released by American and British distributors here during 1936. Approximately 175,000 represents the average weekly attendance at city first run houses, representing a substantial increase on the previous year's figures. It is considered that the improvement was partly due to improved economic conditions, but more particularly to improved product.

Would Ban Triple Bills

SYDNEY, Feb. 6.—(*By Air Mail Via London*).—The Film Board of Trade has passed a resolution banning triple features, except where a special children's feature program is put on for Saturday and holidays only. The board also resolved to ask the M. P. D. A. to embody a clause giving effect to this resolution in all contracts.

C.E.A. May Favor Film Commission

By BRUCE ALLAN

LONDON, Feb. 17.—A report from the general purposes committee of the C.E.A. to the general council states that in view of the unlikelihood of cooperation from the K.R.S. in representations on the Moyne report, "your committee would not view with apprehension a films commission, provided it consisted of persons having a practical knowledge of the film trade." The Committee asks powers to continue discussions on this basis, although the council previously expressed the view that operation of the Films Act should remain with the Board of Trade, and asked for an official arbitration court in place of the commission.

The C.E.A. disputes recent statements by the K.R.S. accusing the exhibitors' association of having given premature publication to the news of a breakdown of negotiations on the Moyne report. The report of disagreement with the K.R.S. was "fair and true," it says.

British, American Units in Agreement

LONDON, Feb. 17.—Agreement has been reached between the British Actors' Equity Ass'n. and the Screen Actors' Guild of America whereby members of either organization visiting the other country must join the affiliated body.

A. M. Wall, secretary of British Equity, says "serious action" will be taken against any player visiting England who does not comply with the agreement.

Mexican Producers Begin Use of Color

By JAMES LOCKHART

MEXICO CITY, Feb. 25.—Mexican producers are beginning to use color. The first such picture is "Novillero" ("Novice Bull Fighter"), based on a popular song, and featuring Lorenzo Garza, matador. Roberto A. Morales is the producer and Boris Maicon the director.

* * *

General Motors of Mexico has produced a 20,000-foot film depicting the scenic beauties of the motor routes of the country, designed to attract tourist trade. The film was made by G. B. Browder of General Motors, with the cooperation of the Mexican Government.

Liquidate Mexican Firm

MEXICO CITY, Feb. 20.—Cinematgrafica Latino Americana, S. A. (CLASA), the Mexican producing company that began operations some 18 months ago on an ambitious scale and produced one picture, "Vamonos Con Pancho Villa" ("Let's Go With Pancho Villa"), is now in liquidation.

Gets English Theatre Job

TORONTO, Feb. 25.—C. S. Ferguson, veteran theatre manager of Vancouver, is leaving for England to become manager of a theatre at Wimbleton. He is being succeeded at the Windsor, Vancouver, by Larry New, formerly assistant manager of the Capitol in that city.

Industry in Holland Was Weak in 1936

By PHILIP DE SCHAAP

AMSTERDAM, Feb. 15.—The position of the industry in Holland during 1936 was weak, partially because of the economic depression in the country, and the prospects for 1937 are not considered particularly bright. American films dominated the market last year. Although figures for the complete year are not yet available, it is anticipated that the results will be approximately the same as for 1935, when American product accounted for 240 films. Germany, in second place, supplied 84, while all other countries together furnished 145.

Late last year there was some evidence of increasing competition to American product from England and the domestic producers. About 20 English films were released here in 1936, but box-office success was achieved only by American, and a few German films.

Resent Lengthy Dialogue

An over-abundance of musical films from the United States were offered here last year, and the public has tired of them. In general the fault found with American product is the inclusion of too much dialogue.

The depreciation of the Dutch guilder brought many difficulties to the industry here. The Dutch M. P. Federation was successful in 1936 in maintaining its prohibition on the opening of new theatres, and attacked the problem of attempting to halt the practice of triple bills.

Theatre receipts in Holland fell off decidedly last year, going even below 1935, which marked a definite decline from 1934. During the summer of last year there was some indication of improvement, but the autumn months were extremely weak.

Taxation Heavy

The federation is still fighting increased admission taxes by municipalities. When several cities attempted to raise ticket taxes over the usual 20 per cent, the industry organization threatened to close the theatres affected, and then appealed to the Government. Thus far, no definite action has been taken.

During 1936, 33 features, seven shorts and one newsreel issue were banned by the Government censor, an increase of 13 over the 1935 figure on features.

The decline of the Dutch film trade is indicated in the falling off of the total of theatre tax revenue in numerous Dutch towns.

The federation has named a committee to study developments in television, but no member of the industry organization has been appointed to the Government's television board.

Officials Trade Guests

LONDON, Feb. 17.—The Lord Mayor and sheriffs of London will be the guests of honor at the next meeting of the trade Luncheon Club on March 10, when Mr. H. P. Selwyn will be the chairman.

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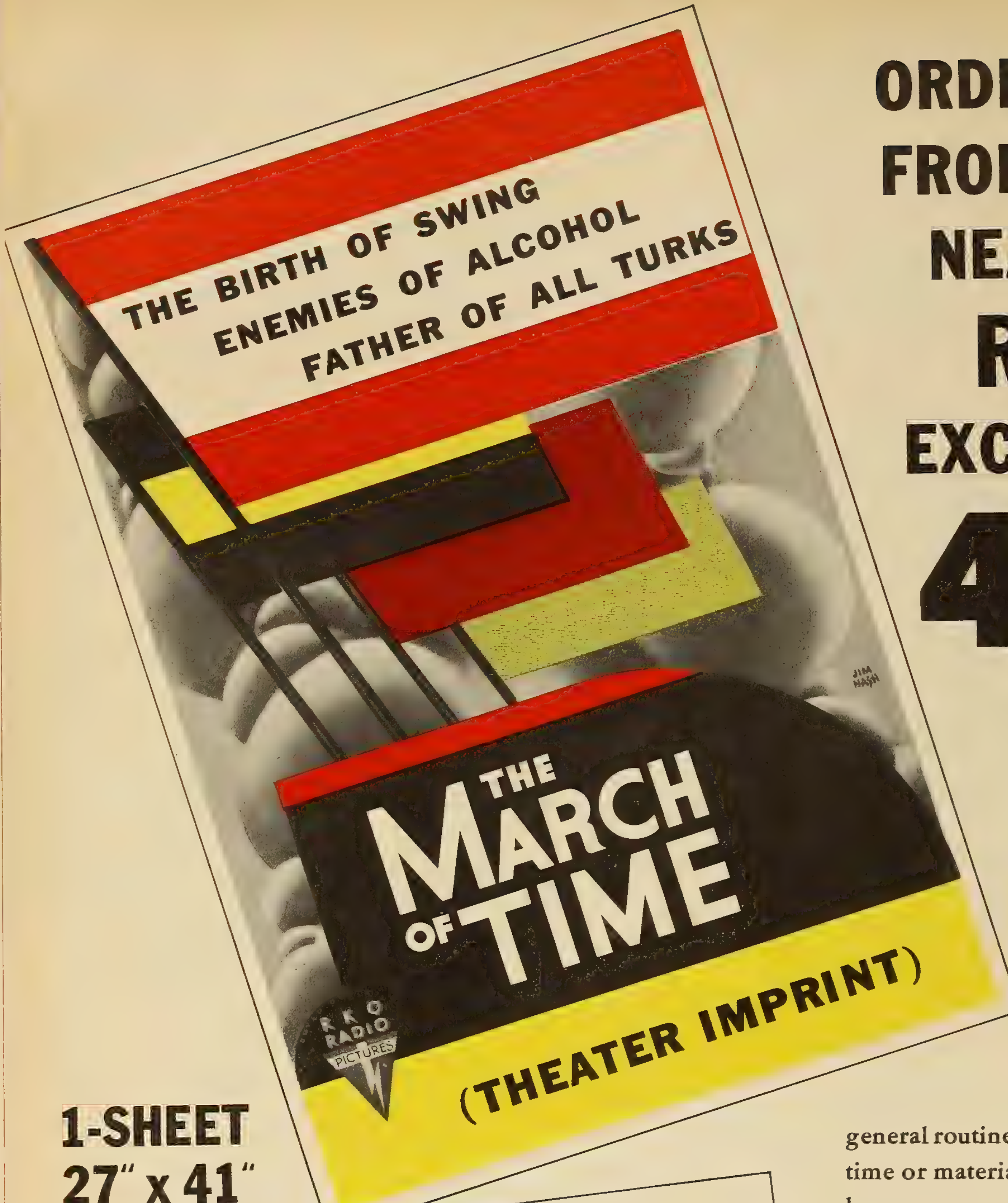
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ENEMIES OF ALCOHOL
FATHER OF ALL TURKS
JIM NASH
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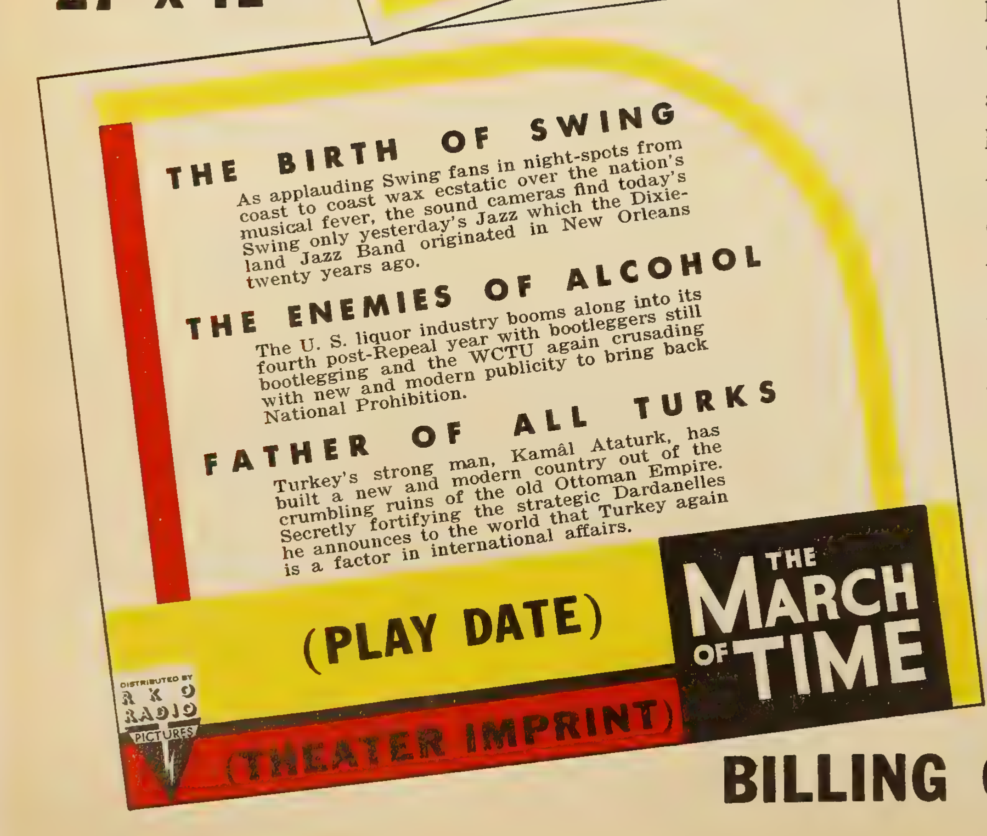

THE BIRTH OF SWING

As applauding Swing fans in night-spots from coast to coast wax ecstatic over the nation's musical fever, the sound cameras find today's Swing only yesterday's Jazz which the Dixieland Jazz Band originated in New Orleans twenty years ago.

THE ENEMIES OF ALCOHOL

The U. S. liquor industry booms along into its fourth post-Repeal year with bootleggers still bootlegging and the WCTU again crusading with new and modern publicity to bring back National Prohibition.

FATHER OF ALL TURKS

Turkey's strong man, Kamâl Ataturk, has built a new and modern country out of the crumbling ruins of the old Ottoman Empire. Secretly fortifying the strategic Dardanelles he announces to the world that Turkey again is a factor in international affairs.

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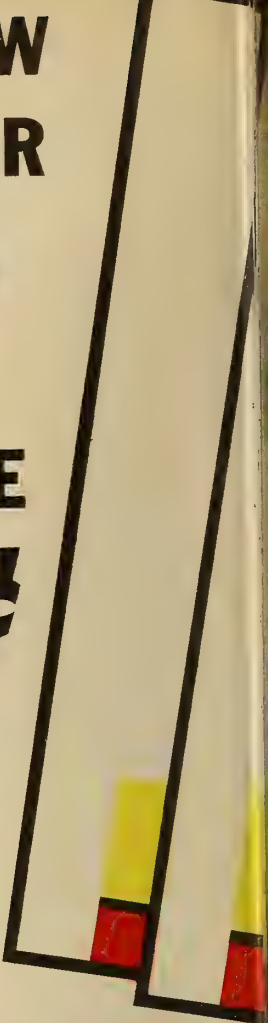
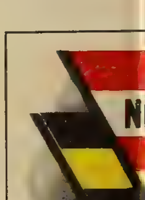


THAT a profitable number of people in each theater's community *want* to see THE MARCH OF TIME, exhibitors admit. But with the pressure of changing programs and the general routine of show business, not near enough time or material is available to capitalize on this keen community interest. THE MARCH OF TIME feels much of this is its own fault. Consequently this new display package has been designed, which even the smallest theater in the smallest town may use effectively with the least possible effort, at the lowest possible cost. Another new and exclusive MARCH OF TIME service.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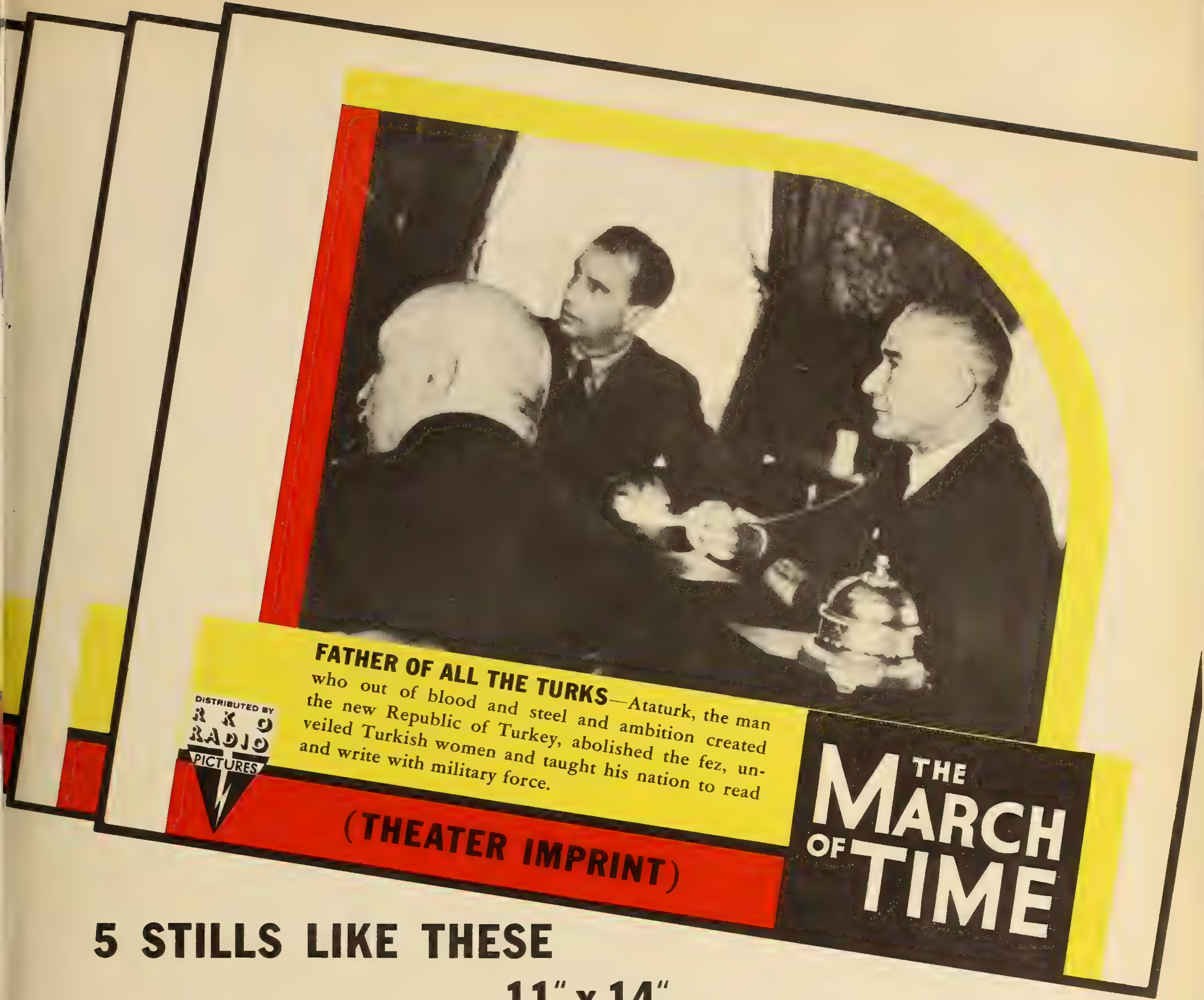
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FATHER OF ALL THE TURKS—Ataturk, the man who out of blood and steel and ambition created the new Republic of Turkey, abolished the fez, unveiled Turkish women and taught his nation to read and write with military force.

(THEATER IMPRINT)

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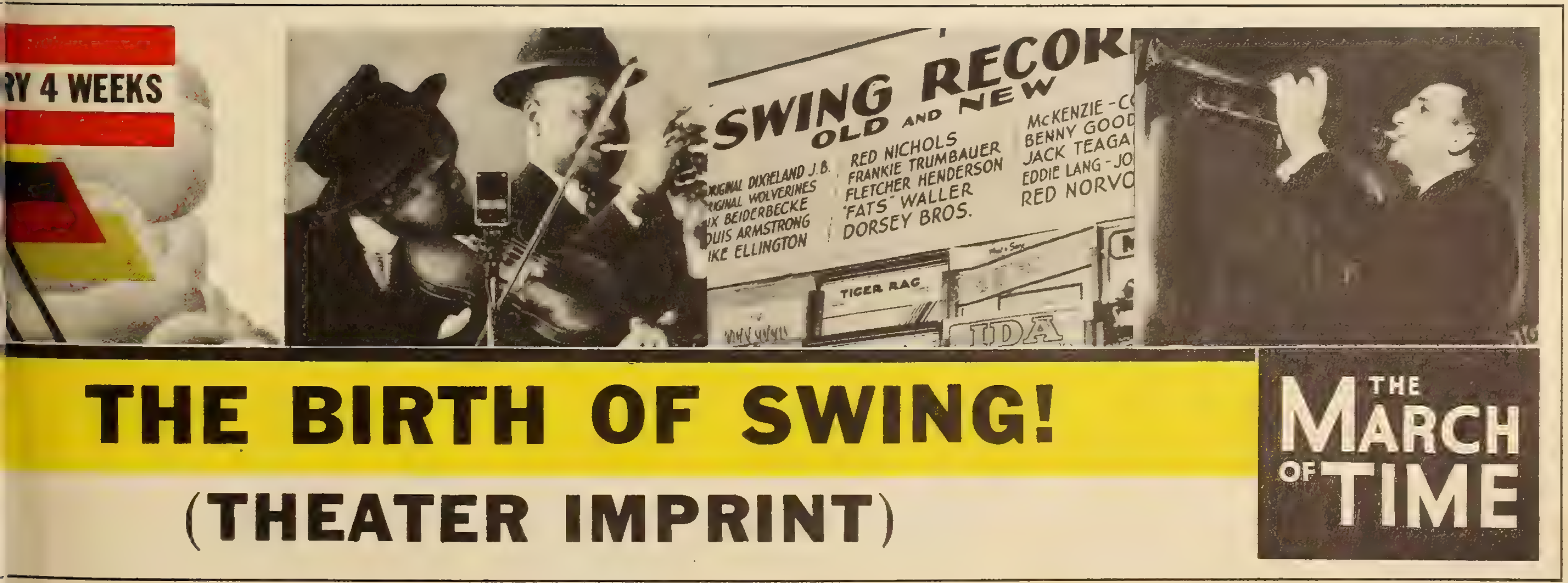
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"FATS" WALLER
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THE BIRTH OF SWING!

(THEATER IMPRINT)

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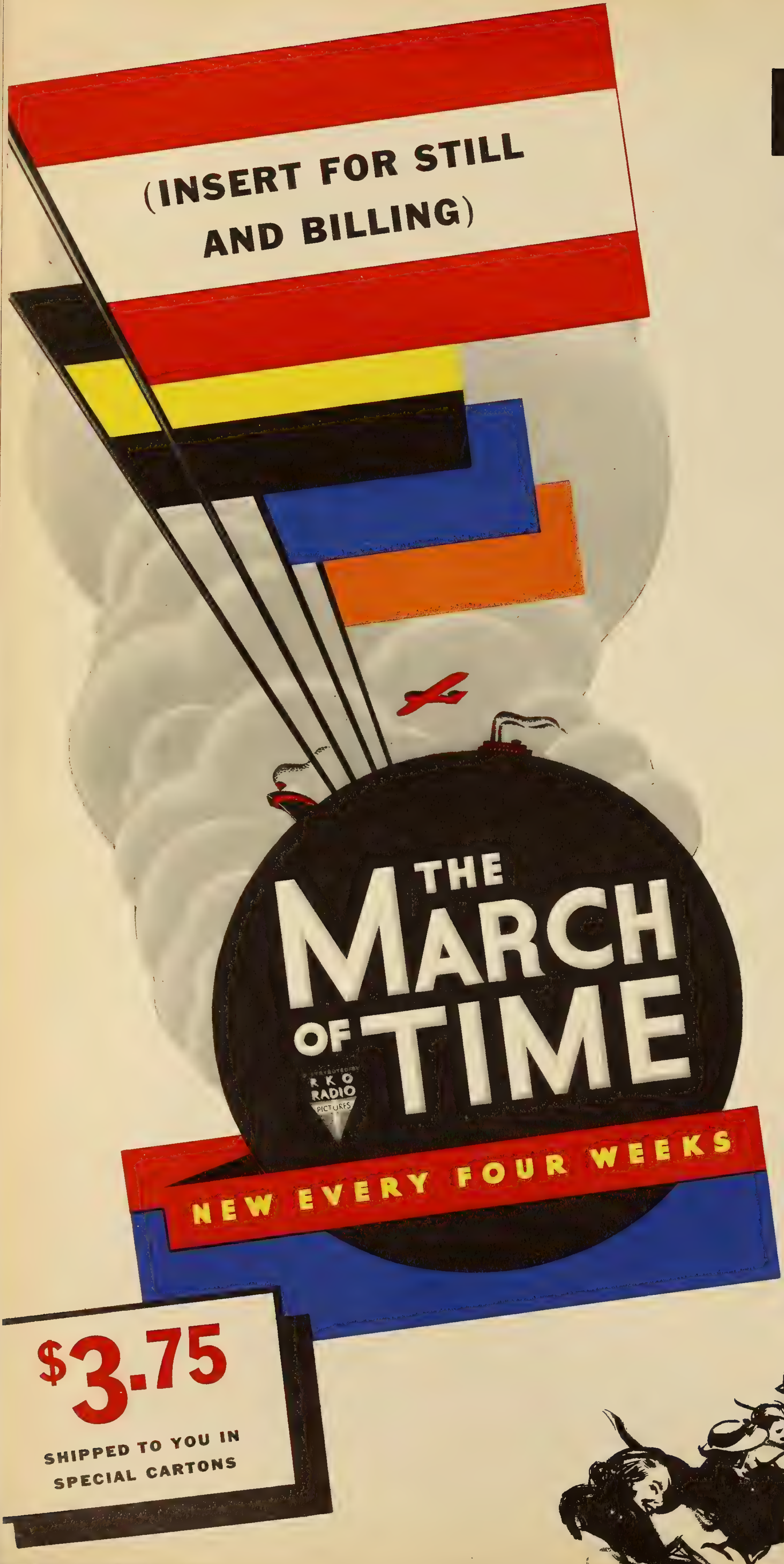
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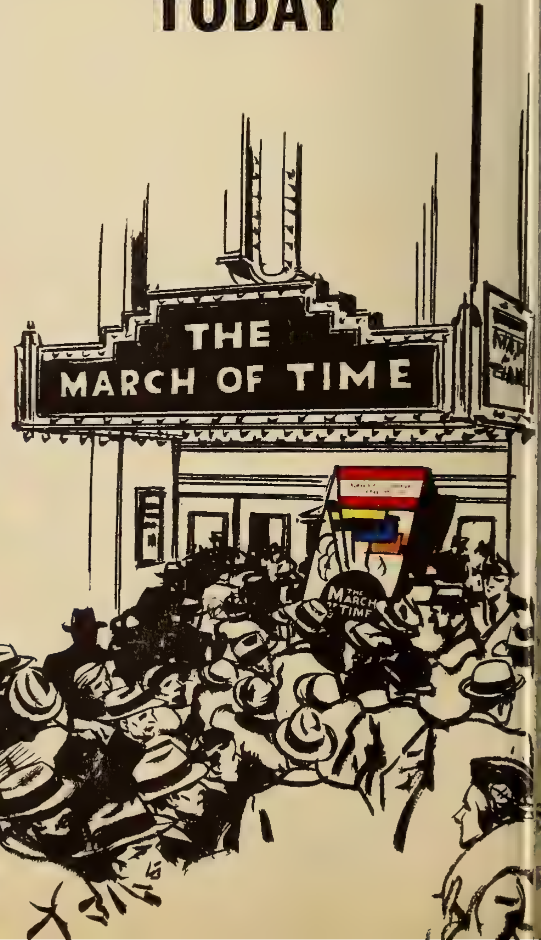
THE MARCH OF TIME

"Secretary," Revue Prove St. Paul Hit

MINNEAPOLIS, Feb. 25. — "More Than A Secretary" with "Spices of 1937" playing the boards, grossed $10,000 at the St. Paul Orpheum where a price jump helped smash a $4,000 par.

"On The Avenue" at the Minnesota, where $10,000 is par, brought in $12,000 while "Champagne Waltz" moved into the Paramount after a week in Minneapolis and scored $500 over the usual take of $5,500.

A twin bill "Jungle Princess" and "The Longest Night," clipped off a $500 boost over a normal of $1,500 at the Tower. Spring-like weather for three days aided evening grosses in all houses.

Total first run business in Minneapolis was $28,000. Average is $28,500. Total first run business in St. Paul was $20,000. Average is $14,500.

Estimated takings:

Minneapolis:

Week Ending Feb. 17:

"CHARLIE CHAN AT THE OPERA" (20th-Fox)
"MIND YOUR OWN BUSINESS" (Para.)
STATE—(2,400), 25c-40c, 7 days. **Gross:** $5,000. (Average, $5,500)

Week Ending Feb. 18:

"ON THE AVENUE" (20th-Fox)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $12,000. (Average, $10,000)

"BLACK LEGION" (W.B.)
ORPHEUM — (2,900), 25c-40c, 7 days. **Gross:** $4,000. (Average, $6,000)

"THREE SMART GIRLS" (Univ.)
WORLD—(400), 25c-35c, 7 days, 7th week extended from Century. **Gross:** $2,000. (Average, $2,000)

"LLOYDS OF LONDON" (20th-Fox)
CENTURY—(1,600), 25c-40c, 7 days, 2nd week extended from Minnesota. **Gross:** $5,300. (Average, $5,000)

St. Paul:

Week Ending Feb. 18:

"MORE THAN A SECRETARY" (Col.)
ORPHEUM — (2,000), 35c-55c, 7 days. Stage: Count Berni Vici and "Spices of 1937." **Gross:** $10,000. (Average, $4,000)

"SINNER TAKE ALL" (M-G-M)
"CAN THIS BE DIXIE?" (20th-Fox)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $2,000. (Average, $3,500)

"CHAMPAGNE WALTZ" (Para.)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)

Week Ending Feb. 19:

"THE LONGEST NIGHT" (M-G-M)
"JUNGLE PRINCESS" (Para.)
TOWER—(1,000), 25c-40c, 7 days. **Gross:** $2,000. (Average, $1,500)

Carl Reese Quits G. N.

OMAHA, Feb. 25.—Carl Reese, Grand National branch manager here since last fall, has resigned to return to his former job as salesman for 20th Century-Fox. Naming of his successor awaits the arrival of James Winn, western sales manager.

Hymie Novitsky, 20th Century-Fox salesman for 10 years, has been appointed manager of the Republic-Midwest exchange, replacing J. E. Judd. Judd returns to Des Moines to assist Elmer Tilton in the Republic exchanges of the two cities.

Would Close St. Louis

ST. LOUIS, Feb. 25.—Alderman Nick Reidy has introduced an ordinance providing for a complete ban on Sunday labor, except for absolute necessity and charity. If passed, it would close all theatres. Opposition is being marshalled.

"Lloyds" $13,500 Cincinnati Leader

CINCINNATI, Feb. 25. — Although bookings still are more or less disarranged since theatres reopened following the flood, business continues to build nicely. "Lloyds of London," leader of last week's list, got $13,500 on an eight-day run at the RKO Palace, where average for seven days is $10,000. It was moved to the RKO Capitol.

"Accused," plus "Scandals of 1937" on the RKO Shubert stage, upped par by $1,000 on a $13,000 take. "Champagne Waltz" broke even with $12,000 at the RKO Albee, and was continued at the RKO Grand.

Total first run business was $56,200. Average is $58,700.

Estimated takings:

Week Ending Feb. 15:

"CHAMPAGNE WALTZ" (Para.)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $12,000. (Average, $12,000). Moved to RKO Grand.

Week Ending Feb. 17:

"LLOYDS OF LONDON" (20th-Fox)
RKO PALACE—(2,700), 35c-42c, 8 days. **Gross:** $13,500. (Average, 7 days, $10,000). Moved to RKO Capitol.

"ACCUSED" (U. A.)
RKO SHUBERT—(2,150), 40c-60c, 7 days. Stage: "Scandals of 1937." **Gross:** $13,000. (Average, $12,000)

"HOLY TERROR" (20th-Fox)
RKO CAPITOL—(2,000), 35c-42c, 7 days. **Gross:** $4,700. (Average, $6,500)

"MORE THAN A SECRETARY" (Col.)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $5,000. (Average, $6,500)

"THE PLAINSMAN" (Para.)
RKO GRAND—(1,200), 25c-40c, 4 days, 3rd downtown week. **Gross:** $1,800. (Average, 7 days, $2,750)

"GUNS OF THE PECOS" (F. N.)
RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,200. (Average, $1,250)

"NIGHT WAITRESS" (Republic)
RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,000. (Average, $1,200)

"A MAN OF AFFAIRS" (G. B.)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $4,000. (Average, $6,500)

"Lloyds" Dual Big In Omaha, $9,300

OMAHA, Feb. 25.—"Lloyds of London," on a double with "Career Woman," led the parade with a take of $9,300 at the Orpheum. Par is $7,200.

"Three Smart Girls," which played the Orpheum some time ago with a stage bill, was brought back to the Omaha with "Dangerous Number" and had a big week, the gross of $7,400 topping average by $1,900.

Only the Brandeis slipped, "Condemned Row" and "We're on the Jury" dropping $400 below par.

Mild winter weather prevailed, but the Golden Gloves boxing tournament sponsored by the Omaha *World-Herald* provided stiff outside attraction.

Total first run business was $20,300. Average is $16,700.

Estimated takings:

Week Ending Feb. 16:

"THREE SMART GIRLS" (Univ.) (2nd Run)
"DANGEROUS NUMBER" (M-G-M)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $7,400. (Average, $5,500)

Week Ending Feb. 17:

"CONDEMNED ROW" (RKO)
"WE'RE ON THE JURY" (RKO)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $3,600. (Average, $4,000)

Week Ending Feb. 18:

"LLOYDS OF LONDON" (20th-Fox)
"CAREER WOMAN" (20th-Fox)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $9,300. (Average, $7,200)

Three Films with Revue Lincoln Top

LINCOLN, Feb. 25.—With a big boost from the A. B. Marcus show, "La Vie Paree" on the stage, the Orpheum with three films on seven days bounded to a new house record, $5,000, over par by $3,250. The pictures were "Off to the Races," "August Week-end" and "Criminal Lawyer."

"Camille" sank after a good start. The finish was $100 below average at $3,000. The Lincoln had three—"Hideaway Girl," "Jungle Princess" and "Valiant" for $2,700, $500 up.

"A Midsummer Night's Dream" came out $650 ahead on a $1,750 take.

Total first run business was $13,400. Average is $9,000.

Estimated takings:

Week Ending Feb. 17:

"EMPTY SADDLES" (Univ.)
"GLASS KEY" (Para.)
"ARIZONA MAHONEY" (Para.)
"MESSAGE TO GARCIA" (20th-Fox)
LIBERTY—(1,200), 10c-15c, 7 days. **Gross:** $950. (Average, $850)

Week Ending Feb. 18:

"HIDEAWAY GIRL" (Para.)
"JUNGLE PRINCESS" (Para.)
"VALIANT IS THE WORD FOR CARRIE" (Para.)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,700. (Average, $2,200)

"OFF TO THE RACES" (20th-Fox)
"AUGUST WEEKEND" (Chesterfield)
"CRIMINAL LAWYER" (Radio)
ORPHEUM—(1,350), 10c-15c-20c-25c-35c-40c-55c, 7 days. Stage: "La Vie Paree," the A. B. Marcus show, three days. **Gross:** $5,000. (Average, $1,750)

"MIDSUMMER NIGHT'S DREAM" (W.B.)
VARSITY—(1,100), 10c-20c-25c-35c, 7 days. **Gross:** $1,750. (Average, $1,100)

Week Ending Feb. 19:

"CAMILLE" (M-G-M)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $3,000. (Average, $3,100)

"Jury" and Vallee $21,000, Buffalo

BUFFALO, Feb. 25.—Despite a cool reception by the critics, Rudy Vallee's unit, on the stage at the Buffalo, boosted "We're on the Jury" into top place. It grossed $21,000, beating average $9,000.

"The Holy Terror" and "Charlie Chan at the Opera" paid heavy dividends at the Century with a $12,000 take, more than doubling the $5,800 par. "That Girl from Paris," playing the Great Lakes, pulled $9,000, over the line by $1,700.

"Man of the People" and "Under Your Spell," dualed at the Hippodrome and "Man of Affairs" and "Love Letters of a Star," at the Lafayette, just made the grade. They drew $7,500 and $6,000 respectively. The weather was fair and mild.

Total first run business was $55,500. Average is $38,400.

Estimated takings for the week ending Feb. 20:

"WE'RE ON THE JURY" (Para.)
BUFFALO — (3,000), 30c-50c, 7 days. **Gross:** $21,000. (Average, $12,000)

"MAN OF THE PEOPLE" (M-G-M)
"UNDER YOUR SPELL" (20th-Fox)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $7,500. (Average, $7,300)

"THAT GIRL FROM PARIS" (RKO)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $9,000. (Average, $7,300)

"THE HOLY TERROR" (20th-Fox)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
CENTURY—(3,000), 25c, 7 days. **Gross:** $12,000. (Average, $5,800)

"MAN OF AFFAIRS" (G.B.)
"LOVE LETTERS OF A STAR" (Univ.)
LAFAYETTE — (3,300), 25c, 7 days. **Gross:** $6,000. (Average, $6,000)

"Shakedown," Ellington Big Seattle Draw

SEATTLE, Feb. 25.—"Shakedown," with Duke Ellington and his band, did four days of sensational business at the Palomar, the take going to $5,100. Normal for seven days is $4,500. For the last three days of the week "Love Letters of a Star" and a vaudeville show took $2,000.

"On the Avenue" and "Crack-Up" rolled up $7,400 at the Music Hall, topping normal by $1,400. The combination was held. "Lloyds of London" and "We're On the Jury" held up to $7,200 in the second week at the Fifth Avenue and were moved to the Blue Mouse.

Total first run business was $45,250. Average is $47,000.

Estimated takings for the week ending Feb. 19:

"STOLEN HOLIDAY" (F. N.)
"UNDER COVER OF NIGHT" (M-G-M)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Paramount. **Gross:** $3,200. (Average, $4,000)

"LLOYDS OF LONDON" (20th-Fox)
"WE'RE ON THE JURY" (Para.)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days, 2nd week. **Gross:** $7,200. (Average, $7,000)

"REMBRANDT" (U. A.)
"COUNTERFEIT LADY" (Col.)
LIBERTY—(1,800), 25c-40c-55c, 7 days. **Gross.** $4,400. (Average, $5,000)

"ONE IN A MILLION" (20th-Fox)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 7th week, extended run from Orpheum. **Gross:** $3,950. (Average, $4,000)

"ON THE AVENUE" (20th-Fox)
"CRACK-UP" (20th-Fox)
MUSIC HALL—(2,275), 25c-40c-55c, 7 days. **Gross:** $7,400. (Average, $6,000)

"DANIEL BOONE" (RKO)
"HATS OFF" (G.N.)
ORPHEUM—(2,450), 25c-35c-40c, 7 days. Vaudeville headed by Ted & Al Waldman. **Gross:** $6,200. (Average, $6,000)

"SHAKEDOWN" (Col.)
PALOMAR — (1,500), 25c-35c, 4 days. Stage: Duke Ellington's Band. **Gross:** $5,100. (Average, 7 days, $4,500)

"LOVE LETTERS OF A STAR" (Univ.)
PALOMAR — (1,500), 25c-35c, 4 days. Stage: Vaudeville headed by Don Julian & Marjorie. **Gross:** $2,000. (Average, 7 days, $4,500)

"BLACK LEGION" (W.B.)
"MAMA STEPS OUT" (M-G-M)
PARAMOUNT — (3,050), 25c-35c-40c, 7 days. **Gross:** $5,800. (Average, $6,000)

Revive Plans for 3 Houses at Ontario

TORONTO, Feb. 25.—They're still going to have three new theatres in one neighborhood on the outskirts of London, Ont. A few days ago the promoter of the Mayfair announced that he would not go ahead with the project, leaving the field to two other organizers. However, the King Construction Co. of Strathroy, Ont., has since taken out a permit for the erection of a third theatre in the London locality, the firm to operate the theatre after completion. All three theatres have an estimated cost of $40,000 each.

Regina Molseed Moves

OMAHA, Feb. 25.—Regina Molseed secretary of the Film Board of Trade and manager of the M. P. Exhibitors' Ass'n, the organization of 27 theatres co-operating in holding Bank Night here, has moved offices of both organizations to the City National Bank Bldg.

Hearing Set On New Pact For Orpheum

(*Continued from page* 1)

are canceled under the proposed new agreement.

The trustee's petition sets forth that the present value of Orpheum Circuit is estimated to be $2,800,000. Stadium last week acquired clear title to the Orpheum assets for $700,000 cash and the surbordination of more than $3,000,000 of claims against the circuit. The transfer was attacked by a committee of Orpheum preferred stockholders which had made a competitive bid of $2,000,000 cash for the assets and asked for a review of the proceedings which gave title to Stadium.

Federal Referee Oscar W. Ehrhorn yesterday filed reasons for accepting the Stadium bid and declining to permit the preferred stockholders of Orpheum to intervene in the RKO reorganization proceedings for the purpose of opposing the RKO reorganization plan. A hearing of the stockholders' committee's action was set for March 3 before Federal Judge Murray W. Hulbert.

Points to Stadium Acceptance

Referee Ehrhorn pointed out that Orpheum creditors with a majority of claims against the company voted to accept Stadium's offer and that, in addition, he believed the Stadium offer to be mathematically better for the creditors than the $2,000,000 competitive offer. He also gave as a reason for approving the Stadium bid the fact that no sufficient reason for his not following the creditors' wishes was presented.

Referee Ehrhorn said that intervention of Orpheum in the RKO reorganization proceedings had been refused because Orpheum is a voluntary bankrupt and must be considered insolvent despite the value of its assets. The stockholders' remedy, he said, was to have the bankruptcy proceedings vacated, and failing to do this they had no standing in the proceedings.

Title Transferred On Rogers Hospital

(*Continued from page* 1)

Jones, treasurer of the Memorial Commission.

Participating in the ceremony in addition to Hays and Jones were Major L. E. Thompson of RKO; Harold Rodner, Warners; Y. Frank Freeman, Paramount; C. C. Moskowitz, Loew's; H. M. Warner; George J. Schaefer, United Artists; Jules Brulatour; Ed Kuykendall, M.P.T.O.A.; J. Henry Walters, RKO; Spyros Skouras, National Theatres; Leopold Friedman, Loew's; Truman Talley, Fox Movietone; W. C. Michel, 20th Century-Fox; A. P. Waxman and Captain E. V. Rickenbacker.

In addition to the $1,000,000 sanitarium, the industry's endowed wards in the French Hospital here and the large tract in Kensico Cemetery were turned over to be administered by the Rogers Memorial Fund. Following newsreel takes, the ceremony was repeated for simultaneous broadcasts over WNEW and WINS.

Purely Personal

ED KUYKENDALL, M.P.T.O.A. president, left here last night for Washington. He will go to his home at Columbus, Miss., from there in a few days and thence to Miami for the M. P. T. O. A. national convention, which opens March 16.

•

JACOB FABIAN, founder of the circuit which bears his name, celebrated his 70th birthday today at the home of his son and daughter-in-law, SI and MRS. FABIAN, at Miami Beach.

•

GEORGE SYDNEY, who recently was operated upon for appendicitis in Hollywood, is making steady gains toward recovery, his father, LOUIS K., stated yesterday.

•

SI SEADLER has postponed his trip west for another week. A week at the M-G-M studio, then the Bar-B-H ranch near Palm Springs will be calling.

•

HARRY C. ARTHUR, Jr. will arrive Monday from St. Louis. He was due last Tuesday but delayed his departure from the Mound City.

•

CHARLES R. ROGERS delayed his departure from the Universal studio and is now expected here early next week, probably on Monday.

•

GEORGE ROLAND, director of "I Want to be a Mother," has joined I. ALEXANDRE in starting a school of dramatic arts.

•

HOWARD S. CULLMAN, trustee of the Roxy, is due back today from a vacation in the Bahamas.

•

ANNA WEISS, secretary to HARRY M. WARNER, is at home ill.

•

MARVIN SCHENCK has returned from his Florida vacation.

•

LOUIS SHURR, agent, plans his own office in Hollywood.

•

ZASU PITTS will leave for the coast today.

ED THORGENSEN of Movietone News and LEONARD GAYNOR of the 20th Century-Fox publicity department will attend the annual dinner of White House correspondents in Washington Saturday night.

•

NORMAN H. MORAY, Vitaphone short subject sales manager, will arrive today in Cincinnati for a two-day stay. His next stop will be Indianapolis.

•

V. VERLINSKY, president of Amkino, has left for Hollywood. He will stop at Cleveland, Chicago and other cities en route.

•

JOE KATSCH of the Springer and Cocalis circuit, back from a short South American cruise.

•

CAB CALLOWAY is set for a 12-week tour of film houses, starting March 18.

•

LOU IRWIN has signed DANA SUESSE, song writer, to a contract.

. . . Washington

DON MACFARLANE is the new assistant manager of the Earle.

BARRETT KIESLING was a visitor.

JOSEPH J. OULAHAN, Paramount branch manager in Cincinnati, was a visitor.

LOUIS BERNHEIMER and FRANK STORTY are vacationing in Florida.

NATE SAUBER, Universal branch manager in Buffalo, renewed local acquaintances.

RUBIN BRENNER is the new Hollywood exchange branch manager, coming here from Philadelphia.

MRS. CARTER T. BARRON, wife of Loew's eastern division manager, is recovering from a serious operation.

MRS. SAMUEL N. WHEELER, wife of Twentieth Century-Fox's branch manager, is recuperating from pneumonia.

Andrew Stone Signs Two

HOLLYWOOD, Feb. 25. — Andrew Stone has signed Grace Bradley and Robert Armstrong for the leads in "Broadway Chiselers."

Out Hollywood Way

HOLLYWOOD, Feb. 25. — ALBERT LEWIN, associate of the late IRVING THALBERG, has returned from Europe.

EDWARD L. ALPERSON, Grand National president, expects to remain here until the company takes over the Educational Studio April 1.

WALTER PLUNKETT, at work on costumes for "Gone With the Wind," has returned from the south. . . . Shooting starts on "Wild West Days," 15-episode serial for Universal. . . . BETTE DAVIS' voice temporarily out of commission because of a cold. . . . WALTER WANGER received award from Fourth International Cinema Congress for "Trail of the Lonesome Pine."

✚

Casting—ROBERT LOWRY in "Wake Up and Live" and JACK HALEY in "She Had to Eat," 20th Century-Fox. . . . JOAN DAVIS in the next untitled JANE WITHERS film, same studio. . . . LOIS JANUARY in "The Woman's Touch," SAMUEL GOLDWYN. . . . LINDA PERRY spotted in "The Deep South," Warners, and KATHARINE ALEXANDER in "As Good as Married," same studio. . . . FRANK MCGLYNN, JR., FRANK YACONELLI, AL BRIDGES, CHARLES STEVENS and ROBERT KORTMAN cast in "Wild West Days," Universal.

✚

Writers—WILLIAM SLAVENS MCNUTT signed to long-term pact by Radio. . . . CARROL GRAHAM signed by B. F. ZEIDMAN to do dialogue for his own adaptation of "Sweetheart of the Navy." . . . Radio has 41 writers working on 28 screenplays, a new high for the studio. . . . THOMAS MITCHELL assigned to "Life Begins with Love," Columbia.

✚

Options—MARY MACGUIRE's option lifted by Warners, and she is assigned to "MAZURKA." . . . BONITA GRANVILLE given term pact by Radio and she is assigned to "The Story of Emile Zola."

Broadway Admission Taxes Off $282,700

WASHINGTON, Feb. 25.—Admission tax collections in the Broadway sector showed a drop of approximately $282,700 between December and January, that one district accounting for nearly half of the $589,000 loss recorded for the country as a whole, it was disclosed today by the Bureau of Internal Revenue.

Figures prepared for the MOTION PICTURE DAILY by the bureau showed that collections in the third New York district for January were $498,924 out of a national total of $1,505,676, compared with $781,641 out of a total of $2,194,585 in December.

Nearly all of the loss in New York collections was in box-office admissions, from which only $425,863 was secured in January against $703,180 in December.

Other collections during the month included $10,374 from free or reduced rate admissions, against $3,053 in December; $13,345 on tickets sold by brokers, against $14,804; $2,897 on tickets sold by proprietors in excess of the established price, against $1,468; $9.66 on permanent use or lease of boxes and seats, against $988, and $46,435 on admissions to roof gardens and cabarets, against $58,148.

Only One Minsky

A spokesman for Herbert Kay Minsky, burlesque impresario, stated yesterday his principal operates only the Oriental here in New York and not 10 houses, as reported in MOTION PICTURE DAILY from Washington yesterday. His statement before the Dickstein committee that "stripping is definitely an American art," however, stands.

Famous Books Vaudeville

LINCOLN, Feb. 25.—Wilbur Cushman's vaudeville circuit became international with the signing of Famous Players Canadian time. The starting date is March 10.

Wall Street

Paramount-Loew's Continue Board Gain

	High	Low	Close	Net Change
Columbia	36	35½	35⅝	+ ⅛
Consolidated	4⅞	4⅝	4⅝	.....
Consolidated, pfd.	16⅞	16⅛	16⅛	— ⅜
Eastman	170¾	170¾	170¾	+ ¾
Gen. T. Equip.	31	30¾	31	.....
Loew's, Inc.	76¼	74⅛	76¼	+2
Loew's, pfd.	106⅞	106½	106½	s15
Paramount	25¾	25⅛	25¼	+ ⅛
Paramount 1 pfd.	179¾	177⅛	179	+4¼
Paramount 2 pfd.	23⅜	22⅞	23	.....
Pathe Film	9⅛	8¾	8¾	— ⅜
RKO	8¾	8½	8½	— ⅛
20th Century-Fox.	34¼	33¾	33⅞	— ⅛
Universal, pfd.	100	100	100	—1
Warner Bros.	15⅝	15	15	— ⅜

Fractional Curb Movement

	High	Low	Close	Net Change
Grand National	3⅜	3⅜	3⅜	— ⅛
Sonotone	2⅛	2	2⅛	+ ⅛
Technicolor	19½	19	19	— ⅝
Trans-Lux	5⅛	4⅞	5	+ ⅛

Uneven Bond Trading

	High	Low	Close	Net Change
Keith B. F. 6s '46	98⅝	98½	98⅝	.....
Loew's 3½s '46	100	99¾	99¾	— ¼
Paramount B'way 3s '55	74½	74	74	— ½
Paramount Pict. 6s '55	101¼	100⅞	101¼	+ ⅛
RKO 6s '41 pp.	118	118	118	.....
Warner Bros. 6s '39 wd.	98⅝	98⅛	98¼	+ ¼

(Quotations at close of Feb. 25)

USED IN NINE OF
"1936's BEST TEN"

ALL but one of the ten pictures chosen in the *Film Daily's* 1936 critics' poll were made on Eastman Super X Panchromatic Negative. Unquestionably this famous film contributes substantially to the artistry and entertainment value of every production in which it is used. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

Congress May Act on Radio This Session

By BERTRAM F. LINZ

Washington, Feb. 25.—Legislation further amending the communications act may be introduced in Congress before the end of the session, if the pressure of other business is not too great, it was learned today.

High points of such legislation would be the giving of authority to the F. C. C. to control the advertising content of programs and also to suspend licenses for a period of two weeks to six months for violation of the regulations. At present the commission has no power whatever over programs, nor can it impose any penalty for violations except to revoke licenses, a step which is felt to be too drastic in the great majority of cases.

The legislation also may include provisions for the imposition of fees for licenses, etc., designed to make the commission self-supporting. Several proposed schedules have been submitted to Congress from time to time, the amount of fee being on power, frequency and time of operation of a station, but there is said now to be under consideration a percentage tax on advertising income as most equitable.

Kelvinator Details Out

Details of the contest which will usher in the Nash-Kelvinator Co's. "Professor Quiz" series March 6 over CBS are now at hand. The prize will be a completely equipped "Kelvinated" home. The winner will be allowed to select the site of the lot and his own architect; Nash-Kelvinator will build and furnish the home.

Entry blanks will be made available to contestants at Nash-Kelvinator stores only. It will be a "missing word" contest.

Three Score Club on Air

WMCA put the annual dinner of the Three Score and Ten Club of Greater New York on the air last night. The party was held at the St. George Hotel, Brooklyn, with Emily Klein, president, back after an illness.

All the members of the Club are 70 years old, except for a few junior members who have passed 65. Mrs. Klein was mistress of ceremonies.

McCosker in from Vacation

Alfred J. McCosker, head of the Mutual network, returned to his desk yesterday after spending the past two weeks in Florida, vacationing.

Receive Army Praise

Cincinnati, Feb. 25.—Nineteen local amateur radio operators have received letters of praise from Major F. W. Gano, military assistant to Lieut. Col. D. O. Elliott, U. S. District Engineer, for their "gallant work" during the recent flood. In many cases their instruments were the only links with the outside world.

Reallocation of Radio Stations Awaits F.C.C. Engineers' Report

By CLARENCE LINZ

Washington, Feb. 25.—Members of the F. C. C. are awaiting only the submission of final reports on the October broadcasting hearings from their engineers to undertake the reallocation of broadcasting stations, it was learned today.

Definite assurance that there will be a reallocation has been given by Anning S. Prall, chairman of the commission. However, it has been made known, superpower stations, operating with 500,000 watts, will not be authorized until an exhaustive study has been made, not only of the possible interference with weaker stations but also of the possible concentration of advertising among a few broadcasters to the detriment of the many.

Burns, Allen Said To Prefer CBS Deal

Burns and Allen are reported to be holding out for a CBS network, rather than NBC, when they switch over to General Foods for a new series starting early in April. This perhaps explains why Young and Rubicam have been unable to announce a definite starting time and broadcast period for the new show, other than that it will be an NBC series.

Burns and Allen have been broadcasting for five years, all on CBS. They have made only occasional guest appearances on NBC.

Order One-Time Program

An order for a one-time broadcast over WJZ was placed yesterday by Lord and Taylor, department store, through the James R. Flannagan agency. The broadcast will be heard March 1 from 7:15 to 7:30 P. M. and will feature a style talk by Dorothy Shaver, vice-president and director of fashions for the store. "Clothes Are Really Different This Spring," will be the title.

"Dude Ranch" to Be Dropped

The General Foods Corp. "Log Cabin Dude Ranch" program, heard Tuesdays from 8 to 8:30 P. M., E.S.T. on the NBC-Blue network, will not be renewed when its present contract expires March 23, it has been learned. Benton & Bowles handles this program.

Sonny Kendis on WMCA

Sonny Kendis' orchestra will be heard over WMCA every Monday, Wednesday and Friday at 6:45 P. M., beginning March 1. They are replacing Stuff Smith's orchestra for the Lucidin Co.

Sheffield Series Renewed

Sheffield Farms Co., Inc., has renewed its local series on WEAF for a 52-week period beginning March 22. The program is aired Mondays through Fridays from 6:45 to 7 P. M., E.S.T. N. W. Ayer & Son is the agency.

Libby Gets "We Are Fours"

Beginning March 1, Libby, McNeil and Libby will take over sponsorship of the Mutual network serial, "We Are Fours." The program is aired Mondays through Fridays, emanating from WGN, Chicago.

Landau & Small Handle Gary

Landau and Small, coast agents, are now representing Sid Gary for pictures.

Ruby Cowan, N.B.C., Goes to Paramount

Hollywood, Feb. 25.—Ruby Cowan, NBC executive in New York, has been contracted by Paramount and will join the studio staff supervising radio contacts and co-relating the radio activities of Paramount contract players, thus achieving a better balance between film and radio production.

Use Missing Persons Idea

Hollywood, Feb. 25.—Human interest, timely interviews with men and women seeking loved ones who have disappeared were the novel feature of the "Radio Bureau for Missing Persons," broadcast for the first time in a weekly release over KMTR, from 2.30 to 2.55 P. M. The initial guest speakers were District Attorney Buron Fitts of Los Angeles County and Capt. J. A. Winn, of the Bureau of Investigation. The program was conducted by Robert Dillon, with whom the idea originated.

W. S. Paley to Head East

Hollywood, Feb. 25.—William S. Paley, head of CBS, will entrain for the east Saturday after approving the company's new Hollywood studio and a shift of more programs west. Personnel moves await his return to New York.

Gives Biography a Twist

Hollywood, Feb. 25. — George Fischer, who does "Hollywood Whispers" over KHJ, will introduce a new feature Thursday. A biography of a screen player will be given without mentioning the name. The first 10 people to write in the correct name of the player will receive an autographed picture.

KTUL Remodels Studios

Tulsa, Okla., Feb. 25.—KTUL is now remodeling and adding to its studios. The addition of the new studios has necessitated the shifting of the U.P. news quarters and control room.

Baird at British Fair

London, Feb. 15.—Baird Television is demonstrating its methods and apparatus at the British Industries Fair at Olympia.

Tommy Riggs With WLW

Cincinnati, Feb. 25. — Tommy Riggs, until recently with WTAM, Cleveland, has been added to the WLW staff here, on sustaining programs.

Kate Smith's Time May Be Cut 30 Mins.

The Kate Smith "Bandwagon" program, heard Thursdays from 8 to 9 P. M., E.S.T. on the CBS network, may be cut down to a half-hour for the summer months, it was learned yesterday. Paris and Peart, agency handling the show, and the A. & P. Tea Co. are now huddling on the subject and a definite decision will be made within the next few days.

Sell More News Flashes

Philadelphia, Feb. 25.—Gem Products Sales Co., makers of laundry soap, is the newest addition to the WIP sponsors buying a Transradio news period. Starting Monday for 13 weeks, Gem Products sponsors the news dispatches for a quarter hour on Mondays through Fridays. The account was placed through the Robert M. Clutch Co.

Matt Enters Politics

Philadelphia, Feb. 25.—M. Leonard Matt, WDAS news commentator, has thrown his hat in the political ring. He has been slated by the Republican forces to run for city controller. Apart from his radio work, Matt is assistant city solicitor.

Get Jobs with Air Programs

Salt Lake City, Feb. 25.—KDYL has inaugurated a new series of "Wanted—a Job" broadcasts in 15-minute periods Tuesday nights at 6:30 P. M., M. S. T. The programs are presented with the cooperation of the National Re-Employment Service. Eight applicants in various fields are presented and interviewed by Announcer Dave Simmons. Employers are asked to call or write.

Plan Mexican Station

Mexico City, Feb. 20.—The National University of Mexico, which was founded in 1553, is to inaugurate a short-wave radio station here March 1. The station will be non-commercial. Any form of trade publicity is banned from its programs.

Day Line to Go on WEAF

The Hudson River Day Line will sponsor a 15-minute program on WEAF only, from 7:30 to 7:45 P. M. beginning March 17. The contract is for 13-weeks. Wendell P. Colton Co. is the agency.

Reconsider Utah Plea

Salt Lake City, Feb. 25.—The F. C. C. has considered for a second time the application of the Richfield Broadcast Co. for permission to construct a station at Richfield, Utah, to operate on 1,370 kilocycles with 100 watts power.

Jrs. Up to Five

Indianapolis, Feb. 25.—Two more juniors have been added to WIRE. They are William (Billy) Frosch Jr., announcer, son of an Indianapolis business man, and George H. Engelter Jr., traffic manager, son of a North Dakota lumber man. This makes a total of five with "Jr." after their names.

Five-Year Broadcast License Aim of Bill

Washington, Feb. 25.—A minimum license period of five years for broadcasting stations is proposed in a bill introduced in Congress by Representative Anderson of Missouri.

The bill would make it mandatory upon the F. C. C. to issue licenses for at least the minimum period. At present, while the law authorizes a longer license period, the commission is limiting licenses to six months.

Ben Bezoff Joins KLZ

Oklahoma City, Feb. 25.—Ben Bezoff, formerly with KLZ, Denver, has joined the news staff of WKY here. Bezoff will also assist on programs.

Charles M. Higgins has joined the promotion staff of the Oklahoma Publishing Co. He has been with the San Francisco *News* and Washington *News*. The promotion department of the publishing company does promotion for WKY, here; KLZ, Denver; and KVOR, Colorado Springs, Col.

Start Soon on KOIL Tower

Omaha, Feb. 25.—Central States Broadcasting Co. will let contracts soon for a 300-foot steel tower for KOIL to replace present equipment now in Council Bluffs.

The tower, which will increase the free-of-fading area of the station several times, will be located near the Missouri river. Recently the F.C.C. gave KOIL permission to increase daytime power from 2,500 to 5,000 watts. Night time power stays at 2,500.

Myers Buys Apartments

Omaha, Feb. 25.—Chief Engineer Walter F. Myers of WAAW has purchased for $25,000 the three-story, 12-unit Maryana apartments here from the Penn Mutual Life Insurance Co. The apartments, erected shortly after the war, were remodeled a year ago.

One Man Show Now Two

Omaha, Feb. 25.—"Yours Truly, Mr. Dooley," the one-man show broadcast from WOW thrice weekly at 5:15 P. M. Monday, Wednesday and Friday, has become a two-man show with the addition of Staff Announcer John K. Chapel to help Dooley. The program also is being sponsored now by Fels-Naptha soap.

Test Brings 6,000 Letters

Omaha, Feb. 25. — News Editor Foster May of WOW has received 6,000 laudatory letters for his "Man on the Street Program," Chevrolet-sponsored, as result of a recent test request. May also has been promoted to assistant program manager for WOW.

WHB Starts a New Series

Kansas City, Feb. 25.—WHB has inaugurated a new series of programs for Monday, Wednesday and Friday afternoons. "Tune-Craft" features "The Old Traveler," who tells a short short story on each program.

Tella on KSO and KRNT

Des Moines, Feb. 25.—Dick Tella, known as a vocalist on the Breakfast Club program in Chicago over NBC, yesterday began broadcasting over both KSO and KRNT on nine 15-minute programs each week that are sponsored by the Cownie Fur Co., Des Moines.

◂ *Radio Personals* ▸

IRV BRECHER, script writer for Milton Berle, has appointed Irving Mills his personal manager to consider film offers . . . Sid Solomon will broadcast twice weekly from the Hollywood Restaurant via WHN beginning Saturday . . . Zasu Pitts has been signed to guest appear on the Sealtest "Saturday Night Party" this week . . . Art Shepherd, WMT's "Question Man," is the father of a six-pound baby daughter, Judith Ann . . . Willie Morris will be one of the contestants on the "Metropolitan Auditions of the Air" this Sunday . . .

✚

Betty Wragge will be film-tested by M-G-M. Betty's star of the "Pepper Young Family" serial heard on both NBC networks . . . Jack Oakie may be missing from the airlanes this summer, 'tis reported. The sponsor is reported seeking a much less pretentious and expensive program than the present costly setup for July, August and September . . . It'll probably be Lud Gluskin's orchestra on the forthcoming Ken Murray show . . . Dorothy Parker has finished a radio script which several prospective sponsors are now reading . . .

✚

Tommy Mack, of the Milton Berle program, has signed a seven-year contract with RKO . . . Duke Ellington will be featured on the CBS "Saturday Night Swing" show March 13 . . . WNEW will broadcast exclusively the national indoor tennis championships beginning Saturday. Earl Harper will handle the descriptions . . . Rosaline Green returns to the "Hour of Charm" program March 1 as mistress of ceremonies. She was featured in the same role on this program last year . . . Hugh Herbert set for a guest appearance on Jack Oakie's program next Tuesday . . . Estelle Taylor will be interviewed on the "Varieties" program over WOR this Sunday at 3 P. M. . . .

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The Chicago Town Pump

Chicago, Feb. 25.—Tom Fizdale is back at his desk after submitting to two minor operations . . . Charles Gilchrist, radio editor of the *Chicago Daily News*, addressed members of Sigma Delta Chi, journalistic fraternity, on the subject, "Why a Radio Page?". . . The Melody Kings is the name of a new instrumental quartet which makes its bow over WJJD starting March 1 . . . Speaking from Washington, J. Edgar Hoover will be part of the "With Other People's Money" program over WBBM. The speech will come by direct wire for release here . . . John Weigel, CBS announcer, is the owner of a grocery store on the North Side and spends his spare time clerking there . . . *The Farm Journal* will carry a radio page starting with the March issue. John Canning, Jr., will edit . . . Arch Oboler, author of "Lights Out," marries Eleanor Helfand, University of Chicago co-ed. They leave this week on a trip to New England . . .

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Eilers, Arlen with Winninger

Hollywood, Feb. 25.—Sally Eilers and Richard Arlen will join Charles Winninger in an ether version of "Cappy Ricks" on the Lux show March 1 . . Lou Weiss, manager of KHJ, has been made an auxiliary member of the L. A. Police Dept. Chief of Police Davis decorated him with the necessary breast plate . . . Bryan Field, turf reporter for the Mutual network, has arrived to assist Fred Graham on the Santa Anita Handicap Saturday . . . Morton Downey has left for Memphis for personal appearances at the General Motors show and thence to St. Louis and return. . . .

Lud Gluskin, musical director for CBS, is now conducting auditions for a tenor or baritone under 25 to develop for important programs . . . Burns and Allen will do their stuff on the next two "Hollywood Hotel" shows . . . Paul McClure, assistant sales manager for NBC, is here from Chicago for vacation and a film dicker . . . Marian Talley has sold her Kansas City home . . . The reason Lum and Abner didn't get in their usual stunt Monday was due to the Santa Anita Derby which ran overtime. The duo have it written in their contracts that they do not appear if their scheduled time is three minutes over . . . Adolphe Menjou will be a guest star of Jack Benny on March 2 and Ben Bernie on March 9.

Bernie to Drop Band

Ben Bernie will drop his dance band March 15 to devote his full time to radio and films, according to word received here from Hollywood. He will use NBC studio bands thereafter for his broadcasts.

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San Francisco Reporting

San Francisco, Feb. 25.—Cliff Anderson, NBC program traffic manager, is receiving those congratulations. Reason: Donna Lou, six-pound daughter . . . Howard Eastwood has been named accompanist on Dean Maddux's "Buddha" amateur program on KFRC. He replaces Clifford Souze who goes to KSFO . . . Hugh Barrett Dobbs, "Captain Dobbsie," is handling a series of 15-minute dramatizations over KYA on behalf of the Civic Welfare League, which is opposed to repeal of the anti-picketing ordinance, a measure now up for decision in next month's city elections.

Comic Strips, Show Basis

Omaha, Feb. 25.—A KOIL cast headed by Announcer Don Kelly as "Uncle Don" and directed by Arthur Faust, has launched a new 9 A. M. Sunday program dramatizing comics from *The Sunday Omaha Bee-News.* Promotion Manager Bill Wiseman of the *Bee-News* arranged the half hour program, which is being sponsored by Wolf Bros. Clothing Co.

Center Quits WORL

Boston, Feb. 25.—Edward Center, program director for WORL, has resigned to enter film exhibition. His place has been filled by Stanley Schultz, formerly with the Yankee Network.

King Joins WHN

Boston, Feb. 25.—Ned French has replaced Art King as announcer at WHDH, King having resigned to join the staff of WHN, New York.

Tastyeast Program To Fade on Mar. 25

The troubles of the Tastyeast Candy Co.'s NBC program are almost at an end, for the series will fade from the air with the broadcast of March 25. It is broadcast Tuesdays, Wednesdays and Thursdays on the NBC-Blue.

The series originally was placed through the J. P. Mueller Co. and featured James J. Braddock in the story of the heavyweight champion's life. In a few weeks Braddock found himself out of the program, then back again for a brief period, and finally out permanently. Meanwhile, the Mueller agency lost the account to the Peck agency.

Recently the Peck agency announced that it had signed the "Tastyeast Jesters" to be featured in the series for 52 weeks. Yesterday it was learned that the agency had forwarded a cancellation notice to NBC, notifying the network that the March 25 broadcast would be the last.

Woodmen Go Musical

Omaha, Feb. 25.—The Sovereign Camp of the Woodmen of the World Life Insurance Ass'n, which owns WOW, has started a musical reveries program at midnight each Sunday over the station.

President DeEmett Bradshaw of the Woodmen personally appears on some of the programs. John K. Chapel, staff announcer who has had three books of verses published, gives readings; Ida Gitlin is vocal soloist and Evelyn Mason, daytime studio hostess, plays the organ.

Time of the broadcast was selected in order to reach Woodmen members in far states.

Radio Show on Radio Inside

San Francisco, Feb. 25. — Pat Kelly at KFRC is currently offering a novel sustainer, the "Radio Round Table" in which the "inside picture" of radio entertaiment is offered through talks by various of the local radio editors.

Bill Holmes of the *Oakland Post-Enquirer* was the first guest with a script about alumni of St. Mary's, Oakland college, who have graduated to radio fame, among them John Nesbitt of NBC, Tony Martin of the films and Burns & Allen's CBS weekly. "Radio Round Table" is aired every Wednesday at 6 P. M. P. S. T.

Prizes for Wits

Racine, Wis., Feb. 25.—"Battle of Wits," a half hour program, appears over WRJN here every Sunday from 3 to 3:30 P. M. under Wesley W. Blish. Five questions are asked five persons during the broadcast and each participant is graded according to replies. The one receiving the highest score is awarded a weekly $5 prize.

At the end of 13 weeks, a semi-final contest is to be held with those winners eligible to participate in a final contest for a grand prize of $150. Questions on the broadcast deal with facts and not opinions.

"Brother Bill" Returns

Philadelphia, Feb. 25.—After an absence of eight months, "Brother Bill' returns to WIP to read the daily funnies in the *Evening Ledger* for the kiddies. The program is a circulation booster for the paper, coming under a time for space swap with the station.

"Don't look now, Leo, but there's somebody wants to talk to you about 'MAYTIME'"!

Watch the headlines from now on!

"MAYTIME" starring Jeanette MacDonald and Nelson Eddy is on the way from M-G-M.

Alert,
Intelligent
and
Faithful
Service to
the Industry
in All
Branches

MOTION PICTURE
DAILY

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

VOL. 41. NO. 48 NEW YORK, SATURDAY, FEBRUARY 27, 1937 TEN CENTS

Radio-Films Not at Odds, Asserts Hays

Denies Pact to Control Stars' Broadcasting

"No differences exist between the film and radio industries," Will H. Hays, M.P.P.D.A. president, said yesterday during a press interview, his first since returning early this week from a seven-week stay in Hollywood during which he met several times with Major Lenox R. Lohr, NBC president, and with other radio officials on the West Coast.

Hays denied that any agreement had been made looking to the control of the apperances of film stars on radio programs or the regulation of their broadcasting activities in order to minimize any possible competition with theatre patronage. In reply to a direct question he said that no future meets between film and radio officials on this subject are planned. The first of such meets was held here last fall, following which it was stated that mutual problems of the two industries

More Radio—Page 4

(*Continued on page* 4)

Nebraska Declares Ban on Bank Night

Lincoln, Feb. 26.—An official opinion declaring Bank Night to be illegal in Nebraska was handed down today to county attorneys by Attorney General Richard Hunter who said that his office would take immediate steps to end the practice. Today's move, which reversed the previous opinion that the game is legal if the participants are not required to purchase tickets, was reached after considering a series of court decisions in several states.

Hunter stated, "We are satisfied

(*Continued on page* 2)

Three-Hour Sit-Down In Detroit Exchange

Detroit, Feb. 26.—The industry's first sit-down strike was instituted here today when film inspectresses, shippers and poster clerks at the 20th Century-Fox exchange stopped work at 10 A. M., declaring that they were paid less than similar employes in other exchanges here.

The strike was short lived, Branch Manager Lester Sturm affecting a settlement in about three hours by conferring with spokesmen for the sit-downers.

Cooperation Assured for MPTOA Program, Says Hays

Distributor cooperation for the M.P.T.O.A. trade practice program is assured, Will H. Hays, M.P.P.D.A. president, said yesterday. Hays was queried on the attitude of member companies of the M.P.P.D.A. toward the trade practice program in view of the recent statement by Ed Kuykendall, M.P.T.O.A president, that he was dissatisfied with the distributors' responses to date and contemplated proposing a new policy to govern M.P.T.O.A. relations with distribution companies at the March meeting of the M.P.T.O.A. board.

Hays lauded the M.P.T.O.A. for what he described as its "constructive approach" to the problems of exhibitor-distributor trade relations and said that a move of that kind by any responsible element deserved and would have the support of the major companies.

Reminded that few significant concessions had been made by any of the seven distribution companies which responded to the M.P.T.O.A. program, Hays offered the observation that it is "not the length but the direction of the step that is important." He said that tangible benefits should result from the consideration which has been given the trade practice program by the distribution companies and

(*Continued on page* 3)

Financing Set

Financing for the new Monogram Pictures was reported to have been completed except for minor details by W. Ray Johnston, president, yesterday. The company will hold its first sales convention this spring and will be in full operation by early summer, according to present plans.

H. M. Crandall Dies from Gas At Washington

Washington, Feb. 26.—Harry M. Crandall, pioneer circuit operator, committed suicide today by inhaling gas in an apartment he had rented six months ago.

In a note to newspapermen he wrote he had none of the usual reasons for the act, "only it is I am despondent and miss my theatres, oh, so much!"

Funeral services will be held from the late residence, 4530 16th St., N.W., at 10:30 A.M., on Monday. Interment will follow in Mt. Olivet Cemetery.

From a modest beginning in 1910, when he opened the El Fresco, Crandall built up a fortune which he later lost. He was owner of the

(*Continued on page* 3)

Building Picks Up About Philadelphia

Philadelphia, Feb. 26.—Inspired by the generally good season, theatre building is proceeding apace here and in adjacent districts.

The newest city project is a 500-seater which Lew Rovner is planning in the Richmond-Kensington section. Though a heavily congested

(*Continued on page* 3)

Georgia Chain Taxation May Hit Theatres

Atlanta, Feb. 26.—Drastic chain tax legislation affecting theatres along with all retail establishments was presented in the Georgia Senate today with its early passage indicated following a victory in the House Thursday.

The bill went through the House after two days of debate. It provides for a levy of $10 to $500 per unit, scaled according to the number of establishments in the chain. Amendments placed theatres within the scope of the measure. Stores are defined as "any store, mercantile establishment or studio, whether stationary or traveling by motor, either of domestic or foreign ownership, in which any goods,

(*Continued on page* 2)

French 40-Hour Week Problem to Industry

By PIERRE AUTRE

Paris, Feb. 16.—The French industry is faced with the serious problem of compliance with a new law, recently passed, calling for a 40-hour week in all industries. The members of the General Syndicate of Cinema Workers, which embraces practically

(*Continued on page* 3)

GB Retains Own Unit in U.S.—Ostrer

But Leaves Way Open to Possible Withdrawal

By BRUCE ALLAN

London, Feb. 26.—In a 90-minute interview with the press at Film House today, Isidore Ostrer stated it was G.B.'s current intention to continue its own distribution in America. However, he left the door open for a change of plans and a withdrawal, dependent upon subsequent events.

G.B. currently is playing in 5,000 American theatres, he explained. The company is viewed by Ostrer as having pioneered in substantially breaking British product into that market. While the gross income has been large, expenses have been heavy with the result that the American net does not now warrant continuance in that market, he added. "We have, however, demonstrated the possibility of selling in America and made it easy for others with good pictures to get money from that market," he said.

Individual G.B. attractions, Ostrer stated further, have grossed as much as $250,000 in the States, but the average gross has been insufficient to cover the portion of negative costs which Ostrer said he felt G.B. was entitled to earn in America.

The deal with General Film Distributors, Ltd., contains no specific arrangement about America, but Ostrer explained it was his intention definitely to carry on there on the basis of

(*Continued on page* 3)

Speeding of Trust Complaints Begun

By CLARENCE LINZ

Washington, Feb. 26.—With the aim of speeding up complaints, a reorganization of the Anti-Trust Division of the Dept. of Justice has been started, the first step having already been accomplished with the creation of a complaint section, it was learned today.

The new setup is designed to ex-

(*Continued on page* 3)

Wisconsin Receives Allied Theatre Bill

Madison, Wis., Feb. 26.—Allied's bill to divorce producers from exhibition has been introduced in the Senate here by the Committee on Corporations and Taxation. Violators of the measure would be subject to a fine of $10,000 and imprisonment of one year.

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WARSAW: Sienna 32; R. Sillei, Representative.

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Plan Hospital Drive

The general sales managers of all major companies were the guests of Major L. E. Thompson yesterday at a luncheon during which were discussed plans for the Will Rogers Memorial Hospital campaign, of which Thompson is chairman. A. P. Waxman is director of the drive under Thompson. Present were Abe Montague, William F. Rodgers, Jules Levy, Neil F. Agnew, John D. Clark, James R. Grainger, Gradwell L. Sears, A. W. Smith, J. J. Milstein, Edward J. Peskay, George W. Weeks and Harold Rodner.

Johnson Funeral Today

Chanute, Kan., Feb. 26.—Martin Johnson, killed recently in an airplane crash, will be buried here tomorrow. Osa Johnson, his widow, who was injured in the same accident, will attend the funeral in a wheelchair.

Pathe Dividend Declared

The board of directors of Pathe Film yesterday declared a dividend of $1.75 on the seven per cent cumulative preferred stock of the company, payable April 1 to stockholders of record on March 24.

Purely Personal

SYLVIA SIDNEY, Fritz Lang, Si Seadler, Ned Depinet, Jules Levy, Willard McKay, Frank Nugent, Howard Barnes, Lou Irwin, Regina Crewe, Beulah Livingstone, Bob Goldstein, Jack Goetz, J. Robert Rubin and Al Altman among the throng at "21" for luncheon yesterday.

•

S. Charles Einfeld and Mrs. Einfeld sail today on the *Santa Elena.* Other passengers coast bound via the Panama Canal on that boat are Carl and Mrs. Leserman and Jack Alicoate, publisher of *Film Daily.*

•

Arthur Lee and Albert Margolies of G. B. are due today from Montreal. They are flying in.

•

Arthur Greenblatt, G. B.'s eastern district manager, returns to his desk Monday, recovered from a siege of the flu.

•

Leo and Mrs. Justin will return tomorrow from a six-week vacation at Mexico City, Havana and Miami.

•

Jean Hersholt, vacationing in New York, left for Hollywood yesterday.

•

Cresson E. Smith leaves today for a Nassau vacation on the *Carinthia.*

•

Howard Dietz is due back from Hollywood on March 1.

•

Oscar Straus leaves on the Century tomorrow for the coast.

Georgia Chain Taxes May Injure Theatres

(*Continued from page* 1)

wares or merchandise of any kind are sold either at wholesale or retail, or distributed."

No attempt was made to clarify the meaning of the term studio used in the measure.

The upward bracket of the measure is reached for chains of 10 or more units.

Flash Preview

"Paradise Express"—Action, adventure, romance and heroism are combined in this production which rates as excellent dual material, having a particular attraction for the youngsters.

This film will be reviewed in full in a coming issue of Motion Picture Daily.

Explorers' Club Preview

"The Wedding of Palo," Arctic film produced by Knud Rasmussen, will be shown to members at the Exployers' Club tomorrow. The picture opens March 1 at the 55th St. Playhouse.

Weinstock After Theatre

David Weinstock is reported negotiating for the Folk currently tenanting Jewish shows. If, and when, he takes the house Weinstock will install a film policy.

Bull to Tour

"Pop," the Chinese bull in "The Good Earth," will be exploited by Loew's in a cross-country tour in connection with roadshow engagements of the picture.

William R. Ferguson, head of the company's exploitation division, yesterday sent Capt. Volney Phifer to the coast by plane to accompany the bovine east. The bull is scheduled to leave the M-G-M studios today by "fast express."

The animal's first appearance will be in New York.

Connecticut Bills Stir Up Opposition

Hartford, Feb. 26.—Exhibitors, exchange men and salesmen gathered 88 strong on Capitol Hill yesterday to be heard on various bills by the Judiciary Committee. Although nearly all present opposed two two-men-in-the-booth bills, continuance was asked by the proponents to March 18. The opposition brought out the fact that the State Police already have authority to determine where additional man should be employed. Postponement to March 11 or April 18 was requested instead of the suggested March 18, when a large number of Connecticut exhibitors will be in Miami for the M. P. T. O. A. convention.

A bill extending the Sunday closing hour from 10:30 to 11:30 P. M. was upheld by D. B. Burbank, operator of the Franklin, Thompsonville, where the early closing is being strictly enforced, and makes for increased competition from nearby Springfield. No opposition was heard.

Drop 4 Massachusetts Bills

Boston, Feb. 26.—The House of Representatives has given leave to withdraw on four film bills. The bills, filed by H. H. Atwood and G. J. Leary, would have required a separate booth for rewinding film, two licensed operators in a booth during projection, the use of no larger than a 1,000-foot reel, and the installation of sprinkler systems. Two licensed operators are already required in Massachusetts.

New Ohio Taxes Foreseen

Columbus, Feb. 26.—A trend toward increased amusement and gasoline taxes is seen here as a special committee of the House, appointed to consider poor relief and means of financing it, arranged to take up the questions in the absence of definite recommendations from Governor Davey in his message this week before a joint session of the General Assembly.

Selznick Board to Meet

Hollywood, Feb. 26.—The board of directors of Selznick International will meet here Monday following the arrival from New York of John F. Wharton, treasurer. The company's $12,000,000 program for the coming season is expected to be outlined.

Ornstein a Daddy

Pittsburgh, Feb. 26.—Joseph Ornstein, cashier at the local 20th Century-Fox exchange, yesterday became a father of a baby girl.

"Zombies" Decision Affirmed on Appeal

The Appellate Division yesterday unanimously affirmed decisions of the lower courts which have granted Amusement Securities a judgment of $7,500 and an injunction against Edward and Victor Halperin, Academy Pictures, Producers' Laboratories, Amerangle Corp., Midtown Theatres and Melbert Pictures, restraining the defendants from using the title "Revolt of the Zombies."

Amusement Securities claimed it owned the rights to the word "Zombies" because of its picture, "White Zombies." The defendants have been assessed costs totaling $3,500. Krellberg and Fitzsimons have been representing the plaintiffs since the action was started last June.

Orpheum Appraisal Filed

Referee Oscar W. Ehrhorn filed a report yesterday of the appraisers' valuation of Orpheum Circuit assets pursuant to the demands of the preferred stockholders' committee. The appraisal was made by Morton Blumenthal, Witold Pavlowski and Jay Strong as of Jan. 28, 1937. The report fixed the valuation of the Orpheum assets at $2,772,714. The largest single asset is the holding of 8,300 junior Orpheum San Francisco, Ltd., stock and an indebtedness valued at $800,000.

Pulverman Case Heard

Superior, Wis., Feb. 26.—Testimony is being taken in Federal Court here in the case of Mrs. Minnie Pulverman, operator of the Royal Talking Pictures circuit, Duluth, against the M. P. Exhibitors' Protective Ass'n of Northern Wisconsin.

Mrs. Puverman charges the association with conspiracy to force her CCC camp circuit shows out of business, claiming the association is a violation of the anti-trust laws.

Nazarro Sues Over Song

Nat Nazarro filed suit yesterday against Warner Bros., Remick Music Corp., Sammy Cahn and Saul Chaplin asking for an injunction, damages and an accounting of profits. The plaintiff claims the defendants plagiarized his song "Rhythm for Sale" when they published "Swing for Sale," and Warners produced a picture with that title. Nazarro procured the copyright on his song in December, 1933.

Nebraska Declares Ban on Bank Night

(*Continued from page* 1)

that the plan is an attempted subterfuge to escape the stigma of being classified as a lottery. Although ingenious, it is not convincing."

Asks Bank Night Study

Granite City, Ill., Feb. 26.—The Tri-City Ministerial Alliance has asked City Court Judge R. W. Griffith to order a grand jury investigation of the operation of Bank Night and slot machines in the city.

Denver Bank Night Increases

Denver, Feb. 26.—Exhibitors here state that no agreement has been reached with reference to the discarding of Bank Night or other giveaways. Bank Night, it is said, will be in operation in full force here within a month. Meanwhile, neighborhood houses are giving away money and merchandise.

GB Retains Own Unit in U.S.—Ostrer

(Continued from page 1)

sufficient British product from General and other producers here to make the American operation a "very profitable" one.

His qualification, on the other hand, entered his statement when he made it clear that if a sufficient number of quality pictures cannot be lined up, "we may have to reconsider maintaining the organization. But at the moment, we anticipate we shall carry on."

On a question, Ostrer said eight General Films and eight G.B. attractions would be distributed on the other side if good enough, but the Matthews vehicles definitely are set for American release. The G.B. executive was also queried on physical distribution and said it was true that S. R. Kent had expressed the view 20th Century-Fox should handle G.B. films only and that he was entitled to reject all others. Ostrer expressed himself as confident, however, that 20th Century-Fox would cooperate on the new plan. If not, arrangements for other physical distribution through other channels was not a serious difficulty, he asserted.

Tells of U. S. Losses

The company, he added, had had to face big losses in its efforts to sell in the United States, but had built up an "enormous good-will at an enormous cost. We shall know later if this good-will is valuable, but at present, it stands on the books at nil," Ostrer said. "It may later be worth more than it cost."

As Ostrer views his company's future in America, he sees the days to come depending upon marketing 20 to 30 pictures annually in that market. Indicating, perhaps, his confidence in bringing this about, he described it as easy to get "other people to put up half of the money for production designed for America."

He stated as his axiom that no one can produce here over a period of time unless a substantial proportion of the cost is recovered from the other side. America, he continued, had the British market and "we must have theirs." If the eight pictures planned by G.B. now are successful, the company will go further, but Ostrer made it quite clear this success was contingent upon substantial revenues from America.

Talks on Shepherd's Bush

Again referring to the political views he expressed upon his return from New York, Ostrer repeated that the larger American companies would welcome a system of buying British quality films for the United States instead of continuing to be compelled to make bad pictures here under the quota.

Declaring the future of Shepherd's Bush is open, he emphasized this as G.B.'s basic policy:

"We are not going to produce substantially in the future or put large amounts into production."

The initial picture to be made at Pinewood under the deal closed with G. M. Woolf, and announced at 3:20 A.M. today, will be "Gang Way," starring Jessie Matthews. This will leave the stages at Shepherd's Bush vacant.

Of the deal with Woolf, Ostrer maintained it will enable G.B. to pay debentures, interest on the sinking fund and the preferred dividends and leave a margin of cash. Officially, G.B.'s statement on that deal said, in part:

"The agreement between G.B. and General Film Distributors, Ltd., provides that G.B. will produce four pictures at Pinewood and four at the Gainsborough studio. General will be responsible for half of the cost of these productions and will distribute them on terms exceptionally advantageous to G.B.

G. B. Sound News to Stay

"G.B. Sound News will be produced by G.B., but also distributed by General. G.B. instructional films and distribution to theatres likewise go to General. The laboratories at Shepherd's Bush will be extended to meet the printing needs of General. The present one unit at Lime Grove will be transferred to Pinewood for the G.B. pictures, including the Matthews pictures to be made there. The agreement provides substantial revenues to G.B. over a period of years on what has hitherto been the more speculative side of the company's business and spaces it in an exceptionally strong position to develop its prosperous theatre interests."

Financially Beneficial to G. B.

In his press interview, Isidore Ostrer emphasized that the deal means a substantial financial gain to G.B. To conserve income and profits on newsreels and laboratory, he viewed it as essential to have a regular supply of high quality pictures. Instead, therefore, of G.B. investing $5,000,000 annually in production, the company, according to Ostrer, now gets General's output for its laboratory. From this he drew the conclusion G.B. has been removed from the ranks of speculative business and assured a profit for "many years ahead" based on the newsreel and laboratory deals. The distribution deal with General, he asserted, was practically on a cost basis, thereby increasing the former's cash position "enormously." This, in turn, he added, "almost immediately places us in a position to extend our theatre chain rapidly."

G.B. Film Distributors, Ltd., therefore, closes down at once, with General taking part of its staff. Four of the pictures to be made jointly with General will cost $325,000 each and total cost of the eight planned is computed at $2,100,000.

In the meantime, John Maxwell, who fails to see the G.B. moves in the same light as the Ostrers, has left for Scotland, his native heath.

G. B. Films to Chesterfield

London, Feb. 18.—In a High Court action, Chesterfield M. P. Corp. and Invincible M. P. Corp. successfully sought permission to distribute through Gaumont British Distributors features previously handled by Twickenham Film Distributors, now in the hands of a receiver.

Twickenham had, without the consent of the American companies, transferred the films to Pathe Pictures, on the terms of 10 per cent of receipts of films handed over and 25 per cent of new contracts. The terms with G. B. were 15 per cent and 30 per cent. It was indicated that the American companies wished the films transferred to G. B. because that company would handle their future product.

Twickenham Creditors Meet

London, Feb. 18.—The meeting of creditors of Twickenham Film Studios, Ltd., will be held on Feb. 26. The company is in voluntary liquidation, but a petition for its compulsory termination has been filed by Betty Balfour, a creditor.

Cooperation Assured for MPTOA Program, Says Hays

(Continued from page 1)

from the thought expended by them on the problems listed.

Hays, who returned early this week from his annual winter visit in Hollywood, was enthusiastic about current production activities. Speaking of the industry's foreign trade problems, with particular reference to monetary restrictions and quota provisions, Hays described them as subjects of "continuing worry and concern."

"The reasons for national barriers are realized," he said. "Yet we are hopeful that they may not become prohibitive and shall continue to do what we can to prevent that. Our nearest approach to the answer to our foreign problems is in good pictures."

He said that the world demand for quality entertainment was virtually without limitation.

Hays Anniversary March 5

March 5 will mark the 15th anniversary of Will Hays' association with the industry as head of the M. P. P. D. A. Referring to the event during a conference with trade press representatives yesterday, Hays quoted from the preamble to the organization's by-laws, which dedicates the M. P. P. D. A. to the service and welfare of all within the industry.

"We wouldn't have lasted 15 minutes if anyone had his fingers crossed when that was written," Hays said.

French 40-Hour Week Problem to Industry

(Continued from page 1)

all employes of the industry, are demanding a five-day week and an eight-hour day, in accordance with the law.

The introduction of such a system would form a severe handicap for producers. Now in progress are negotiations looking to the most practicable application of the new rules and regulations.

Globe Closes for Changes

The Globe on Broadway closed yesterday for alterations preparatory to the opening of "The Lost Horizon" on a two-a-day policy March 3.

H. M. Crandall Dies from Gas At Washington

(Continued from page 1)

Knickerbocker, the roof of which collapsed Jan. 28, 1923, and he is said not to have fully recovered from the shock of that tragedy which cost 98 lives.

Nearly a decade ago he sold his extensive properties to Warners, for whom his son-in-law, John J. Payette, is general zone manager. Crandall was president of the local branch of the M. P. Exhibitors' League of America and was a member of the Kiwanis, City, Columbus Country, Congressional Country, Elks' and National Press Clubs, the Board of Trade and Chamber of Commerce.

A number of years ago he established a public service and educational department in his theatre organization to aid public schools through films.

He was 58 and is survived by his widow and three daughters, Mrs. Payette, Mrs. Olga Burch of Alexandria and Mrs. Leroy T. Sherman.

Building Picks Up About Philadelphia

(Continued from page 1)

center as far as theatres are concerned, business appears to warrant another house.

A. M. Ellis is soon to have two houses on opposite ends of Broad St. The Broad is under way in North Philadelphia and the Dante is being completed on South Broad St. Both will be about 600 seats.

Another South Philadelphia house, the Dewey, will soon be started by Jay Emanuel and associates. It will seat about 450.

Under construction in the central city is Warners' Center, a 500-seater on Market St. near 17th. It will be on the proposed boulevard from City Hall to the West Philadelphia railroad station.

In Vineland, N. J., the 1,000-seat Landis is being completed by Eugene Mori, while Lewis Perlman is building another theatre in Yeadon, Philadelphia suburb. The Girardville theatre, partially destroyed by fire recently, will be rebuilt by Frank Hollister.

Speeding of Trust Complaints Begun

(Continued from page 1)

pedite the handling and investigation of complaints that come to the department. Heretofore, complaints have been handled by members of the trial section, who often have been engaged in the drafting of trial cases on other matters, with the result that frequently it has been impossible to give complaints adequate attention, or has resulted in the slowing down of action.

Under the new arrangement complaints received in the department will go to a special group of experienced men for study and their findings will be reported to Assistant Attorney General Jackson, who will determine whether the department should take further action.

F. C. C. Sets Hearings on Station Bids

By CLARENCE LINZ

WASHINGTON, Feb. 26.—Hearings on eight applications for new broadcasting stations today were scheduled by the F.C.C. for the coming week.

On March 1, commission examiners will hold hearings on the applications of Peninsula Newspapers, Inc., for a 1,160-kilocycle 250-watt daytime station at Palo Alto, Cal.; Chase S. Osborn, Jr., for a 1,440-kilocycle, 500-watt unlimited time station at Fresno, Cal., and Central Broadcasting Corp., for a 1,440-kilocycle, 500-watt unlimited time station at Centralia, Wash.

Examiner hearings will be held on March 2 for the applications of Charles Porter and Edward T. Eversole for a 1,420-kilocycle, 100-watt daytime station at Festus, Mo.; Hammond-Calumet Broadcasting Corp., for a 1,480-kilocycle, 5,000-watt daytime station at Hammond, Ind.; Northwestern Publishing Co., for a 1,500-kilocycle, 250-watt daytime station at Danville, Ill.; Curtis Radiocasting Corp., for a 1,500-kilocycle station at Indianapolis, using 100 watts at night and 250 watts during the day, and Knox Radio Corp., for an increase of time for WKVB, Richmond, Va.

Will Consider Power Increase

Hearings will be held before an examiner March 3 on the request of the Outlet Co. for an increase of day power from 1,000 watts to 5,000 watts for WJAR, Providence, R. I., and on the application of J. Leslie Doss for a 1,390-kilocycle, 250-watt daytime station at Sarasota, Fla.

On March 4, oral argument will be heard before the Broadcast Division on the application of the Bayou Broadcasting Co. for a 1,210-kilocycle, 100-watt daytime station at Houston, Tex.; Brownwood Broadcasting Co., for a 1,370-kilocycle, 100-watt daytime station at Brownwood, Tex., and Continental Radio Co., for a 1,310-kilocycle, 100-watt unlimited time station at Columbus, and a 1,200-kilocycle, 100-watt daytime station at Toledo.

Broadcasters File in Dover

DOVER, Del., Feb. 26.—Incorporation papers have been filed here by United Broadcasting Co., listing a capital stock of 10,000 shares with no par value. Incorporators are M. S. Cook, A. L. Raughley and J. M. Townsend of Dover.

Gets Television Verdict

L. Stewart Gatter, a New York attorney, yesterday obtained a judgment for $3,000 against the International Television Radio Corp. in a trial before Federal Court Judge John W. Clancy and a jury. Gatter had asked for $56,000 for the value of his legal services rendered in connection with the sale of exclusive rights for the defendant's patent in Australia and New Zealand.

Ward Made Chief Organist

Jack Ward has been appointed chief staff organist for WMCA. Ward joined the station in 1935.

RCA's Net for Year Reaches $6,155,937

RCA's 17th annual report shows a net profit for 1936 of $6,155,937, an increase of 20 per cent over a net of $5,126,872 for 1935. Announcement also was made yesterday of a dividend of 87½ cents on the outstanding shares of RCA's cumulative convertible first preferred.

The dividend, covering the period from Jan. 1 to March 31, will be paid April 1 to stockholders of record March 10. A similar dividend also will be paid as soon as practicable after April 1 to holders to whom $3.50 cumulative convertible first preferred stock is issued after March 10 and prior to April 1, upon the conversion of "B" preferred, or upon the surrender of deposit receipts for "B" preferred, or of script certificates for fractional shares of $3.50 cumulative convertible first preferred stock.

Gross income from all sources amounted to $101,186,310 in 1936, compared with $89,228,898 in 1935. Cost of operations for the year was $89,722,151, compared with $78,885,740 in 1935.

The net income for 1936 was $11,464,159, compared with $10,343,159, an increase of 10.8 percent.

Cowan's Para. Work To Start Next Month

Rubey Cowan, NBC artists service executive whose resignation from NBC was exclusively revealed in yesterday's issue of MOTION PICTURE DAILY, will leave for Hollywood in a month to create what is believed to be the first radio-film department in pictures. Cowan will supervise Paramount players' radio activities, and act as a liaison officer between the two entertainment mediums.

The new post, it is said, has been created because of Paramount's belated belief that the company had erred in permitting Martha Raye to appear regularly on the Al Jolson program. This series has not been received too well, and Paramount is now said to regret giving its sanction.

◂ Radio Personals ▸

DON SHAW of the McCann-Erickson agency returned to New York yesterday after a week's business trip to Chicago. . . .Vic Ratner, CBS executive, left for Washington yesterday to attend the White House correspondents' dinner there tomorrow. . . . Zeke Manners and Gang have been set for the CBS Ford show Tuesday. . . . Herman Bernie has set Gertrude Berg for an appearance on brother Ben's American Can Co. program March 16. . . . Connie Boswell will appear also on the program. . . . Irene Beasley signed for the Schaefer Beer show on WOR next Sunday. . . . Frank Parker celebrates his 10th year in radio the week of March 1. . . . Art Shaw has been renewed for two additional weeks at the Meadowbrook Club. He will retain his CBS wire for this period. . . . Dr. Walter Damrosch will lecture at N. Y. U. March 6. . . .

Novices, Veterans on Program

HARTFORD, Feb. 26.—Novices and veterans will join in the third annual Old Timers' Night of the Hartford County Amateur Radio Ass'n, tonight at 7 P.M. Oldtimers will reminisce on the problems and thrills of the ham in the early days of radio. Among the guest speakers will be Irving Virmilya, WZE, Mattapoisett, Mass., the first licensed radio amateur in New England; George Bailey, American Radio Relay League vice-president; Isaiah Creaser, radio pioneer of Springfield; Percy Noble, W1BZR, Westfield, Mass., director of the New England Division, and Charles Kolster of the F.C.C.

WINS Has New Serial

A new serial, known as "A Modern Girl's Romance," will be presented over WINS, starting March 1. The program will be aired Mondays, Wednesdays, Fridays from 9:45 to 10 P.M.

New Shows on the Air

"Broadway Varieties"

"Broadway Varieties," having been renewed for an additional cycle on the air, we tuned in on the program last night and found it to be a thoroughly delightful half-hour period of song and instrumental music tastefully dished up by Carmella Ponselle, Elizabeth Lennox, Oscar Shaw and Victor Arden's Band.

Keen microphone showmanship is manifest in the duet numbers offered by Shaw and Miss Lennox. Each duet is preceded by a short narration which sets a romantic background for the number which follows. Thus the songs are given greater depth and meaning than they ordinarily would have. It is a style which might well be emulated on other programs.

Rounding out the broadcast, Carmella Ponselle offered "Lover, Come Back to Me," and the "Variety" chorus harmonized "Tea on the Terrace."

"Broadway Varieties" is offered Friday night at 8:00 P. M., E.S.T., on the CBS network by the American Home Products Co. for Bi-so-dol.

"The House That Jack Built"

Offered by the Duff-Norton Mfg. Co,. "The House that Jack Built" made its debut over NBC's 14 managed and operated stations of the Red network last night from 7:45 to 8:00 P. M., E.S.T.

The program promises to be a pleasant addition to the Friday night air schedule. The entertainment consists of organ music played by Lois Miller and vocals by weekly guests. Last night's guest was Alexander Gray.

Gray was a happy choice as the premiere's guest. The former screen favorite has a pleasing baritone voice. After hearing him last night, it surprises us that he's not heard more often on the networks. His "Play, Gypsy, Play" and "Why Do I Love You" were thoroughly enjoyable.

Lois Miller's organ playing was excellent. Her singing, however, left something to be desired.

BANNER

Radio-Films Not at Odds, Asserts Hays

(*Continued from page 1*)

had been discussed and that a better understanding on the part of each was expected to result.

Hays' statements closely paralleled those of Lohr, who denied emphatically on his return from the coast last Wednesday that any regulation of the radio activities of film stars is now, or at any time had been, in the making.

Not only has no attempt been made to control the relations between the two industries, Hays said, "but none is possible." A recognition of the mutual problems of the two and realization that "accommodations" must be made by both is the nearest approach to an "agreement" that has or can be made, Hays said.

He minimized the significance of current outcries against radio competition within the industry, stating that officially he had never received a specific complaint of harmful radio competition, although he had heard "concern expressed" over the possible effects of certain broadcasting.

"Movie Man" on Air From Theatre Lobby

CEDAR RAPIDS, Feb. 26.—"Movie Man," with Bill Brown, WMT, announcing, is the title of a new program emanating from the lobby of the Paramount. Thirty-five questions concerning screen players are used on each broadcast, with tickets of admission being given to those who send in questions used on the show.

"Movie tests" are given to all who take part in the broadcast by having participants read commercials and act portions of the film showing at the theatre. Also, song numbers from current films are played in the lobby, with free tickets for those who send in the list of numbers played.

Wall Street

General Upturn in Stocks

	High	Low	Close	Net Change
Consolidated	4¾	4⅝	4⅝	.....
Consolidated, pfd..	16½	16⅛	16½	+ ⅜
Eastman Kodak ..	171	170½	170½	— ¼
Loew's, Inc.	79¾	75⅝	79¾	+3½
Loew's, pfd.	106⅝	106⅝	106⅝	— ⅜
Paramount	26¼	25⅜	26¼	+1
Paramount 1 pfd..	184	180⅛	184	+5
Paramount 2 pfd..	24¼	23	24¼	+1¼
Pathe Film	9¼	8¾	8⅞	+ ⅛
RKO	8⅝	8½	8½	.....
20th Century-Fox.	34⅜	34	34⅜	+ ½
Warner Bros.	15½	15	15½	+ ½

Curb Has Small Increases

	High	Low	Close	Net Change
Grand National ..	3½	3⅜	3⅜	.....
Sonotone	2⅛	2	2	— ⅛
Technicolor	19¼	18⅞	19¼	+ ¼
Trans-Lux	5¼	5	5¼	+ ¼

Little Bond Movement

	High	Low	Close	Net Change
Keith B. F. 6s '46	98½	98½	98½	— ⅛
Loew's 3½s '46....	99¾	99¾	99¾	.....
Paramount Pict. 6s '55	101⅜	101	101⅜	+ ⅛
RKO 6s '41 pp....	118	118	118	.....
Warner Bros. 6s '39 wd	98	97¾	98	— ¼

(Quotations at close of Feb. 26)

Alert,
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and
Faithful
Service to
the Industry
In All
Branches

MOTION PICTURE DAILY

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

VOL. 41. NO. 49 NEW YORK, MONDAY, MARCH 1, 1937 TEN CENTS

GB Action Is Called Defeat For Maxwell

Had Planned Control Via Preference Votes

By **BRUCE ALLAN**

London, Feb. 28.—It is generally believed in informed quarters here that the action of the board of directors of Gaumont British in approving the production and distribution setup with C. M. Woolf of General Film Distributors, as proposed by the Ostrer faction, is a temporary defeat for John Maxwell in the matter of company policies.

It is considered a setback to Maxwell's plans to obtain control of G. B. through the votes of preference share holders.

The finances obtained from Woolf will enable the company to meet its obligations under production contracts, for which the firm's current resources are inadequate. Under the terms of the contract arranged with Woolf, it is seen that there is practically no chance for G. B. to realize a profit. Maxwell is understood to have declined to make a counter offer to relieve the company in its financial impasse by transferring all production to the Maxwell studio at Elstree.

Dixon Boardman is known to have reconsidered his intention of quitting the G. B. directorate, but has registered publicly his emphatic opposition

(*Continued on page* 2)

Meetings Called on Quota in Australia

By **CLIFF HOLT**

Sydney, Feb. 8. (*By Air Mail Via London*)—The cabinet has called a conference of producers and distributors to discuss the regulations governing the N.S.W. Quota Act. It is stated that the cabinet now realizes the Act can't force distributors into production in order to provide local films to make up their quota percentages, but the legislature is anxious

(*Continued on page* 2)

Legion Approves 17 Of 18 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, approved, either for general patronage or adults, 17 out of 18 new pictures reviewed. Of the total 12 were approved for general patronage, five for adults, and one was classed as objectionable in part. The

(*Continued on page* 2)

Para. Fourth Quarter Net $3,700,000

Three Dividends Declared By Directors

Paramount's consolidated earnings for the fourth quarter of 1936 were estimated by the company on Saturday at $3,700,000 after all charges, including interest, taxes and reserves. Reserves are estimated to be sufficient to cover any unascertained taxes on undistributed earnings, the company stated.

The board of directors declared the 1936 dividend of 60 cents a share on the company's second preferred, which had been in arrears for the year, and also declared the first 1937 quarterly dividends of $1.50 on the first preferred and 15 cents on the second. All three dividends are payable April 1 to stockholders of record on March 15. The dividend action leaves both preferred issues fully paid to April 1, next, placing the company's common in a favorable position for dividends in the near future, which should encourage conversion of the first preferred into common and exchange of

(*Continued on page* 6)

Games to Be Ended By Century Circuit

Following a decision last week by Loew's, RKO and Skouras to discontinue games, Century Circuit will drop the practice in all of its Nassau County theatres within the next few weeks, an official of the circuit stated Saturday. No decision has been reached on Century's Brooklyn units, but it is expected that a similar stand will be taken shortly.

Doob vs. Doob

The Mr. C. Hunter who has been advertising in the Public Notices column of the *New York Times* for the information leading to the haunts of Oscar Doob will meet Loew's Oscar Doob when the latter returns from Miami.

Oscar's department has been in touch with Mr. C. Hunter who, after all, is merely seeking the whereabouts of his former college chum. But Oscar is working up an interest in the missing Oscar. Besides, he wants to trace a possible family connection. In other words, tree gazing.

Hit Measure Banning Games in Wisconsin

Madison, Wis., Feb. 28.—The Franzkowiak bill to ban games of chance was attacked as discriminatory by independent and circuit exhibitors at a hearing before an Assembly committee here.

Theatre representatives described games as "trade stimulants" and a form of advertising. Appearing against the bill were B. J. Miller, Milwaukee, representing the Fox-Wisconsin Theatres and Warner-Saxe Theatres; E. F. Maertz, Milwaukee, and F. J. McWilliams, Madison, officials of the I.T.P.A. of Wisconsin and Upper Michigan and I. B. Padway, Milwaukee, attorney for Bank Night distributors. Padway declared that there has been paid out in Bank Night winnings more than $400,000 during the last year.

The committee deferred action on the measure, which would prohibit any person from setting up any prize to induce persons to visit any store,

(*Continued on page* 6)

Over the Wire, In the Mail

Harry Brandt, president of the I.T.O.A., commenting telegraphically on *Motion Picture Daily's* editorial stand for the national elimination of chance games and giveaways and a return to the original tenets of showmanship in exhibition:

> **"*Motion Picture Daily* is to be congratulated for the aggressive stand it is taking in this matter."**

Floyd Fitzsimmons of the Austin Theatre, Kew Gardens, L. I.:

> **"I want to congratulate you on your splendid editorial on theatre giveaways activities in *Motion Picture Daily*.**
>
> **"As a theatre manager I have been opposed to this type of box-office stimulant since its inception, but for my own good, it has never been my privilege to stand up and say so.**
>
> **"Now, you come forward and speak my piece. I wonder that it wasn't printed for the benefit of those guiding genii (showmen) who are responsible for its growth, long before this.**
>
> **"Again, congratulations."**

Loew to Join Score Charge With Rentals

Lichtman Makes Promise To Ed Kuykendall

Loew's will endeavor to eliminate the separate score charge in flat rental contracts by consolidating the charge with the film rental, Al Lichtman, Loew's vice-president, informed Ed Kuykendall, M. P. T. O. A. president, on Saturday.

Lichtman's statement was contained in a reply to Kuykendall's letter of Jan. 11 asking for reconsideration and clarification by Loew's of certain points in the company's original response to the M. P. T. O. A. 10-point trade practice program which had been made earlier. At that time, Lichtman inferred that the separate score charge was regarded as a part of the film rental and as such would not be eliminated. In asking Lichtman to reconsider, Kuykendall characterized the separate score charge as "deception and trickery" in the matter of quoting prices and asked for the elimination of "this petty racket."

"I take it from what you write and what you say," Lichtman's latest reply to Kuykendall states, "that you appreciate that the score charges have been and are today considered part of the film rental. You seem to feel that we could eliminate needless bookkeeping and irritation by joining the score charge with the film rental and make one film charge on flat

(*Continued on page* 6)

More Speakers Set For MPTO Program

Additional industry and Administration figures have been obtained for the M. P. T. O. A. convention program at Miami, March 16 to 18, the exhibitor organization's program committee reported yesterday.

Tentative arrangements have been made for convention addresses by Sidney R. Kent, president of 20th

(*Continued on page* 2)

U. S. Family Radio Hours at 95,500,000

A total of 95,500,000 hours each day are devoted to listening to the radio by families in the United States, it is indicated in research studies conducted by the staff of Dr. Daniel

(*Continued on page* 7)

More Radio—Page 7

MOTION PICTURE
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WARSAW: Sienna 32; R. Sillei, Representative.

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Legion Approves 17 Of 18 New Pictures

(*Continued from page* 1)

new films and their classification, follow.

Class A-1, Unobjectionable for General Patronage—"Crisis Mundial" (Spanish), "Espionage," "Land Beyond the Law," "Love Is News," "Girl from Poltava," "Paradise Express," "Phantom of the Range," "Stelldichein im Schwarzwald" (German), "Step Lively, Jeeves," "Ten Laps to Go," "Trusted Outlaw," "Two Wise Maids." Class A-2, Unobjectionable for Adults—"Girl Overboard," "The Man Who Could Work Miracles," "Midnight Court," "When You're in Love," "Woman of Glamour." Objectionable in Part—"Sporck'schen Jaeger" (German).

McCarthy Services Held

BEVERLY HILLS, Feb. 28.—Funeral services were held here yesterday morning for J. J. McCarthy, head of the Advertising Advisory Council of the M. P. P. D. A., who died here Thursday. The services were held in the Church of the Good Shepherd. The requiem mass was said by Father John J. Devlin, pastor of St. Victor's R. C. Church, West Hollywood.

Insiders' Outlook

By RED KANN

SCRATCH an Ostrer and you'll find a story. The whirling dervish act which Isidore provided during his recent sojourn in uncivilized America provided great amusement, not to ignore amazement, to those who read and, in so doing, could not fail to note how mixed up he was or appeared to be. We reminded at the time that London was the next stop. And London it was reporting late last week, at great expense to the publisher. All about a production deal with C. M. Woolf, who has been itching to get his fingers into G.B.; dividend declarations, to a reaction of popping eyes and sagging jaws, and attendant diverting detail. . . .

▼

You can either regard Isidore as truth's greatest disciple or one adhering religiously to the fumbling of his public relations. He talked about the rights of stockholders and he made himself the defender of G.B.'s interests. Simultaneously, and with product to sell in this market, he vacillated forward and backward about the future of the G. B. organization in this field. The plan currently is to keep it going, remarked Ostrer, who then held tightly to at least one string by leaving the way open for a potential withdrawal. We leave to your own good judgment what this does to the G. B. sales force tramping up and down the land selling contracts first, then trying to land the evasive playdates, which is harder. . . .

▼

It is a highly involved situation. A great deal has been published about the narrow clearance accorded the declared vote on the preferred stock and not all of it what might be termed complimentary. Opinion seems to hold the dividend should not have been declared in the light of the company's general financial position. Why, then, was it? This may be an explanation. Preferred stockholders, when unpaid, acquire votes ordinarily limited to the holders of the ordinary shares. The preferred votes, in battery assembled, quite conceivably could outvote the ordinaries at the next annual, or any extraordinary, meeting. . . .

▼

Were this to happen, the control of G. B. through Metropolis and Bradford and its fifty-seven percent of the outstanding common, might undergo a serious shift. Resolutions against 20th Century - Fox - Ostrer control, therefore, might be entered upon the record. Bill Fox dished out somewhere between $16,000,000 and $19,000,000 for the forty-nine percent interest in M. and B.'s fifty-seven percent of the whole and there you have something—a tidy sum that can neither be forgotten nor pushed around. Mind you, this department has no way of knowing how right or how wrong it may be, but is confident, nevertheless, that the speculation is earmarked with drama and possibilities. . . .

▼

While London currently regards the melee as marking a defeat for John Maxwell, it might be the cautious thing to do to wait a bit longer to see what happens on his count and also on the score of 20th Century-Fox. If you have found this and other chapters in the G. B. steeplechase at all interesting, don't despair too much that the final word has been reached. There'll be more and it ought to be good. . . .

▼ ▼

The Government and the taxpayers' money soon part under a congressional system which permits hearings on pet and nutty legislation. The Dickstein measure, for instance. The honorable congressman wants art compressed within the geographical limitations of the commonwealth. Heaven help the tragedian or the comic who sees the light of day on any but these anointed shores. The Washington hearings, at minimum, get Dickstein's name into the record and Dickstein thinks that's all right, but should not be discounted, not when they provide amusement like that furnished by Herbert Kay Minsky last week. Conscious of his angles, he pulled that "stripping is definitely an American art" line and promptly bannered it across the front of the Oriental on Broadway where the Gypsy Rose Lee sorority meets. What America needs is more Dicksteins and Minsky more theatre frontage to advertise his show's frontage. . . .

▼ ▼

The Balanchine ballet will appear in "Goldwyn Follies." From the same Zanuck about whom he yelled loud and, if true to form, long over the ridiculous race to place a pen in the hand of Gypsy Rose Lee—Darryl was accused of trying to bottle up Sam from signing new faces, which is a way of describing Miss Lee—Goldwyn borrows the Ritz Brothers. They will be used "contrapuntally" in comedy numbers to be designated as "Belly Laughs in Ballet" although probably it was for the suggestion in the title that Sam wanted Gypsy in the first instance. "Contrapuntally" is it? Jock Lawrence certainly is making it tough for Sam. . . .

G. B. Action Called Defeat for Maxwell

(*Continued from page* 1)

to the virtual abandonment of production and distribution. He said, "I believe there is some hope of procuring certain British and American assistance which may make it possible for G. B. to reenter the production and distribution field on a satisfactory basis."

Meetings Called on Quota in Australia

(*Continued from page* 1)

that the Act should not prove a dismal failure.

After the end of the first quota year, Cinesound is the only producer engaged in regular production, and this company would be producing regularly whether quota existed or not. Some production activity is planned in other directions, but no more activity than would have been expected had the quota measure never been thought of, it is considered.

Since there has been an inadequate supply of Australian films to meet the distributors' quota obligations, they have been unable to comply with the regulations, but no action will be taken in the matter. Meanwhile the cabinet hopes by conferring with distributors and exhibitors to evolve some plan by which the quota laws can be put into working order.

More Speakers Set For MPTO Program

(*Continued from page* 1)

Century-Fox; Jesse H. Jones, chairman of the R. F. C. and treasurer of the Will Rogers Memorial Commission, and Charles Edison, Assistant Secretary of the Navy and son of Thomas A. Edison. Convention speakers announced earlier included Adolph Zukor, chairman and production head of Paramount, and J. Edgar Hoover, chief of the Federal Bureau of Investigation.

A number of studio personalities will also attend the convention, with Shirley Ross being the latest to accept an invitation.

Set Full Day for March 18

The March 18 business session will be given over to committee reports and discussion of major trade practice subjects, including the music tax, unfair trade practices, the M. P. T. O. A. 10-point trade practice program, possibilities in conciliation and arbitration of trade disputes, radio and non-theatrical competition, "B" picture production, exhibitor public relations problems, labor relations, legislation and taxation and proposals for Governmental regulation of exhibition and distribution. The M. P. T. O. A. points out that Federal legislation to regulate wages, hours and unfair competitive practices may be introduced in Congress prior to the convention, in which case the new measures would be included in the program for analysis and discussion of their relation to theatre interests.

Circuit Changes Name

DOVER, Del., Feb. 28.—Fox Utah Theatre Corp. has filed a change of name with officials here to Salmount Theatres, Inc., New York.

TWO 20TH CHAMPIONS FIGHT IT OUT; BOTH SMASH RECORDS!

"Lloyds" and "Avenue" Hit Pitt Records

PITTSBURGH, Feb. 24.—There was cause for celebration here by the 20th Century-Fox. At the Alvin and Fulton, practically next door to each other, two of the Zanuck productions hung up new house records, "Lloyds of London" getting $12,750 at the Alvin to top by just a few dollars the previous high made by "The Country Doctor" and "On the Avenue" smashing through with $11,000 at the Fulton. Both were held for a second week and may even stay a third.

"LLOYDS OF LONDON" (20th-Fox)
ALVIN—(2,000), 25c-40c, 7 days. Gross: $12,750. (Average, $5,500)

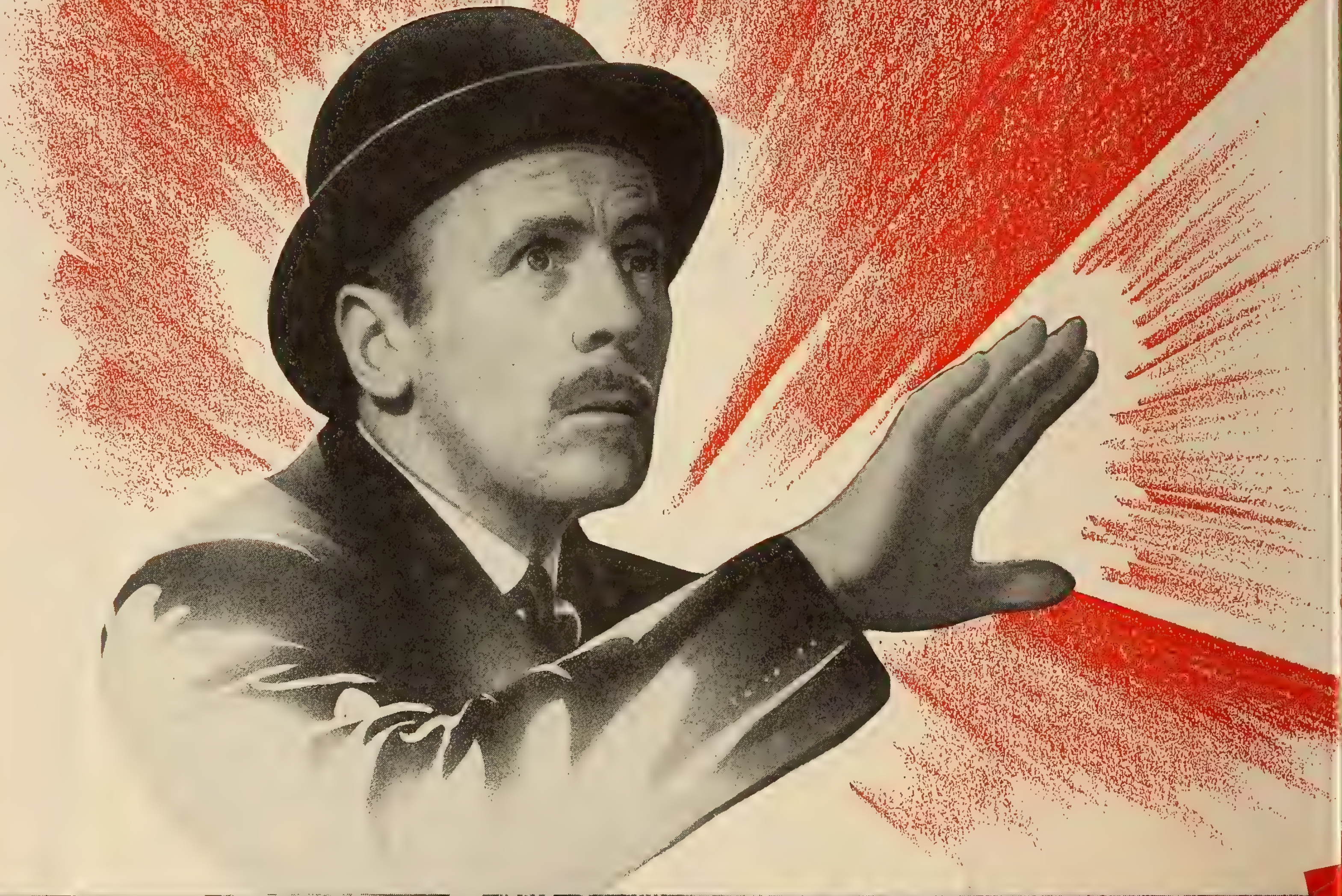
"ON THE AVENUE" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days. Gross: $11,000. (Average, $4,500)

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

Clipped from
MOTION PICTURE DAILY

Extra!

MIRACLES! RIGHT ON BROADWAY and 49th ST!



MILLIONS OF DOLLARS! LOVELY WOMEN!
EVERYTHING HE WANTED JUST BY WISHING!
Roland YOUNG
H.G.WELLS' Comedy
MAN WHO COULD
RIVOLI
H G WELLS' COMEDY MASTERPIECE
"THE MAN WHO COULD WORK MIRACLES" ROLAND YOUNG
ROLAND YOUNG

HAPPY CRITICS AND CAPACITY CROWDS AT THE N. Y. RIVOLI GUFFAWED AT EVERY ONE OF THEM!

A magnificent comic fantasy . . . brilliant portrayal . . . spectacular production . . . absorbing photoplay . . . brilliantly projected . . . delightfully different screen drama . . . concrete, human and persuasive . . . brilliantly realized.
— Howard Barnes, N. Y. Herald-Tribune

Amusing make-believe that offers both an imaginative idea to start with and trick photography to carry it out . . . The picture is novel entertainment for those who enjoy ingenious fantasy . . . a diverting piece. — Rose Pelswick, N. Y. Evening Journal

A delightfully humorous fantasy . . . Roland Young has described the character perfectly. — Frank S. Nugent, N. Y. Times

That genuine rarity...a picture with a new idea...food for thought as well as entertainment . . . beautifully done
— Archer Winsten, N. Y. Post

Intriguing and interesting . . . When Korda selected Roland Young, he was inspired in his choice . . . Delicious sense of comedy pervades it. — Kate Cameron, N. Y. News

Mr. Young is so completely fascinating that his problems in this role arouse interest. Lovable, he makes his difficulties exciting. Human, he makes his lunacies personal . . . He makes it stirring and provocative entertainment.
— Bland Johaneson, N. Y. Mirror

A delightfully bizarre comedy . . . New and amiable fantasy . . . A frolicsome photoplay . . . High humor . . . Novelty and entertainment in the many camera tricks wrought for the miraculous hocus-pocus. — George Ross, N. Y. World-Telegram

Refreshingly original . . . Sheer fun . . . hilarious moments...fun for fun's sake.
— Eileen Creelman, N. Y. Sun

Fun, fantasy and philosophy get on like a house afire at the Rivoli . . . Fun predominates, however. Too much cannot be said for the performance of Roland Young.
— Robert Garland, N. Y. American

Roland Young
in
H. G. WELLS' COMEDY
THE MAN WHO COULD WORK MIRACLES
with
JOAN GARDNER • RALPH RICHARDSON

NOW IN ITS 2ND HOLDOVER WEEK!

An
ALEXANDER KORDA
production
Released thru
UNITED ARTISTS

◂ Purely Personal ▸

S. S. HOREN, Spanish managing director for 20th Century-Fox, is in town. J. C. BAVETTA, head of Brazil sales, is due today. M. LEDERMAN of the Philippine Islands is now in San Francisco and JOHN LINDSEY of Venezuela will arrive here March 9. DELL GOODMAN of the Far East will be here in April.

•

LOU KAUFMAN of Warners' real estate department is due back from Cleveland today. He's becoming a regular commuter between the Ohio city and the company' headquarters.

•

LILLIAN FISCHE, fashion adviser on "Walter Wanger's Vogues of 1938," will arrive today from Paris on the *Berengaria.*

•

MARY PICKFORD will arrive here by train on Wednesday en route to England. She will leave at noon the same day on the *Berengaria.*

•

OTTO KRUGER, RAYMOND MASSEY, CON COLLEANO and JOSEPH SCHMIDT are due today on the *Berengaria.*

•

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E. W. HAMMONS, Educational president, is expected here from the coast Wednesday.

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FELIX JOACHIMSON, Hungarian film player, is due at Universal City tomorrow.

THEATRE ACCOUNTING

by WILLIAM F. MORRIS
(Certified Public Accountant)

Tells all the facts about your business each week.

- Payroll data for Social Security Taxes.
- Profit at a glance—Daily or Weekly.
- All expenses deducted—Including Rent, Taxes and Depreciation.
- Complete record of advance bookings.
- Itemized Schedule of All Assets and Equipment with Table of Depreciation Rates.
- Does not require a bookkeeper to handle it.

$3 ENOUGH FOR A FULL YEAR'S BOOKKEEPING

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER
NEW YORK

Loew to Join Score Charge With Rentals

(*Continued from page* 1)

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This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Para. Fourth Quarter Net $3,700,000

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The accumulated two years' back dividends on the first preferred and one year of the accumulated back dividend on the second preferred was paid by the company during the fourth quarter. Dividends on the two preferred issues for the quarter alone, amounted to $412,000 and after deducting this, the remaining $3,288,000 of earnings for the period is equal to $1.72 a share on the 1,907,179 shares of common outstanding on Jan. 2, last.

The quarter's earnings of $3,700,000 are after applying the last $200,000 of a special inventory reserve of $2,500,000 set up out of 1935 earnings, and also include $600,000 of non-recurring income. During the year, the company's entire investment in Spain, amounting to approximately $240,000, was written off.

During the quarter, approximately $1,600,000 of dividends was received from Paramount's non-consolidated theatre subsidiaries, which is approximately $800,000 in excess of the company's net interest as a stockholder in the combined earnings of all non-consolidated subsidiaries during the quarter, the company states. Results fof the quarter do not include earnings of Olympia Theatres and subsidiaries, which are in receivership.

Indicating the rate at which conversion of preferred shares into common is progressing is the company's report that the 210,129 shares of first preferred outstanding on Jan. 2, last, which are convertible into seven shares of common stock each, had been reduced to 165,465 shares on Feb. 24, while the 1,907,179 shares of common had been increased to 2,219,908 shares on Feb. 24.

Wall Street

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	High	Low	Close	Net Change
Columbia	36¼	36¼	36¼	+ ⅝
Consolidated, pfd.	16½	16½	16½	.....
Eastman Kodak..	169⅜	169⅜	169⅜	— ⅛
Eastman, pfd......	161	161	161	+ ¾
General Theatre Equipment	30	30	30	—1
Loew's, Inc........	79¾	79	79	— ½
Paramount	26¾	26¼	26¾	+ ½
Paramount 1 pfd..	187	186	186	+2
Paramount 2 pfd..	24⅜	24⅛	24¼	+ ⅜
Pathe Film.......	9¼	9	9	+ ⅛
RKO	8¾	8⅝	8¾	+ ¼
20th Century-Fox.	35	34½	35	+ ⅝
Universal, pfd.....	100	100	100	.....
Warner Bros......	15⅝	15¼	15¼	— ¼

Little Curb Movement

	High	Low	Close	Net Change
Grand National....	3⅜	3¼	3⅜	.....
Sentry Safety Control	⅞	⅞	⅞	—1/16
Technicolor	19¼	19¼	19¼	.....
Trans Lux........	5⅛	5	5⅛	— ⅛

Fractional Bond Changes

	High	Low	Close	Net Change
Keith B. F. 6s '46.	98⅝	98⅝	98⅝	+ ⅛
Paramount Pictures 6s '55.....	101⅜	101¼	101⅜	.....
Warner Bros. 6s '39 wd...........	98	97¾	97¾	— ¼

(Quotations at close of Feb. 27.)

Radio Personals

HY McKEE, recently resigned from Cecil, Warwick and Cecil, ailed for Lima, Peru, last night. . . . red Wile, Jr., press head at Young nd Rubicam, left yesterday for a wo-week vacation in Nassau. . . . VNEW will carry President Roose-elt's "Victory Dinner" address larch 4. CBS will feed the talk to VNEW. . . . Charlotte Loughton, arpist, is the newest addition to the nusical staff of KTUL, Tulsa. . . . lun Williams now a member of the VMCA announcing staff, coming rom WIP, Philadelphia. . . . Bill B. ellatly, WOR's sales manager, now he proud father of another daughter. . . . Nat Brusiloff, WOR conductor, left for Bermuda Saturday. . . Frank Graham of the *New York Sun's* sport staff takes over Stan Lomax's "Sportscasts" on WOR this week, Lomax leaving for Florida to 'cover" the Brooklyn ball club. . . .

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Freddie Bartholomew will appear with Bing Crosby on the Kraft "Music Hall" series March 4. . . . George Raft heads the list of guest talent set for next Saturday's "Shell Show" starring Joe Cook. . . . Benay Venuta, Glenn Hunter, and George Rasely set for the Hammerstein "Music Hall" Tuesday, March 9. . . . Harlan Eugene Reid, acting as a staff correspondent for Transradio, sails for Europe Wednesday to cover the coronation of George VI, and will visit areas where war threatens. He will be gone three months. . . . Philip Merivale and Gladys Cooper will offer a scene from "Death Takes a Holiday" on the "Bandwagon" program March 4. . . .

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Lennie Hayton's orchestra, with Marguerite Churchill, will be the guest attractions on Mutual's "Morning Matinee" March 4. . . . Howard Hughes, film producer and speed pilot, will be the guest speaker at the Advertising Club luncheon March 4. WMCA and WOR will broadcast his address beginning at 1:15 P. M. . . . "Memory Songs" is the title of a new program which began last week over WOR. It is sponsored by the American Book Mart and broadcast Tuesdays at 7:45 P. M. . . . Willard M. Kiplinger will be heard as guest speaker on the CBS Philadelphia Orchestra program March 5 in place of Thomas I. Parkinson, previously announced. . . . Sally Rand will be guest interviewed on "For Men Only" from the studios of WLW and over a Mutual hook-up tonight at 9 P. M., E. S. T.

Farley-Smith

James A. Farley and Al Smith will appear on the same program Wednesday, March 17—but only because they're fellow Irishmen.

The occasion for the get-together will be the dinner of the Friendly Sons of St. Patrick, which will be broadcast from 10 to 11 P. M., E.S.T., on the NBC-Blue.

Air Power Tests Put Over Until March 15

NEW CASTLE, Del., Feb. 28.—The demonstration by the National Wireless Power & Light Corp. of the "feasibility of the use of transmission of electric power and light by wireless," scheduled from the company's experimental laboratories near here for March 1 has been postponed until about March 15.

John C. Roberts, the inventor, says the delay is due to a faulty tube which showed up during recent tests.

Using equipment installed in the research laboratories near here during the past three and one-half months, Roberts said efforts will be made to transmit electrical lighting power by wireless to a ship en route from New York to Bermuda.

Recent short tests at a distance of about seven miles have been successful, Roberts declared.

U. S. Family Radio Hours at 95,500,000

(Continued from page 1)

Starch, research authority, under the sponsorship of CBS.

It was determined that there are 24,500,000 families owning radio sets in the country. A total of 76.4 per cent of these families listens to the radio sometime each day; 18,718,000 families listen each day, and each family listens on an average of 5.1 hours each day. The foregoing figures result in a daily total of family listening hours of 95,500,000.

NBC Plans Test to Find Newsboy Champ

In an effort to find the nation's champion newsboy, NBC will broadcast a special program Wednesday, March 3, beginning at 11:30 P. M., E.S.T., on the Blue network. Newsboys in New York, Boston, Washington, Chicago, San Francisco and Los Angeles will air their calls and will be interviewed on how they take an obscure item appearing on page 14 of a newspaper and make a headline out of it to lure readers. Judges stationed in audition rooms of the New York and Washington studios will determine the winner, who will receive a cup. The judges are Charles Gridley, president of the National Press Club; Arthur T. Robb, editor of *Editor and Publisher;* Pat Kelly, NBC chief of announcers, and James Barrett, head of the Press-Radio Bureau.

Cartoonists to Debate

The Cartoonists' Guild of America will sponsor a forum on the subject, "Why Comic Strips?" on WNEW Saturday, March 6, from 8:30 to 9 P. M., E.S.T. Cartoonists will be broken into two factions: Sidney Hoff, Roland Coe arguing that present day cartoons contain too much propaganda. Opponents will be Otto Soglow, Bob Brinkerhoff, Al Capp, Russ Westover and Ad Carter.

Arthur J. Kemp Goes West

Arthur J. Kemp, eastern representative of the CBS Pacific coast network, left New York yesterday for Los Angeles and San Francisco in behalf of radio sales. He will be in California for two weeks.

Simple After All

Los Angeles, Feb. 28.—Harrison Holliway, station manager of the Earle C. Anthony stations *KFI-KECA*, is a genius—or so his announcing staff thinks, at any rate.

Announcers there have been struggling for months with sign-off announcements in Chinese, French, German, Italian, Hawaiian, Japanese, Russian and Spanish, for the benefit of foreign listeners.

Holliway solved the polyglot problem by having the greetings electrically transcribed.

WBT, Charlotte, Ups Rates 20% Today

CHARLOTTE, Feb. 28.—WBT, Charlotte station of CBS, will increase its rates 20 per cent beginning March 1. William A. Schudt is general manager.

WBT's basic one hour evening rate is $250 per hour and goes up to $300, with proportionate increases in all other classes except daytime 50-word service announcements, which remain at $50 per week for seven. The new rate employs weekly frequency discounts, dollar volume discounts and discounts for consecutive weeks of uninterrupted broadcasting.

Several weeks ago the station sent notices to all prospective advertisers notifying them of the increase and informing them that contracts signed up to March 1 could start within 50 days and retain the protection of the old rate card up to and including Feb. 28.

The station also protected its entire list of current advertisers on the old rate card by issuing a new contract to all from March 1 to Feb. 28, 1938. All local current business has been renewed for 52 weeks.

Three "Hotels" Are Set

Billy Bacher, producer of the "Hollywood Hotel" program, has set three ace attractions for the month of March.

The March 12 broadcast will feature the Mauch twins and Ian Hunter in scenes from "Penrod and Sam."

March 19, George Murphy, Doris Nolan, Ella Logan, Hugh Herbert, Gregory Ratoff, Henry Armetta, and Misha Auer will offer highlight reenactments from Universal's "Top of the Town."

March 26, Janet Gaynor and Fredric March will repeat their picture roles on the air in "A Star is Born."

Seek Ideas for Scripts

The new script show sponsored by the J. B. Ford Co. and beginning on CBS tomorrow will offer listeners prizes of $25 for acceptable dramatic incidents from life. The program's title, "A Page From Your Life" is a tentative, N. W. Ayer & Son informs, and probably will be changed by broadcast time.

Murray Bloom Leaves NBC

Murray Bloom, NBC artists service executive, has resigned his position at the network, it was learned Saturday, following the example set by his chief, Rubey Cowan. Bloom will open a talent agency and will specialize in motion picture contacts.

CBS Drops KOL; New Seattle Feeder KIRO

CBS will drop KOL, its present affiliate station in Seattle, and will take on in its stead KIRO, also located in Seattle. An announcement to this effect will probably be made by CBS within the next few days.

KOL has been a member of the CBS network for a considerable number of years. The station is owned and operated by the Seattle Broadcasting Co., Inc., with studios in the Northern Life Tower Building, Seattle. It is a full-time station, operating on a power of 5,000 watts by day, 1,000 watts by night.

KIRO is owned by the Queen City Broadcasting Co. and maintains its studios in the Cobb Building, Seattle. It operates full time on a power of 1,000 watts.

Four New WHN Shows Set

Four new commercial programs will begin stays on WHN this week.

Beginning today, the Mason Au Magenheimer Candy Co. will sponsor "Kandy Andy and Nancy," with James Sarsfield and Miss Golding in the title roles. The schedule is for Mondays, Wednesdays and Fridays, from 5 to 5:15 P. M. The series, for 13 weeks, was placed through the Grey Advertising Agency.

Additionally today, the Helix Co. will sponsor a once-a-week series, "Your Opportunity," Mondays from 11:30 to 11:45 A. M. The contract, for 13 weeks, was placed direct.

"Tunes of Today," sponsored by Procter and Gamble, begins a 26-week stay tomorrow. The series consists of five-minute spot periods broadcast Tuesday through Thursdays from 11:30 to 11:35 A. M. The Compton Co. is the agency.

Starting Wednesday, and weekly thereafter for 26 weeks, the Budget Finance Co. will sponsor "How to Borrow Money," from 5:55 to 6 P. M. Frank Kiernan & Co. is the agency.

Childs to Have Ted Mack

The Childs Co., through Ruthrauff & Ryan, Inc., will sponsor Ted Mack's orchestra from the restaurant on 59th St. and Madison Ave., beginning March 5 over WOR. The series will be broadcast Mondays, Wednesdays and Fridays from 7:15 to 7:30 P. M., E. S. T.

A novel feature of the program will be informal interviews with diners in the restaurant.

Program to Network

"Northern Lights," a series which has been appearing locally on WTAM, Cleveland, for the past six weeks, goes network Thursday, March 4 on the NBC-Red, from 11:30 P. M., E.S.T., to midnight. It will continue to originate from Cleveland as a sustainer.

Use Radio Trailer

Philadelphia, Feb. 28.—Borrowing a note from films, WFIL airs a five-minute trailer in the early evening giving a preview of the remaining programs for the day. A transcribed musical background dresses up the readers and accounts sponsoring the programs come in for a mention.

Purely Personal

S. S. HOREN, Spanish managing director for 20th Century-Fox, is in town. J. C. **Bavetta**, head of Brazil sales, is due today. M. **Lederman** of the Philippine Islands is now in San Francisco and **John Lindsey** of Venezuela will arrive here March 9. **Dell Goodman** of the Far East will be here in April.

•

Lou Kaufman of Warners' real estate department is due back from Cleveland today. He's becoming a regular commuter between the Ohio city and the company' headquarters.

•

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Freddie Bartholomew will appear with Bing Crosby on the Kraft "Music Hall" series March 4. . . . George Raft heads the list of guest talent set for next Saturday's "Shell Show" starring Joe Cook. . . . Benay Venuta, Glenn Hunter, and George Rasely set for the Hammerstein "Music Hall" Tuesday, March 9. . . . Harlan Eugene Reid, acting as a staff correspondent for Transradio, sails for Europe Wednesday to cover the coronation of George VI, and will visit areas where war threatens. He will be gone three months. . . . Philip Merivale and Gladys Cooper will offer a scene from "Death Takes a Holiday" on the "Bandwagon" program March 4. . . .

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Lennie Hayton's orchestra, with Marguerite Churchill, will be the guest attractions on Mutual's "Morning Matinee" March 4. . . . Howard Hughes, film producer and speed pilot, will be the guest speaker at the Advertising Club luncheon March 4. WMCA and WOR will broadcast his address beginning at 1:15 P. M. . . . "Memory Songs" is the title of a new program which began last week over WOR. It is sponsored by the American Book Mart and broadcast Tuesdays at 7:45 P. M. . . . Willard M. Kiplinger will be heard as guest speaker on the CBS Philadelphia Orchestra program March 5 in place of Thomas I. Parkinson, previously announced. . . . Sally Rand will be guest interviewed on "For Men Only" from the studios of WLW and over a Mutual hook-up tonight at 9 P. M., E. S. T.

Farley-Smith

James A. Farley and Al Smith will appear on the same program Wednesday, March 17—but only because they're fellow Irishmen.

The occasion for the get-together will be the dinner of the Friendly Sons of St. Patrick, which will be broadcast from 10 to 11 P. M., E.S.T., on the NBC-Blue.

Air Power Tests Put Over Until March 15

NEW CASTLE, Del., Feb. 28.—The demonstration by the National Wireless Power & Light Corp. of the "feasibility of the use of transmission of electric power and light by wireless," scheduled from the company's experimental laboratories near here for March 1 has been postponed until about March 15.

John C. Roberts, the inventor, says the delay is due to a faulty tube which showed up during recent tests.

Using equipment installed in the research laboratories near here during the past three and one-half months, Roberts said efforts will be made to transmit electrical lighting power by wireless to a ship en route from New York to Bermuda.

Recent short tests at a distance of about seven miles have been successful, Roberts declared.

U. S. Family Radio Hours at 95,500,000

(Continued from page 1)

Starch, research authority, under the sponsorship of CBS.

It was determined that there are 24,500,000 families owning radio sets in the country. A total of 76.4 per cent of these families listens to the radio sometime each day; 18,718,000 families listen each day, and each family listens on an average of 5.1 hours each day. The foregoing figures result in a daily total of family listening hours of 95,500,000.

NBC Plans Test to Find Newsboy Champ

In an effort to find the nation's champion newsboy, NBC will broadcast a special program Wednesday, March 3, beginning at 11:30 P. M., E.S.T., on the Blue network. Newsboys in New York, Boston, Washington, Chicago, San Francisco and Los Angeles will air their calls and will be interviewed on how they take an obscure item appearing on page 14 of a newspaper and make a headline out of it to lure readers. Judges stationed in audition rooms of the New York and Washington studios will determine the winner, who will receive a cup. The judges are Charles Gridley, president of the National Press Club; Arthur T. Robb, editor of *Editor and Publisher;* Pat Kelly, NBC chief of announcers, and James Barrett, head of the Press-Radio Bureau.

Cartoonists to Debate

The Cartoonists' Guild of America will sponsor a forum on the subject, "Why Comic Strips?" on WNEW Saturday, March 6, from 8:30 to 9 P. M., E.S.T. Cartoonists will be broken into two factions: Sidney Hoff, Roland Coe arguing that present day cartoons contain too much propaganda. Opponents will be Otto Soglow, Bob Brinkerhoff, Al Capp, Russ Westover and Ad Carter.

Arthur J. Kemp Goes West

Arthur J. Kemp, eastern representative of the CBS Pacific coast network, left New York yesterday for Los Angeles and San Francisco in behalf of radio sales. He will be in California for two weeks.

Simple After All

Los Angeles, Feb. 28.—Harrison Holliway, station manager of the Earle C. Anthony stations *KFI-KECA*, is a genius—or so his announcing staff thinks, at any rate.

Announcers there have been struggling for months with sign-off announcements in Chinese, French, German, Italian, Hawaiian, Japanese, Russian and Spanish, for the benefit of foreign listeners.

Holliway solved the polyglot problem by having the greetings electrically transcribed.

WBT, Charlotte, Ups Rates 20% Today

CHARLOTTE, Feb. 28.—WBT, Charlotte station of CBS, will increase its rates 20 per cent beginning March 1. William A. Schudt is general manager.

WBT's basic one hour evening rate is $250 per hour and goes up to $300, with proportionate increases in all other classes except daytime 50-word service announcements, which remain at $50 per week for seven. The new rate employs weekly frequency discounts, dollar volume discounts and discounts for consecutive weeks of uninterrupted broadcasting.

Several weeks ago the station sent notices to all prospective advertisers notifying them of the increase and informing them that contracts signed up to March 1 could start within 50 days and retain the protection of the old rate card up to and including Feb. 28.

The station also protected its entire list of current advertisers on the old rate card by issuing a new contract to all from March 1 to Feb. 28, 1938. All local current business has been renewed for 52 weeks.

Three "Hotels" Are Set

Billy Bacher, producer of the "Hollywood Hotel" program, has set three ace attractions for the month of March.

The March 12 broadcast will feature the Mauch twins and Ian Hunter in scenes from "Penrod and Sam."

March 19, George Murphy, Doris Nolan, Ella Logan, Hugh Herbert, Gregory Ratoff, Henry Armetta, and Misha Auer will offer highlight reenactments from Universal's "Top of the Town."

March 26, Janet Gaynor and Fredric March will repeat their picture roles on the air in "A Star is Born."

Seek Ideas for Scripts

The new script show sponsored by the J. B. Ford Co. and beginning on CBS tomorrow will offer listeners prizes of $25 for acceptable dramatic incidents from life. The program's title, "A Page From Your Life" is a tentative. N. W. Ayer & Son informs, and probably will be changed by broadcast time.

Murray Bloom Leaves NBC

Murray Bloom, NBC artists service executive, has resigned his position at the network, it was learned Saturday, following the example set by his chief, Rubey Cowan. Bloom will open a talent agency and will specialize in motion picture contacts.

CBS Drops KOL; New Seattle Feeder KIRO

CBS will drop KOL, its present affiliate station in Seattle, and will take on in its stead KIRO, also located in Seattle. An announcement to this effect will probably be made by CBS within the next few days.

KOL has been a member of the CBS network for a considerable number of years. The station is owned and operated by the Seattle Broadcasting Co., Inc., with studios in the Northern Life Tower Building, Seattle. It is a full-time station, operating on a power of 5,000 watts by day, 1,000 watts by night.

KIRO is owned by the Queen City Broadcasting Co. and maintains its studios in the Cobb Building, Seattle. It operates full time on a power of 1,000 watts.

Four New WHN Shows Set

Four new commercial programs will begin stays on WHN this week.

Beginning today, the Mason Au Magenheimer Candy Co. will sponsor "Kandy Andy and Nancy," with James Sarsfield and Miss Golding in the title roles. The schedule is for Mondays, Wednesdays and Fridays, from 5 to 5:15 P. M. The series, for 13 weeks, was placed through the Grey Advertising Agency.

Additionally today, the Helix Co. will sponsor a once-a-week series, "Your Opportunity," Mondays from 11:30 to 11:45 A. M. The contract, for 13 weeks, was placed direct.

"Tunes of Today," sponsored by Procter and Gamble, begins a 26-week stay tomorrow. The series consists of five-minute spot periods broadcast Tuesday through Thursdays from 11:30 to 11:35 A. M. The Compton Co. is the agency.

Starting Wednesday, and weekly thereafter for 26 weeks, the Budget Finance Co. will sponsor "How to Borrow Money," from 5:55 to 6 P. M. Frank Kiernan & Co. is the agency.

Childs to Have Ted Mack

The Childs Co., through Ruthrauff & Ryan, Inc., will sponsor Ted Mack's orchestra from the restaurant on 59th St. and Madison Ave., beginning March 5 over WOR. The series will be broadcast Mondays, Wednesdays and Fridays from 7:15 to 7:30 P. M., E. S. T.

A novel feature of the program will be informal interviews with diners in the restaurant.

Program to Network

"Northern Lights," a series which has been appearing locally on WTAM, Cleveland, for the past six weeks, goes network Thursday, March 4 on the NBC-Red, from 11:30 P. M., E.S.T., to midnight. It will continue to originate from Cleveland as a sustainer.

Use Radio Trailer

Philadelphia, Feb. 28.—Borrowing a note from films, WFIL airs a five-minute trailer in the early evening giving a preview of the remaining programs for the day. A transcribed musical background dresses up the readers and accounts sponsoring the programs come in for a mention.

A Sensational Revelation of a

2000 YEAR OLD MYSTERY

Revealed for the *First Time*

But not a mystery for these alert showmen who are now playing to *TURN AWAY BUSINESS*—

Cloistered

1937's BIG BOX OFFICE THRILL!

FOR THE FOLLOWING THEATRES

R.K.O. Metropolitan Theatres
R.K.O. White Plains
R.K.O. New Rochelle
R.K.O. Mt. Vernon
R.K.O. Trenton
R.K.O. Rochester
R.K.O. Union City
R.K.O. New Brunswick
R.K.O. Kansas City
Warner Bros. Theatres
Balaban & Katz
Skouras
Great States
M & P Circuit
Century Circuit
Randforce Circuit
Consolidated Circuit
Netco Theatres
Schine Circuit
Interboro Circuit
Interstate Circuit (New England)
Rugoff & Becker

—— EXTENDED RUNS ——

Boston	16 weeks	Pittsburgh	8 weeks
New York	9 weeks	Los Angeles	5 weeks
Chicago	9 weeks	San Francisco	5 weeks
Cleveland	8 weeks	Detroit	4 weeks

—— OPENING ——

Rialto Theatre Washington
March 2nd

Erlanger Theatre Philadelphia
March 14th

FOR THE FIRST TIME IN HISTORY

Cameramen have been permitted to film the mysterious life of the nuns living in a strictly cloistered Convent—where no man ever entered before.

"A masterpiece. Not to be seen once but many times." —AMERICA

"One of the most unusual pictures of the year." —N. Y. TIMES

"Irresistible appeal. Uncannily artistic. A minor miracle." —N. Y. POST

"Unique picture...Strangely moving and beautiful." —DAILY NEWS

AN AUTHENTIC HUMAN DOCUMENT
Filmed by Special Permission of Pope Pius XI

PRESENTED BY **BEST FILM, CO.** RENE HUISMAN *president*
DISTRIBUTED BY **MUTUAL M.P. DISTRIBUTORS, INC.**
HARRY H. THOMAS *president*.
R.K.O. BUILDING • RADIO CITY • NEW YORK.

Alert, Intelligent and Faithful Service to the Industry in All Branches

MOTION PICTURE DAILY

The Leading Daily Newspaper of the Motion Picture Industry

VOL. 41. NO. 50 NEW YORK, TUESDAY, MARCH 2, 1937 TEN CENTS

S.&C. Signs 10-Year Deal With Empire

New Agreement Replaces One Just Expired

The Empire State operators' union yesterday concluded a new 10-year working agreement with the Springer & Cocalis circuit for the company's 38 theatres in Greater New York, it was learned from a reliable source.

The new contract, which became effective immediately with the signing of the agreement yesterday, replaces the previous deal which had expired last month, and which had been operative under a 30-day extension which has just terminated.

The Empire union, which maintains its headquarters in Brooklyn, and whose members are employed in the theatres of that borough for the most part, has been the subject of recent discussion relative to a possible agreement whereby the Empire union would merge with Local 306, along the lines of the recently completed arrangement whereby 306 absorbed the membership of the Allied union. However, Abraham Kindler, Empire president, specifically denied that any negotiations, or even discussions, have

(*Continued on page* 8)

Grace Moore's Film $101,000 for Week

"When You're in Love" garnered $101,000 in the first week at the Music Hall. "Fire Over England" will open there Thursday.

The Capitol on the first week of "The Last of Mrs. Cheyney" tallied approximately $50,000. The Astor, which continues to do standout business with a nice advance sale, took in $21,900 on the fourth week of "The Good Earth."

For the three-day weekend at the

(*Continued on page* 6)

Roxy Six-Month Net Placed at $186,868

Howard S. Cullman, trustee for the Roxy, yesterday filed his fifth semi-annual report covering the period from July 3, 1936 to Jan. 7, 1937, and his monthly report covering the period from Dec. 31 to Jan. 28.

The semi-annual report shows income of $961,532 and operating expenses of $774,664, leaving a net operating profit of $186,868. Rent, taxes

(*Continued on page* 2)

Radio—Pages 10-11

G.B.-Woolf Plan Subject To Approval

Debenture Holders Still To Pass on Deal

By BRUCE ALLAN

LONDON, March 1.—The arrangement completed between Gaumont British and C. M. Woolf's General Film Distributors is subject to the approval of the Law Debenture Corp., which is acting as trustee for the debenture holders of G. B., it was learned here.

A factor in the company's decision is likely to be the opposition to the deal, engineered by the Ostrers, which has been expressed by four important members of the Gaumont British board, John Maxwell, Dixon Boardman, O. H. C. Balfour and Sidney R. Kent, president of 20th Century-Fox. The four opposing directors contend that the decision was rushed to a vote within 24 hours of the tendering of the offer by Woolf and entails the scrapping of £1,500,000 of the assets of the company in G.B. Distributors' shares and studio debentures partly secured by these assets.

France, Italy Sign New Film Agreement

By PIERRE AUTRE

PARIS, Feb. 24.—A new film agreement has been concluded between France and Italy. It was signed in Rome. By its terms the Italian Government will allow the importation quarterly of 12 French films over three reels in length, and France will take eight Italian features each quarter. Dubbed and subtitle versions will be considered one feature.

It will be possible at a later date to increase the number of importations, but the 4-3 ratio will be maintained. French-language films made

(*Continued on page* 6)

Korda Drops Picture On Prudential Order

LONDON, March 1.—"Lawrence of Arabia," scheduled to be produced by Alexander Korda of London Films, will be made instead by Robert Kane of 20th Century-Fox's English producing unit.

The shift in producer is taken here as a further indication of the cutting down of London Films activity on orders from the Prudential Assurance Co., chief financial backer of Korda.

"U" May Physically Handle G.B. List

Reports were current yesterday that physical handling of G. B. may go to Universal under a plan which would continue the maintenance of the British company's own selling organization in this market.

The alliance between C. M. Woolf of General Film Distributors, Ltd. and G. B., consummated in London late last week, could bring this about. Woolf, at one time a co-managing director of G. B. with Isidore Ostrer, is financially interested in Universal (American) under the deal by which control of the company passed from Carl Laemmle to the group headed by J. Cheever Cowdin.

Games Killed By High Court In Louisiana

NEW ORLEANS, March 1.—Bank Night has been outlawed in Louisiana. The State Supreme Court today denied an appeal from the decision of Dec. 14 which held that Bank Night constituted a lottery and violated the criminal statutes of Louisiana. Every theatre in the state which conducts the game is affected.

Today's decision is the outgrowth of a suit filed against Lewis Amusement Co., operators of the Florito, in City Court here by Charles Schanchelli on behalf of his son, a negro. Schanchelli alleged that his son was induced to buy a ticket on Nov. 13, 1935. Hoping to win a cash prize he attended the theatre every prize night until Feb. 29 when he was refused admission because the theatre was no longer selling tickets to negroes. Later, his

(*Continued on page* 2)

Warner, "U" Reports Revealed by S. E. C.

WASHINGTON, March 1.—Annual reports of Warners and Universal were made public here today by the Securities and Exchange Commission.

The Warner report, covering the fiscal year ended Aug. 29, last, showed that at that time the company had 14 domestic and 29 foreign subsidiaries, either wholly or partly owned; that it held 50 per cent or more stock in 12 companies not included in its consolidated return, and stock also, in

(*Continued on page* 8)

Other Majors Seen Adopting Loew's Stand

Expected to Liberalize MPTO Commitments

All distribution companies may follow Loew's lead in liberalizing their commitments under the M.P.T.O.A. 10-point trade practice program in the near future, it was learned yesterday. Elimination of the separate score charge and specifically defined policies on the designation of preferred playing time are regarded as most likely to receive further attention from other distributors as a result of Loew's action.

Al Lichtman, vice-president of Loew's, informed Ed Kuykendall, M.P.T.O.A. president, on Saturday that his company would endeavor to combine the score charge with the film rental, thus eliminating it as a separate charge, and would ask city subsequent runs and small town theatres for preferred playing time on only four pictures during the year. Lichtman's statements were made by way of clarification of Loew's original response to the M.P.T.O.A. program.

It was pointed out that Kuykendall has asked the other six distributors who responded to the trade practice program to clarify some of their answers and to reconsider other program points on which their replies were regarded as unsatisfactory. Dis-

(*Continued on page* 2)

Fabian Sets Albany Pool With Warners

Si Fabian and Warners have completed a four-theatre pool in Albany. The deal went into effect Sunday and involves Fabian's Harmanus-Bleeker Hall and Palace and Warners' Ritz and Strand. Policies of all four houses will be continued without change for the time being.

Fabian, who returned yesterday morning from Miami, left last night for Albany and will return tomorrow. He said yesterday that the pool will run indefinitely.

Gordon, Goetz to Produce for U.A.

Max Gordon and Harry M. Goetz probably will produce a series of three pictures annually for United Artists under the terms of a contract drawn and virtually set, barring details which are understood to be more or less routine.

The first will be "The Women,"

(*Continued on page* 2)

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Show "Horizon" Tonight

Columbia previews "Lost Horizon" tonight at the Globe for newspaper and magazine critics. The film, which will play two-a-day, has its formal opening tonight.

HOLLYWOOD, March 1.—The 4 Star Theatre goes two-a-day with "Lost Horizon" beginning March 10. Matinee scales will be tipped to $1. evening prices at $1.50.

Marion, Col. Producer

HOLLYWOOD, March 1.—Columbia has signed Frances Marion, writer, to a long term contract as a producer.

MITCHELL MAY, Jr. CO., INC.

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INSURANCE
Specialists To The Motion Picture Industry

75 Maiden Lane, N. Y. City
510 W. 6th St., Los Angeles, Cal.

More Support for Daily

Cleveland, O.
Feb. 25, 1937.

**Mr. Red Kann,
Motion Picture Daily,
New York City.**

Dear Red.

I just picked up your paper and read your editorial entitled "Every Night But Show Night." This is the smartest and most timely article that has been written about our business in a long time. More truth has been expounded in the two and one quarter columns which I have just read than anything printed that I have been able to read relative to our business and its recent developments. I have always said, when discussing Bank Nights, Dish Nights, etc," it is not show business. Thanks to you for your fine article.

**Kindest regards,
NAT HOLT
RKO Theatre
Division Manager**

Other Majors Seen Adopting Loew's Stand

(*Continued from page* 1)

tributor acknowledgements of these are expected to include new liberalized commitments, comparable to those made by Loew's. It is also felt that the present 10 per cent cancellation privilege may be increased later when distributors have observed the manner and extent to which it is utilized by their accounts.

Loew's is the fourth major distributor to agree to work for the elimination of the separate score charge. Universal, Columbia and United Artists having committed themselves affirmatively on this point earlier. This leaves only RKO, Paramount and 20th Century-Fox continuing the separate charge among the companies which acknowledged the M.P.T.O.A. program.

Efforts to define the procedure of the local conciliation boards are being made currently, it was learned, and a definite position may be reached within the next few weeks. Several distribution companies were not inclined to participate in the establishment of the boards unless such a definition was made.

McNeil Will Attend

SAN FRANCISCO, March 1.—R. A. McNeil of the Golden State Theatre and Realty Corp., is en route to Havana on the *Pennsylvania.* Due there March 12, he will fly to Miami for the forthcoming M. P. T. O. A. convention.

Gordon, Goetz to Produce for U.A.

(*Continued from page* 1)

stage play jointly produced by the partners and now listed among the New York hits. Unless a release is purchased, however, the film version cannot be released until the fall of 1938. Goetz, who has returned from the coast, stated yesterday the current plan was to place the play in work next summer in Hollywood. He sails on the *Queen Mary* March 10 for an extended stay abroad and a peek at the coronation.

Roxy 6-Month Net Placed at $186,868

(*Continued from page* 1)

and insurance amounted to $89,141, leaving a net profit of $97,726 for the period before deductions for depreciation and interest. The trustee estimated that depreciation would amount to $114,000. Net profit for the entire year 1936, before deduction for depreciation and interest, was $153,152, showing a profit of $55,425 for the first six months against $97,726 for the latter half.

The trustee has cash on hand of $55,838 which compares with $51,802 for six months ago. During the six-month period, $75,000 of the principal of the outstanding receivers' certificates was paid off, leaving $175,000 outstanding. Since January, however, an additional $25,000 has been paid, leaving only $150,000 outstanding.

Sums Up Incumbency

Cullman pointed out that since he became trustee on June 15, 1934, there has been a net profit of $375,027 as compared with a loss of $576,397 which occurred while a receiver was operating the property from May 18, 1932 until June 14, 1934. Since the original date of the receivership a loss of $204,145 has been sustained. Cullman also stated that as of Jan. 7, 1937, there was a deficit of $1,818,717.

The monthly report shows cash received to the amount of $245,603 and disbursements of $169,345, an excess of receipts over disbursements of $76,258. A net profit of $36,953 before deductions for interest and depreciation was shown. Program costs were $105,040 consisting of: Film rentals, $57,983; special talent, $26,068; stage, $7,495; orchestra, $9,514; projectionists, $3,977, and other operating expenses, $61,894. This leaves a net operating profit of $50,120. Rent, taxes and insurance were $13,167. Income from admissions was $214,091. With miscellaneous income of $2,963 the total income reached $217,055.

Get Three French Films

French M. P. Corp. has acquired the American distribution rights for "Club De Femmes," "Mlle Mozart" and "L'Or Dans La Rue." The last named stars Dannielle Darrieux, French actress recently signed by Universal. "Club De Femmes" will be released by Mayer and Burstyn.

Games Killed By High Court In Louisiana

(*Continued from page* 1)

name was called as the winner of $500, an accumulated award. The plaintiff charged that denial of admission constituted breach of contract.

Theatre attorneys argued that no cause or right of action existed as the alleged contract was a gambling law violation and therefore unenforceable. They were upheld by the court.

It is said that police will allow thirty days before making arrests for conducting of cash giveaways in the 36 neighborhood spots here which are running Bank Night or Buck Night.

Fabian Undecided On Quitting Games

Although he is in favor of discontinuing games, Si Fabian, head of the Fabian circuit, has not determined definitely on dropping the practice, he said yesterday.

Operating the Fox, Paramount and Strand in Brooklyn in a pooling arrangement with Warners, Fabian claims that it is costing $1,000 a week to run games in these houses. Advertising, awards and commissions to the game agencies are included in the $1,000.

Fabian said he wanted to study the matter before making a definite decision.

"Deeds" Tops Poll of Minneapolis Journal

MINNEAPOLIS, March 1.—"Mr. Deeds Goes to Town" was voted the best picture of 1936 by 621 film critics from 47 states who were polled by the *Minneapolis Journal.* Paul Muni, for his work in "The Story of Louis Pasteur" won the best actor award, and Luise Rainer the best actress vote for her performance in "The Great Ziegfeld."

Merle Potter, film critic of the *Journal,* directed the poll. Gold medals will be presented to Columbia for "Mr. Deeds Goes to Town," and to the two players. Three choices for each division were requested and a point system determined the winners. Runners up in the three divisions were "The Great Ziegfeld," Gary Cooper in "Mr. Deeds Goes to Town" and Irene Dunne in "Theodora Goes Wild."

Form National Pictures

DOVER, Del., March 1.—National Pictures Corp. has been incorporated here with a capital of $100,000. The incorporators are D. B. Hilliard, R. M. Hilliard and H. M. Coote of Wilmington.

Ben Goetz Sailing

LONDON, March 1.—Ben Goetz, who has been organizing M-G-M's production activities here, is booked on the *Queen Mary* for New York Wednesday.

Block on "Parnell"

HOLLYWOOD, March 1.—Bertram Block of M-P-M's eastern editorial department, is writing additional dialogue for "Parnell."

SHOWMEN! USE THESE FLASH REVIEWS IN ALL ADVERTISING!

Lobbies! Programs! Newspapers! Everywhere!

"LAST OF MRS. CHEYNEY"

HAILED BY CRITICS!

N.Y. TELEGRAPH—Slick, handsome and clever, glittering with polished dialogue and clever turns, sparkling with wit.

N.Y. AMERICAN—Another See-It-By-All-Means picture. The cinema at its best . . . Wise and witty story with a happy ending.

N.Y. POST—A bright and attractive screen vehicle, definitely a super-special in acting and production value . . . Miss Crawford wears stunning clothes and gives a right good performance... You'll enjoy "The Last of Mrs. Cheyney."

N.Y. WORLD-TELEGRAM—Highly diverting entertainment . . . Peopled with Hollywood's most charming and competent players and directed with a skilled touch . . . Solves the problem of how to have a perfectly swell time at the cinema . . . Joan Crawford superb. Fine work by Robert Montgomery, William Powell, Frank Morgan, as well as the others in the cast. In short, here is a film that one can recommend.

N.Y. DAILY MIRROR—Sensationally smart and amusing comedy-drama. An admirable vehicle for Joan Crawford, Robert Montgomery and William Powell. Glamorous and exciting role for lovely Miss Crawford and it affords her companionship of a most accomplished supporting cast.

N.Y. DAILY NEWS—Fast-moving, smartly-acted comedy. Entertainment for multitudenous fans.

N.Y. HERALD TRIBUNE—Witty and amusing . . . Infused with human interest, pace rapid and the suspense high, while retaining all the humor in the author's dialogue and situations... Staged handsomely, the climax is gay, and the lines glitter.

BUFFALO TIMES—I advise you to go to see "The Last of Mrs. Cheyney" . . . It is a handsome setting for the new Joan Crawford . . . A clever, witty and amusing comedy. 20 times more events, surprises, twists and paradoxes!

KANSAS CITY STAR—Bright and smart comedy. Miss Crawford attractive, Mr. Powell, his competent suave self, Mr. Montgomery has one of his best parts in recent months. Frank Morgan is well nigh perfect.

LOS ANGELES HERALD—Cast reads like the who's who of moviedom.

LOS ANGELES EVENING NEWS—Played with verve and finesse by a top-notch company . . . Rapid-fire dialogue kept the customers alternating between chuckles and real laughs . . . Joan Crawford very fetching.

LOS ANGELES DAILY NEWS—A lavish production with exquisite settings. Agreeably and suavely told . . . Joan Crawford is handsomely and stunningly gowned.

LOS ANGELES EXAMINER—The magic names of Joan Crawford, Robert Montgomery and William Powell . . . Production, direction and cast are excellent.

M. P. DAILY—Clever situations, smart dialogue, gay amusement.

FILM CURB—Rates high as film fare.

DAILY VARIETY—Swell dialogue, bright with laughs and satirical shafts . . . Joan Crawford plays with vitality and charm. William Powell renders a most ingratiating performance. Robert Montgomery's love scenes are delightful . . . Entertainment for all classes, with gorgeous production.

"THE LAST OF MRS. CHEYNEY"
starring JOAN CRAWFORD • WILLIAM POWELL
ROBERT MONTGOMERY with FRANK MORGAN
Jessie Ralph • Nigel Bruce • From the play
by Frederick Lonsdale • Directed by Richard
Boleslawski • Produced by Lawrence Weingarten
A Metro-Goldwyn-Mayer Picture

HELD OVER 2nd BIG WEEK AT NEW YORK'S CAPITOL

And delighting audiences in hold-overs everywhere

BURN THE CANDLE AT BOTH ENDS TO PROMOTE IT! M·G·M

JEANETTE MacDONALD
NELSON EDDY *in*
MAYTIME
with JOHN BARRYMORE
Herman BING · Tom BROWN
A Robert Z. Leonard Production
Produced by Hunt Stromberg
A Metro-Goldwyn-Mayer Picture

"Maytime"

Starring Those Sweethearts of Song

JEANETTE MacDONALD, NELSON EDDY

means Extended Playtime!

PUT THEM BOTH TOGETHER THEY SPELL

MONEY!

(More Money Than "Rose Marie" and "Naughty Marietta" combined!)

Grace Moore's Film $101,000 for Week

(Continued from page 1)

Roxy, "Woman Alone" got $23,800. The picture is expected to wind up with $37,000 on the week. "Man of Affairs" at the Criterion garnered $16,394, according to G.B. "Women of Glamour" will open there Thursday evening.

20th Century-Fox will have five first runs of Broadway this month. "Love Is News" opens at the Roxy Friday. "Nancy Steele Is Missing" is due at the Rivoli March 6. "Wings of the Morning" has been dated into the Music Hall for March 11. "Time Out for Romance" is scheduled to open at the Palace March 12 and will be followed by "Fair Warning."

Moore-Orsatti Settle

Los Angeles, March 1.—The action instituted by Orsatti & Co., against Grace Moore for $98,000 was dismissed today following a private settlement by the principals.

File Infringement Answer

C. & F. Amusement Corp., through its attorneys, Weisman, Quinn, Allen and Spett, yesterday filed answers in the U. S. District Court to copyright infringement actions brought by 20th Century-Fox and M-G-M, which charged the theatre company with playing one picture of each company one day overtime. The answer declared that the actions of the two companies had led the theatre to assume the overtime playing was authorized, and charged that the suits were for the purpose of collecting damages which the answer called "excessive."

Allow Proctor RKO Claim

A stipulation was signed yesterday between attorneys for RKO and RKO Proctor Corp. in the RKO reorganization proceedings allowing the claim of the Proctor Corp. against RKO in the sum of $10,350.

Disallows Attorneys' Claim

Special master Richard B. Scandrett, Jr., filed an order yesterday disallowing the claim of Boyle and Priest, St. Louis attorneys, in the RKO reorganization proceedings, for $3,561 for legal services on the ground that the services were not rendered for the debtor corporation.

Wilkes Answers Interrogation

New Orleans, March 1.—Harold Wilkes today filed an answer to an interrogation in Federal Court here defining the position of branch manager for Paramount and director of the Saenger Theatres Corp. He claimed that there has been no discrimination on account of color and stated further that Saenger has prior claim to Paramount this season.

Technicolor Wins Restraint

Los Angeles, March 1.—Federal Judge William P. James today ruled that Tricolor's circularizing of exhibitors constitutes improper interference with the business of Technicolor and granted an injunction restraining Tricolor from further use of the practice pending the trial of the case on March 9. The opinion states, in part:

"The belief, as expressed by Tricolor, that it might show some conspiracy between the defendant and the purchasers of films produced by it is not sufficient to authorize the threatening notice sent to exhibitors. The law states plainly that when infringement by the making and use of apparatus is claimed, liability does not extend to the users of the apparatus."

The Tricolor correspondence was held "tending to alarm exhibitors."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"23½ Hours' Leave"

(Grand National)

Hollywood, March 1.—Horseplay in the 1917 military cantonments is the substance of this feature produced by Douglas MacLean and in which he once starred. Of the substance that revives happy memories in the minds of those who signed up to save democracy and also providing amusing entertainment for a new young generation, the film is a blending of comedy characterizations, gags, situations and dialogue, interspersed with solo and chorus singing. A soldier boy-general's daughter romance is also worked in. The song number "Good Night, My Lucky Day" is quality music and would be a decided asset to any production.

As the full atmosphere of how the citizen soldiery lived when the war was considered a lark is reflected, Rookie James Ellison bets his comrades he will have breakfast with Gen. Paul Harvey and that patty cakes will be the main course. He does all right but not before he is given a merry jousting about by his buddies and falls in love with Terry Walker whom he does not know is the General's daughter.

The amusement provided is aimed to hit the fancies of the neighborhood and family trade. Likewise, it is geared to take the World War soldiers back to the good old days. Roisterous, but clean and wholesome, it should fit in acceptably on secondary programs. Ellison is pleasing in the leading role and Miss Walker satisfactory as the center of romantic interest. Good support is provided by Morgan Hill, Arthur Lake, Paul Harvey, Wally Maher, Andy Andrews, Murray Alper, Russel Hicks and Ward Bond.

Premised on Mary Roberts Rinehart's story, Henry McCarty and Harry Ruskin did the screen play. Samuel J. Warshawsky contributed added dialogue and music and lyrics are credited to Sammy Stept and Ted Koehler. John Blystone's direction made comedy to predominate.

Production Code Seal No. 3,124. Running time, 72 minutes. "G."

"That I May Live"

(20th Century-Fox)

Hollywood, March 1.—Basically a crime melodrama, "That I May Live" is handled, for the most part, in a light vein with sprightly penned dialogue and situations and tempered direction spasmodically verging on the farcical. The film emerges as ordinary, but entertaining, program fare evenly gauged for laughs and suspense which will primarily draw neighborhood patronage, but can be counted on to balance up a double bill in some key spots as obviously calculated by the producer.

It's the old story of the man who emerges from a term in the penitentiary desiring to reform but is forced back into the racket by former pals. Robert Kent is the lad who does a three year stretch for robbery and, upon release, is forced at gunpoint to participate in another bank robbery by former cronies Jack La Rue and Frank Conroy. He is framed in this one and is held on a murder charge. Subsequently escaping, Kent fakes a restaurant holdup but Rochelle Hudson, the waitress, kids him out of it, he goes to work washing dishes and romance begins. J. Edward Bromberg, who tours the country with a general store housed in his truck, is the kindly benefactor who takes the couple in after they are fired, sees that they are properly married and ultimately clears Kent of the crime.

All characterizations are carried out in first class order with Bromberg's role outstanding. Fred Kelsey, George Cooper, De Witt Jennings and others ably supported. Allan Dwan's direction is evenly balanced and intelligent. Ben Markson and William Conselman did the screen play. Sol Wurtzel produced.

Production Code Seal No. 3,089. Running time, 70 Minutes. "G."

United Sues Columbia in N. O.

New Orleans, March 1.—Suit has been filed here by the United Theatres circuit against Columbia. The circuit claims "Theodora Goes Wild" to be part of their contract for first subsequent run, claiming that Columbia had no right to sell the film first in other situations.

Pulverman Action Dismissed

Milwaukee, March 1. — Federal Judge Patrick T. Stone in Superior Court here has dismissed the $300,000 action of Minnie Pulverman against M. P. Exhibitors' Protective Ass'n of Northern Wisconsin, Vitagraph, Paramount, United Artists, G.B. and M-G-M. The court held that the exhibitors had the right to protect their business.

A motion for a new trial was denied.

France, Italy Sign New Film Agreement

(Continued from page 1)

in Italy and Italian language films made in France will not be considered in the import group, nor will shorts or silent films. Italian films shown in France will be subject to all regulations which govern the showing of any foreign product in this country.

The agreement will be in effect from Feb. 1 to Dec. 31, 1937, with renewal automatic at the termination date unless opposition to it is voiced.

Under a correlative agreement payment for such films as are traded between the two countries will be paid for through a special clearing house set up by the Government in each country.

Eastman Raises Pay

Rochester, March 1.—Pay increases and wage dividends totaling nearly $4,000,000 have been set for home and foreign employes with eight months' service or more by Eastman Kodak. The pay increase, approximating a jump of 20 per cent over the old 40-hour week, will total $1,500,000. The wage dividend will be $2,112,555, of which employes in the three Rochester plants will receive $1,393,909, those in the United States and Canada $1,858,528, and those in foreign countries the rest of the total.

Epidemic Bars Children

Wellington, N. Z., Feb. 2.—*(By Air-Mail Via London)*—Theatre managements in the Dominion have voluntarily undertaken to bar the attendance of children until the infantile paralysis scare has passed.

Selznick Meets Today

Hollywood, March 1.—The board of directors of Selznick International at its meeting to be held tomorrow will consider the $12,000,000 production program for the coming year.

Wall Street

Losses Spot Board

	High	Low	Close	Net Change
Columbia	36½	36¼	36¼	.....
Columbia, pfd.	44½	44½	44½	— ¼
Consolidated	4¾	4⅝	4⅝	.....
Consolidated, pfd.	16¾	16½	16¾	+ ¼
Eastman	169	168	168	—1⅜
Eastman, pfd.	160½	160	160½	— ½
Gen. T. Equip.	30	30	30	.....
K.-A.-O., pfd.	104¼	103	103	—7
Loew's, Inc.	79	77½	77½	—1¾
Paramount	26⅞	25⅞	25⅞	— ⅞
Paramount 1 pfd.	185	184	184	—2
Paramount 2 pfd.	24¾	23⅞	23⅞	— ⅜
Pathe Film	9	8⅞	8⅞	— ⅛
RKO	9	8⅝	8⅝	— ⅛
20th Century-Fox.	35⅛	34½	34⅞	— ⅛
Warner Bros.	15½	15⅛	15⅛	— ⅛

Technicolor Best Curb Gains

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3¼	— ⅛
Sentry Safety	¾	¾	¾	.....
Sonotone	2	2	2	.....
Technicolor	20¾	19¼	20¾	+1½
Trans-Lux	5¼	5	5	.....
Universal Pict.	15	15	15	—2

Most Bonds Rise

	High	Low	Close	Net Change
Loew's 3½s '46	99⅞	99⅞	99⅞	+ ⅛
Paramount B'way 3s '55	75	74	75	+1
Paramount Pict. 6s '55	101⅜	101	101	— ½
RKO 6s '41 pp.	120	118	118	.....
Warner Bros. 6s '39 wd	98⅝	98	98⅝	+ ⅝

(Quotations at close of Mar. 1)

YOUR FAVORITE OUTDOOR STAR

...cutting a fighting trail through the Big Timber country...as a society lion who turned Northwoods wildcat when a gang of timber thieves got too reckless!...Romance hewn from a rugged land...in a pulse-pounding story of grit and speed and breathless excitement!

GEORGE O'BRIEN

PARK AVENUE LOGGER

with
BEATRICE ROBERTS

IRECTED BY DAVID HOWARD
GEORGE A. HIRLIMAN PRODUCTION
ASSOCIATE PRODUCER
LEONARD GOLDSTEIN

R K O
RADIO
PICTURES

S.&C. Signs 10-Year Deal With Empire

(*Continued from page* 1)

taken place with the officials of Empire looking to a possible amalgamation of the two unions.

Detailed terms of the wage and hour agreement entered into between Springer & Cocalis and the Empire union were not available last night.

Lieutenant James Pyke of the Bomb Squad of the Police Dep't yesterday told Motion Picture Daily that his unit is pressing its investigation into the tear gas bombing Saturday night of seven Springer & Cocalis theatres located along upper Broadway from 72nd St. to 110th St., in which a number of people were slightly injured and patrons were forced from the houses by the fumes.

Lieutenant Pyke, under whose jurisdiction is the investigation of the bombings, declared that policemen will be maintained at each of the 38 Springer & Cocalis theatres in Manhattan, the Bronx and Brooklyn until the "situation is cleared up."

Two K.C. Houses Bombed

Kansas City, March 1.—Two theatres here, the Roanoke and Sun, were bombed here early today. Both houses were closed at the time. Edwin S. Young, manager of the Roanoke, and C. W. Rohde and Homer Pautz, owners of the Sun, declared neither house employs union operators.

Delaware Bill Asks Tax-Free Producing

Dover, Del., March 1.—A bill exempting motion picture studios which shall be established in Delaware on or after July 1, 1937 from taxation for 15 years was introduced in the State Assembly here today by Representative W. R. Ringler of Millville.

The bill, an act amending the "valuation and assessment property" act, provides that for a period of 15 years from the beginning of its operation film studios and plants, including all lands, buildings and chattels utilized in connection with the production of motion pictures and all raw materials going into the finished products of such studios and plants as well as the finished films, shall be exempt from valorem taxation. The exemption is not to apply to real estate owned by such studio and plants except real estate occupied as location required to house such studios and other buildings incidental to operation together with such lands as may be required to house officers and employes, or for warehouses, laboratories, cutting rooms, projection rooms, sets and locations.

Sunday Bill in Delaware

Dover, Del., March 1.—A bill calling for the State-wide legalization of Sunday motion pictures after 2 P. M., was introduced in the State Assembly here today by Representative John P. Hammill of Wilmington.

The bill also provides that no employe in or about a theatre shall be employed on Sunday unless he or she has had at least 24 consecutive hours of rest during the preceding six days. Violation of the measure calls for a fine of $50 or imprisonment of 10 days for the agent or officers of the company guilty of the violation.

Hammill's bill is not the measure currently being formulated by the Law and Legislative Committee of the M. P. T. O. of Delaware and Eastern Maryland, it was stated today by Benjamin Shindler, a member of the committee.

Explains Triples

Kansas City, March 1.—Triple features bring in enough extra patronage to warrant the additional expense and decreased "turnover" only on Sundays, says E. S. Young, operator of the Roanoke and Central, who introduced the policy some months ago. Young runs a triple at his houses about one change a week.

This is due, Young believes, to the fact that on Sunday people have time for a triple.

Oklahoma Reduces Planned Tax

Oklahoma City, March 1.—A severe blow was dealt the Oklahoma tax commission by administration leaders here recently when the revenue and taxation committee reduced the commission's administrative share of the tax more than $200,000 and clipped $250,000 from a proposed amusement tax.

H. Tom Kight, chairman, and Homer Odell, vice-chairman, took the lead first in stripping the tax commission of part of its administrative fund, and in reducing the theatre tax from a proposed five per cent to the present two per cent.

Favor Sunday Measure

Raleigh, N. C., March 1.—The Senate Committee on Counties, cities and towns, following a public hearing, reported favorably on Representative Cooper's bill to legalize Sunday films, baseball and pool rooms in Cherokee County.

Illinois Considers 2 Bills

Springfield, Ill., March 1.—Two bills, both concerning theatres, were referred to Senate committees here this week.

One measure, introduced by Senator Tuttle, reads, "a tax is imposed on persons engaged in or conducting any place of amusement to which admission has been charged and is collected at the rate of two per cent of the gross receipts so charged and collected."

This bill, if passed, would be effective Aug. 15. All monies received as the proceeds of this tax would go to the old age assistance fund in the state's treasury. This plan is understood to meet with much approval among state's legislators.

A second bill, introduced by Senator Meyers, asks that a state board of censors for films be provided. This board would consist of three members to be appointed by the director of the Department of Registration and Education and would also censor all forms of film advertising. Films approved by the board would get a certificate from the department stamped on the film itself. The fee for consideration would be $3 for each 1,200 feet and $3 for each duplicate of a film. If passed, the censorship bill will be effective Aug. 1.

It is understood that theatre men are planning an intensive campaign against both measures.

Warner, "U" Reports Revealed by S. E. C

(*Continued from page* 1)

19 others which it claims it has no control over and therefore are not subsidiaries.

Holders of 10 per cent or more of any class of securities, as of Feb. 1, last, were reported as Renraw, Inc., 14,358 shares; Sigler & Co., 20,720 shares; H. M. Warner, 10,618 shares and Albert Warner, 21,035 shares, all in $3.85 cumulative preferred.

Other securities held by officers and directors were $22,500 each, beneficially, of six and one-half per cent first mortgage gold bonds by H. M. Warner, Albert Warner and J. L. Warner.

The company reported no change in its contractual arrangements but showed that between Nov. 30, 1935, and April 13, 1936, Jack L. Warner sold the company certain furniture, equipment and material for $105,323.

It also reported that during the fiscal year the company filed a claim with the board of tax appeals for a deductible allowance as an offset against income tax deficiences and the Treasury held the claim conflicted in part with other claims filed by the three Warners brothers, and refused relief to all parties. To "avoid an impasse" the company entered into an agreement with the Warners, accepting their obligation to pay it $110,000 in substitution for its claim.

"U" Reports to Oct. 31

The Universal report, covering the fiscal year ended Oct. 31, last, showed six wholly-owned and one partly owned domestic subsidiaries, two of which were inactive, and 28 foreign subsidiaries. Holders of 10 per cent or more of any class of stock were listed as the Universal Corp., 20,000 shares of second preferred and 229,027 shares of common, and Gruntal & Co., 1,922 shares of first preferred.

The company reported that during the year as existing contracts expired, it made new agreements with Willard S. McKay as general counsel at $700 per week to April 1, 1937, and $1,000 per week thereafter to 1941, and with James R. Grainger as general sales manager, for two years from May 18, 1936, at $1,000 per week for the first year and $1,250 per week for the second year, with an option to retain his services for a third year at $1,500 per week.

Laurel Incorporates

Sacramento, March 1.—Incorporation papers were filed here today for Stan Laurel Prod., Inc. Valuation of $100,000 has been listed. It is reported that Oliver Hardy has been assigned for a single picture.

Sam Shirley Very Ill

Chicago, March 1.—Sam Shirley of M-G-M, ill here, suffered a serious setback yesterday following an operation.

John Divney Recovering

Portland, March 1.—John Divney, manager of the Maine, is convalescing from an operation. He is home from Queen's Hospital.

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IN
MOTION
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by MARTIN QUIGLEY
Why there is and how there came to be a "Production Code"
100 pages—bound in Blue Cloth
ONE DOLLAR POSTPAID

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available at THE QUIGLEY BOOKSHOP
Rockefeller Center, New York City

'Salem,' Show Only Grosser On the Coast

LOS ANGELES, March 1.—"Maid of Salem," with a stage show at the Paramount, was the only attraction to make much of an impression during the week in spite of an improvement in the weather. The $20,500 take was $2,500 over par.

"The Last of Mrs. Cheyney," on a dual with "Man of the People," went $2,100 over the line on a take of $16,000 at Loew's State, but failed to make much of an impression at the Chinese where the take was $12,000.

"The Black Legion," with "Women of Glamour" was a disappointment at the Warner Hollywood with $13,400, but managed to get $300 over the line on a take of $12,300 at the Warner Downtown.

Total first run business was $107,278. Average is $105,950.

Estimated takings for the week ending Feb. 24:

"THE GOOD EARTH" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 4th week. **Gross:** $16,800. (Average, $17,000)

"THE LAST OF MRS. CHEYNEY" (M-G-M)
"MAN OF THE PEOPLE" (M-G-M)
CHINESE — (2,500), 30c-55c, 7 days. **Gross:** $12,000. (Average, $12,500)

"WINGS OF THE MORNING" (20th-Fox)
4 STAR—(900), 30c-55c, 5 days, 2nd week. **Gross:** $3,078. (Average, $3,250)

"YELLOW CRUISE" (French)
GRAND INTERNAT'L—(750), 35c-40c, 7 days, 2nd week. **Gross:** $1,600. (Average, $1,200)

"MICHAEL STROGOFF" (Radio)
"DON'T TELL THE WIFE" (Radio)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $6,000. (Average, $8,000)

"THE LAST OF MRS. CHEYNEY" (M-G-M)
"MAN OF THE PEOPLE" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $16,100. (Average, $14,000)

"MICHAEL STROGOFF" (RKO)
"DON'T TELL THE WIFE" (RKO)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $6,500. (Average, $8,000)

"MAID OF SALEM" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Rube Wolf and his orchestra, F. & M. revue, Charles Withers, Lamberti, Loretta Lee. **Gross:** $20,500. (Average, $18,000)

"BLACK LEGION" (W.B.)
"WOMEN OF GLAMOUR" (Col.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days. **Gross:** $13,400. (Average, $14,000)

"BLACK LEGION" (W.B.)
"WOMEN OF GLAMOUR" (Col.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days. **Gross:** $12,300. (Average, $12,000)

5,302 Houses in Reich

BERLIN, Feb. 20.—The number of German theatres on Jan. 1, 1937, was 5,302 with a total seating capacity of 1,943,049. Of them, 2,316 theatres are playing daily with a total seating capacity of 1,195,906. A total of 1,984 houses have 250 seats or less, 2,355 from 250 to 500 seats, 713 from 501 to 900 seats and 250 houses have more than 900 seats.

Ohio Lifts "Spain" Ban

COLUMBUS, March 1.—The censor board has lifted the ban on "Spain in Flames," Russian film, as the result of pressure brought by various Spanish societies, sympathizers and newspaper editorials. The picture was banned because it was thought it would exert a harmful influence on the public due to its decided Loyalist angles.

"Sea Devils" $20,400 Hit, San Francisco

SAN FRANCISCO, March 1.—"Sea Devils" was something of a sensation tion in a quiet week. It piled up $20,400 with the help of a vaudeville bill at the Golden Gate leaving par $4,400 astern.

"The Green Light" and "Woman Wise" also went into the profit column in a big way with a take of $19,500 at the Fox. This was $4,500 in the black.

Other houses felt the competition, although "On the Avenue," with "Paradise Express" held up to $13,000 at the Paramount.

Total first run business was $93,450. Average is $85,000.

Estimated takings:

Week Ending Feb. 23:

"ACCUSED" (U.A.)
"NIGHT WAITRESS" (Radio)
EMBASSY—(1,400), 15c-30c-35c, 7 days. **Gross:** $3,500. (Average, $4,500)

"SEA DEVILS" (Radio)
GOLDEN GATE—(2,850), 15c-30c-35c-40c-55c, 7 days. Stage, vaudeville. **Gross:** $20,400. (Average, $16,000)

Week Ending Feb. 24:

"GREEN LIGHT" (W.B.)
"WOMAN WISE" (20th-Fox)
FOX—(5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $19,500. (Average, $16,000)

"DEVIL'S PLAYGROUND" (Col.)
"SHE'S DANGEROUS" (Univ.)
ORPHEUM—(2,440), 15c-30c-35c-40c, 7 days. **Gross:** $10,200. (Average, $9,500)

"ON THE AVENUE" (20th-Fox)
"PARADISE EXPRESS" (Republic)
PARAMOUNT—(2,740), 15c-30c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $13,000. (Average, $13,000)

"MAID OF SALEM" (Para.)
"HOLY TERROR" (20th-Fox)
ST. FRANCIS—(1,400), 15c-30c-35c-40c, 7 days, 2nd downtown week. **Gross:** $6,500. (Average, $6,000)

"BELOVED ENEMY" (U.A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days, 2nd week. **Gross:** $5,800. (Average, $6,000)

Week Ending Feb. 25:

"MAN OF AFFAIRS" (G.B.)
"UNDER COVER OF NIGHT" (M-G-M)
WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $13,400. (Average, $13,000)

Week Ending Feb. 26:

"LUCK OF THE IRISH" (Guaranteed)
CLAY—(400), 15c-35c, 7 days. **Gross:** $1,150. (Average, $1,000)

Cut Pacific Mail Rates

New air mail postage rates for trans-Pacific service have gone into effect coincident with the scheduling of the first clipper departure from San Francisco, March 24 or shortly thereafter. The rates are: to Hawaii, 20 cents; Manila, 50 cents; Hongkong, 70 cents.

Republic in French Deal

PARIS, Feb. 20.—The French distributing company Radio Cinema has closed a deal with Republic for the distribution in France and North Africa of a number of Republic films, which have not been distributed in France up to this time.

No "Maytime" Roadshow

HOLLYWOOD, March 1.—M-G-M has decided against roadshowing "Maytime." It will open day and date at Loew's State and the Chinese here March 10.

Runs for Mayor

Columbia, Mo., March 1.—By a vote of 2,553 to 1,954, Rex. P. Barrett, manager of Commonwealth's Uptown, has won the Democratic nomination for mayor. Barrett nosed out R. S. Pollard, present mayor. Usually, nomination on the Democratic ticket is tantamount to election.

"Cheyney" $10,000, Milwaukee on Dual

MILWAUKEE, March 1.—The week's high money went to "The Last of Mrs. Cheyney" and "Sinner Take All," which grossed $10,000 at Fox's Wisconsin. This was $2,000 above average. The bill was held.

"The Green Light" and "Fugitive in the Sky" cornered second high honors with $7,000 for eight days at the Warner. This was $2,000 above average.

The weather varied from rain to near zero temperatures.

Total first run business was $30,000. Average is $24,500.

Estimated takings:

Week Ending Feb. 23:

"THE LAST OF MRS. CHENEY" (M-G-M)
"SINNER TAKE ALL" (M-G-M)
WISCONSIN—(3,200), 25c-35c-50c, 7 days. **Gross:** $10,000. (Average, $8,000)

Week Ending Feb. 25:

"WOMEN OF GLAMOUR" (Col.)
PALACE—(2,400), 25c-35c-50c, 7 days. Stage: Benny Davis' "Stardust Review." **Gross:** $6,000. (Average, $5,000)

"HAPPY-GO-LUCKY" (Republic)
RIVERSIDE—(2,300), 20c-30c, 7 days. Stage: Andre Lasky's "French Revue." **Gross:** $5,500. (Average, $5,000)

"CAMILLE" (M-G-M)
"MR. CINDERELLA" (M-G-M)
STRAND—(1,400), 25c-35c-50c, 7 days. **Gross:** $1,500. (Average, $1,500)

"THE GREEN LIGHT" (F.N.)
"FUGITIVE IN THE SKY" (W.B.)
WARNER—(2,400), 25c-35c-50c, 8 days. **Gross:** $7,000. (Average, $5,000)

"Avenue" on Dual Top in Providence

PROVIDENCE, March 1.—The biggest business for the week was scored by "On the Avenue," at the Majestic, where the musical hit $11,200 on a dual with "Off to the Races." Average for the house is $7,000.

The Strand enjoyed a big week with "Maid of Salem" and "Mind Your Own Business," which brought in $8,900, over average by $2,400. "The Last of Mrs. Cheyney" chalked up a par $12,000 at Loew's State.

The weather was warm and fair.

Total first run business was $45,600. Average is $39,500.

Estimated takings for the week ending Feb. 25:

"THE LAST OF MRS. CHEYNEY" (M-G-M)
LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $12,000. (Average, $12,000)

"SEA DEVILS" (RKO)
"DON'T TELL THE WIFE" (RKO)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $6,500. (Average, $7,000)

"ON THE AVENUE" (20th-Fox)
"OFF TO THE RACES" (20th-Fox)
MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $11,200. (Average, $7,000)

"BREEZING HOME" (20th-Fox)
FAYS—(1,600), 15c-40c, 7 days. Stage: "Olympics Revue." **Gross:** $7,000. (Average, $7,000)

"MAID OF SALEM" (Para.)
"MIND YOUR OWN BUSINESS" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $8,900. (Average, $6,500)

"Green Light" $18,000 Wow In Pittsburgh

PITTSBURGH, March 1.—"The Green Light" turned in a smashing $18,000 at the Stanley, over normal by $6,500, and was held over. It was the best take at this house since "Anthony Adverse."

"On the Avenue" held up to $7,800, up by $3,300, at the Fulton, and "Lloyds of London," in its second week at the Alvin took a strong $6,500.

Although the notices for "The Last of Mrs. Cheyney" at the Penn were only lukewarm, there were enough cast names to carry it through to an excellent $16,750.

Weather conditions all week were excellent, except for the sudden return of winter, which didn't seem to hurt much, and first run grosses were $55,150. Average is $37,500.

Estimated takings for the week ending Feb. 25:

"LLOYDS OF LONDON" (20th-Fox)
ALVIN—(2,000), 25c-40c, 7 days, 2nd week. **Gross:** $6,500. (Average, $5,500)

"ON THE AVENUE" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days, 2nd week. **Gross:** $7,800. (Average, $4,500)

"LAST OF MRS. CHEYNEY" (M-G-M)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $16,750. (Average, $11,000)

"GREEN LIGHT" (W.B.)
STANLEY — (3,600), 25c-50c, 7 days. **Gross:** $18,000. (Average, $11,500)

"PLOUGH AND THE STARS" (RKO)
"DANGEROUS NUMBER" (M-G-M)
WARNER — (2,000), 25c-40c, 8 days. **Gross:** $6,100. (Average, for 7 days, $5,000)

Coming!
THE HIT PARADE
REPUBLIC PICTURES, INC.

Six Station Permits Are Asked of F. C. C.

WASHINGTON, March 1.—Receipt of six applications for the construction of new broadcasting stations was announced today by the F.C.C., as follows:

John W. Haigis, Greenfield, Mass., 1,210 kilocycles, 250 watts, daytime only; Ocala Broadcasting Co., Ocala, Fla., 1,500 kilocycles, 100 watts at night and 250 watts during the day, unlimited time; Florida West Coast Broadcasting Co., Clearwater, Fla., 1,300 kilocycles, 250 watts, unlimited time; State Broadcasting Co., New Orleans, 1,370 kilocycles, 100 watts, unlimited time; Glenn E. Webster, Decatur, Ill., 1,290 kilocycles, 250 watts, daytime only, and Provo Broadcasting Co., Provo, Utah, 1,210 kilocycles, 100 watts, unlimited time.

The commission also has received application from KCRC, Enid, Okla., for an increase of power from 250 to 500 watts, and from KSJS, Salina, Kan., for an increase in day power from 100 watts to 250 watts.

Vic and Sade in New Spot

Vic and Sade, broadcasting for Procter and Gamble, take on a new evening spot on the NBC-Blue network beginning tomorrow evening at 10 P. M., E.S.T. The contract is for 17 weeks.

Additionally, Vic and Sade are heard from 11:30 to 11:45 A. M., E.S.T., and from 3:30 to 3:45 P. M., E.S.T., both on the Blue network. The new evening spot will supplement their present morning and afternoon periods, all for Procter and Gamble.

World Signs More Stations

The World Broadcasting Co. has signed CKPC, Brantford, Ontario; WSGN, Burmingham, and stations comprising the South African Broadcasting Co. to receive its transcribed program service, effective immediately. The South African Broadcasting Co. maintains stations in Johannesbrug, Durban, Capetown and Grahamstown.

Ralston Not to Renew Mix

The Ralston Purina Co., sponsors of the current 5 to 5:15 P. M., E.S.T. Red network series starring Tom Mix, will not renew the program for an additional cycle, it became known yesterday. The final broadcast will be heard March 26. The Gardner Advertising agency handles the account.

Doris Hare to Start Series

Doris Hare, British comedienne, will begin a sustaining series of her own from 7:45 to 8 P. M., E.S.T. on the NBC-Red, beginning March 10. Miss Hare recently appeared on a Rudy Vallee broadcast.

Borrows a Radio Idea

20th Century-Fox will borrow from radio's "Community Sing" idea in making its next feature picture. The tentative title is "Everybody Sing," which goes into production March 15 under the production wing of Sol M. Wurtzel. Leah Raye and Tony Martin will be featured.

Pflugfelder Leaves for Coast

Fred Pflugfelder, director of N. W. Ayer & Son's radio department, left for California yesterday, to look over the radio situation there and to discuss program ideas,

Hollywood Joining Divines In Air Series on Tolerance

HOLLYWOOD, March 1.—Albert B. Lasker, president of Lord and Thomas, acting in collaboration with the National Conference of Jews and Christians, is expected to release soon full details of a new series of 13 coast-to-coast programs, a half-hour each, over NBC some time next month. The series will feature leading divines of all faiths, and topflight actors and authors who will contribute their services in an effort to foster tolerance and combat lynching and other anti-social evils. NBC will contribute the time.

Richard Carroll of Lord and Thomas' radio department in New York, is actively in charge of the program plans.

It is understood that President Roosevelt and Professors Einstein and Conant have volunteered their services.

Among those who may contribute their services to the series are:

Dorothy Canfield, Edna Ferber, Booth Tarkington, John Erskine, Fannie Hurst, Rupert Hughes, Gene Fowler, Clifford Odets, Charles MacArthur, Preston Sturges, Bella and Sam Spewack, Gertrude Berg, Edgar Allan Woolf, Irving Berlin, Bayard Veiller, John Balderston, Frank R. Adams, Zoe Akins, Moss Hart, Cyril Hume, Albert Jennings, Frances Marion, Florence Ryerson, Ernest Vajda, P. G. Wodehouse, Phil Wylie, Charlie Chaplin, Eddie Cantor, Abbey Players, Alfred Lunt, Walter Connolly, Walter Hampden, Edward Everett Horton, Peter Lorre, George Arliss, George M. Cohan, Clark Gable, William Powell, Robert Taylor, Gary Cooper, Fredric March, James Cagney, Edward G. Robinson, Paul Muni, Bing Crosby, Fred MacMurray, Jeanette MacDonald, Joan Crawford, Myrna Loy, Irene Dunne, Norma Shearer, Janet Gaynor, Mae West, Marlene Dietrich, Al Jolson, Harold Lloyd.

Oklahoma Paper and WKY to Make a Film

OKLAHOMA CITY, March 1.—Arrangements have been made by the Standard Theatres Corp., the *Daily Oklahoman,* Station WKY and General Film Corp. to produce a feature here.

The picture will be made with sound and will be a newspaper story titled "Deadline." Many of the scenes will be taken in the plant of the *Daily Oklahoman,* Radio personalities will be shown doing their daily tasks in station WKY.

James DeCamp will direct, with J. Basil LeRoy supervising.

Standard Theatres will show the film.

Parkyakarkus with Jolson

Parkyakarkus, erstwhile stooge on Eddie Cantor's program has been signed to replace Sid Silvers on Al Jolson's CBS program, beginning with tonight's program. The program is presented in behalf of Rinso and Lifebouy and is handled by Ruthrauff and Ryan. The Parkyakarkus contract is for 16-weeks, with options for two years,

Mixed Records

Recently Bob Ripley dramatized a story about grave robbers during a rehearsal for his "Bakers Broadcasts" program. The closing scene was the apprehension of the defilers, and called for crowd noises. Accordingly, a sound effect record of crowd noises was produced.

The sketch reached its dramatic climax, and the crowd noise platter was set on the machine. Just as the grave-robbers were being hanged, a voice in the crowd shouted above the rest: "Yeah, a touchdown!"

It was a recording of an Army-Notre Dame football crowd.

New Rate Schedules Worked Out at WINS

A new schedule of rates, designed for limited budgets, goes into effect immediately at WINS. The new rates, marking a radical departure from the conventional time-selling methods now used by stations throughout the industry, offer program periods ranging from 50-word announcements to full hour presentations, in program periods of one, three, five, seven, eight, 10, 12, 15, 30 and 60 minutes each.

The rates range from $125 per hour, one to 12 times, to $10 per 50-word announcement for a like number of times.

Burt Squires, manager of WINS, evolved the new rate structure.

Cowan Will Control Para. Talent on Air

HOLLYWOOD, March 1.—Rubey Cowan, who arrives from New York about April 1, will act as a sort of one-man clearing house between Paramount and its star's radio activities.

The former NBC executive is expected to clear all outside requests for additional radio appearances of Paramount players now appearing on the air including Jack Benny, Bing Crosby, Bob Burns, Burns and Allen, Martha Raye and Gladys Swarthout. A more consistent balance between film and broadcast engagements will be another of his jobs.

Christoph to R. & R.

Charles Christoph of the radio department at McCann-Erickson leaves the agency next week to assume charge of the day-time program department at Ruthrauff & Ryan. Christoph formerly was a member of the radio department at Blackett-Sample-Hummert.

Roosevelt Party on WHN

WHN, in addition to networks and independent stations previously noted, will carry President Roosevelt's address at the Victory Dinner in Washington this Thursday from 10:30 to 11 P. M.

Rhode Island Going Under FCC Scrutiny

PROVIDENCE, March 1.—Broadcasting conditions in Rhode Island will be studied by an agent of the F. C. C. at hearings March 26 in Washington to decide on new applications for stations in Providence and Pawtucket. It is understood one petitioner is the Bay State Broadcasting Corp. The commission intends to determine whether or not additional service is necessary and, if so, where a new station should be located.

Pepperell Sets Its First

The Pepperell Co. will sponsor its first radio program over WSB, Atlanta, beginning March 4. Additionally, WSB will pipe the program to WRDW, Augusta. If the results are favorable, the Pepperell Co. may buy network time, according to Batten, Barton, Durstine & Osborn, agency handling this account.

The program will be aired Thursdays at 6:15 P. M. (Central time in Atlanta; eastern time in Augusta) and will feature Dr. Karl Reiland in inspirational talks. Arthur Pryor, radio director for the agency, is now in Atlanta to supervise the initial airing of the series.

Files Copyright Suit

Perry Bradford, as administrator of the estate of Eddie Stafford, filed a suit yesterday against the RCA Manufacturing Co. and the Southern Music Publishing Co. asking $15,000 damages and an injunction for infringement on copyright of the song, "He's in the Jail House Now." The complaint alleges that Stafford copyrighted this song in Nov. 1915, that Southern published it and RCA made phonograph records of it.

Bamberger Sues Fur Company

The Bamberger Broadcasting Service and L. Bamberger & Co. filed a suit yesterday against the WOR Fur Corp. for an accounting of profits and an injunction restraining the defendant from further use of the name WOR on the ground that it conflicts with the fur department maintained by L. Bamberger & Co. The defendant company was incorporated in March, 1934.

"Unseen Friend" Renewed

"Your Unseen Friend," heard Sundays at 5 P. M., E.S.T. on CBS, has been renewed for an additional 13 week period by its sponsors, the Personal Finance Co. Neff-Rogow is the agency. The program will undergo a change in broadcast some time in mid-April.

Edwards Show Starts

HOLLYWOOD, March 1.—"Schooldays of the Air," long-heralded Gus Edwards show, made its debut tonight at 8:15 P.M., P.S.T. over KFWB. Eddie Dien and Stanley Kops, film writers, wrote it and Arthur Q. Bryan and Manning Ostroff produced under Edwards' supervision. Bert Fiske's orchestra furnished the music and prominent as an opener was Edwards' well-known song, "Schooldays."

Camel Signs Film Names

HOLLYWOOD, March 1.—George Jessel, Alice Faye and John Boles will follow each other on subsequent Tuesdays on the Camel show, beginning March 9.

◂ Radio Personals ▸

FRED SMITH, publicity director at Batten, Barton, Durstine and Osborn, ailing with the flu. . . . Frank Healy, assistant to Wayne Randall at NBC, back in harness after a 10-day trip to New Orleans to cover the N.E.A. convention there. . . . Carey Grant in all likelihood will support Grace Moore in next Monday's Lux "Radio Theatre" offering. . . . Sheila Barrett set for the Nash-Lafayette program for next week. . . . From the coast Ben Bernie wires that he is parting from his band temporarily, not permanently. . . . Ford Frick, president of the National Baseball League, will be the "Showboat" guest April 1. . .

✚

Rudy Vallee planes to Florida for a five-day vacation immediately after Thursday night's broadcast. . . . Warden Lawes was unable to appear on his "20 Thousand Years in Sing Sing" program last night due to illness. Richard Gordon substituted for him. . . . The RCA "Magic Key" cast this Sunday will include Jean Sablon, Josephine Antoine, Eddie Albert and Frank Albertson and Richard Himber's orchestra. . . . Irene Delroy, who leaves for the coast shortly to begin picture work, will guest appear on Louis Katzman's program over WINS today. . . .

✚

C. E. Midgeley, head of Batten, Barton, Durstine and Osborn radio department, has returned to New York after conferring with officials at the Brown & Williamson Tobacco Corp. in Louisville regarding the change in time for the company's Jack Pearl series. . . . Betty Olson joins the "Escorts" on the NBC "Breakfast Club" series and hereafter the act will be known as "The Escorts and Betty." . . . A new symphony program, the "Chicago Symphonic" hour, will be inaugurated over the NBC-Blue network at 11 P. M., E.S.T., beginning March 5. . . . WOR's gym classes with John B. Gambling celebrates its 14th year on the air the week of March 8. . . .

✚

Joe Gentile and Bruce Hamilton, conductors of CKLW's "Early Morning Frolic" both back on the job after a siege of grip. . . . Joseph Schmidt, European tenor, makes his American concert debut on the General Motors concert this Sunday. . . . The first issue of *Promotion,* complimentary service organ, published by Adrian James Flanter and associates, specialists in radio exploitation, is now in the mail. . . . Grady Cole, Ford newscaster and Stewart-Warner commentator on WBT, ill with grippe. . . . Duane Thompson, telephone operator on "Hollywood Hotel," marries William Johnson, coast script writer, this Saturday. . . . Margaret Sullavan will offer a scene from her current stage play, "Stage Door," on Kate Smith's "Bandwagon" program, March 11. . . . Carole Lombard will appear on the CBS "Hit Parade," Saturday.

W. L. Doudna Joins WHBL

SHEBOYGAN, Wis., March 1.—William L. Doudna, formerly radio and music editor of the Wisconsin *State Journal,* Madison, and news announcer over WIBA, has joined WHBL, the Sheboygan *Press* station as program director.

"Butterfly" Over Lux

HOLLYWOOD, March 1.—Lux Theatre of the Air will turn to "Madame Butterfly" for its March 8 broadcast. Grace Moore and the Puccini music will be featured.

"Paramount Parade" Is Set for Mar. 28

HOLLYWOOD, March 1.—The initial broadcast of "Paramount on Parade" will be heard over the NBC-Red March 28th instead of March 14. The complete clearance of 73 stations necessitated the postponement.

The full Paramount contract list of 80 stars and featured players including the musical comedy attractions will be called upon for the building of the Sunday program. Outstanding among the features planned is the bringing to the microphone of a "visitor of the day," the visitor being some prominent personality in southern California.

New Women's Show Starts in Charlotte

CHARLOTTE, March 1.—The "Women's News Parade," a daily 15-minute program designed exclusively for women, makes its debut on WBT tomorrow. The program features women in the news, fashions, and film chatter.

Sponsored by the O'Boy Bread Co., the show will be handled by Reginald Allen. The news will be furnished by the United Press.

New Shows on the Air

"Passing Parade"

John Nesbitt's "Passing Parade," long a favorite with west coast listeners, hit the "big time" last night as a coast-to-coast feature on the NBC-Red. With a few minor reservations, the program is definitely worth while dialing.

Produced with a showmanly touch, Nesbitt exhibited a good sense of dramatic values and a fine, well-modulated voice. His mike style and choice of material, however, bordered uncomfortably close to that of Edwin C. Hill and his "Human Side of the News." In the comparison, Nesbitt suffered.

The program consisted of a series of panels highlighting the news of yesterday. Last night Nesbitt marshalled tales of the explorer Fawcett, who perished in the Brazilian jungles; the story of a miserly woman who lived in a hovel and slept on a pillow stuffed with $100 bills; and a yarn about an old skipper who put out to sea with a bevy of monkeys as his traveling companions. All were uniformly good and sustained interest throughout.

Nesbitt's "parade" is divided into two chapters presented on successive days. Last night's was the "Parade of Yesterday." This evening, and employing a similar schedule thereafter, Nesbitt will offer his "Parade of Today."

"Passing Parade" is sponsored by the Duart Co., makers of cosmetics, Mondays and Tuesdays at 7:15 P. M., E.S.T. on the NBC-Red.

"Ma and Pa"

Apparently "Ma and Pa," the Atlantic Refining Co.'s rural script drama, has caught on with the listeners, for, beginning with last night's broadcast from 7:15 to 7:30 P. M., E.S.T., the series was boosted from a three to a five-time per week schedule.

"Ma and Pa," of course, is founded on the proverbial set of rural characters, headed by the Baxters—"Ma and Pa" of the script. Having listened, we hardly know what to say about this one. Perhaps it would be most charitable to say it's no better or worse than most of the rural script dramas heard on the air.

Last night's episode concerned "Pa Baxter's" sub rosa efforts at building an automobile trailer for himself and "Ma." Characteristically, however, "Pa" plans to build his trailer with a chicken roost and a cow stall in it, so that he and "Ma" can have fresh eggs and milk when they go touring. "Ma" gets wind of the trailer, however, and puts the "kibosh" on "Pa's" plans. The episode also dealt with something about an iron cat. Apparently the iron feline plays an important part in the plot, but being only a casual listener, the significance of this was lost to us.

The NBC Sustaining Dramas

NBC is in the non-strategic position of not being able to blow its own horn by calling attention to the excellent sustaining dramas it is now offering each Sunday from 8 to 9 P.M., E.S.T. on the Blue network, for fear of drawing fire from Chase and Sanborn, sponsors of the competitive "Do You Want to Be an Actor?" series, heard at the same hour as the sustaining dramas on the Red. It seems to be up to others, therefore, to do something about the matter.

Two Sundays ago, in an effort to build up the 8 to 9 P.M. period, NBC presented Philip Merivale in "Thorns in Omar's Garden." Last Sunday the period was delightfully occupied by Eva Le Galliene, who presented Tom Broadhurst's adaptation of Longfellaw's poem, "Evangeline."

We have seldom, if ever, heard anything as fine on the air. It's comparatively easy for one to be aroused emotionally by a fine play or motion picture, but never have we witnessed such a radio phenomenon as occurred in our home as we listened to Miss Le Galliene's amazing voice portrayal of "Evangeline." We had a party of friends at the house: when we tuned in the party was at its gayest. Minutes after the program had started a voice wasn't to be heard, save those that came from the loudspeaker. At the conclusion of the program there was hardly a dry eye in the room. When a mere radio program can grip a roomful of listeners with such intensity, it may be said that true dramatic art in radio has been reached.

"The ABC of NBC"

"The ABC of NBC," a new series of institutional programs designed to afford dialers a non-technical insight to how radio works, bowed in over the Red network last Saturday from 7:45 to 8 P.M., E.S.T. The initial "lesson" dealt with the duties of the control room engineer and studio director; a demonstration of the work accomplished by the control room "mixing panel," an explanation for the importance of "timing" in radio; and a glossary of the signals used in putting and keeping a program on the air.

For a program without entertainers, the broadcast held up surprisingly well. Utilizing the catch phrase, "Use Your Radio Dial As a Latch Key to NBC," the show featured announcer George Hicks as narrator, and assistants Tom Hutchinson, director; Ted Hahn, engineer; and an unnamed woman who assumed the role of a visitor to Radio City separated from her regular guide party.

Each week a different department will be visited and its operations explained. Listeners with a desire to learn what makes the wheels of the broadcasting world go 'round will like this informative little series.

"Singing Waiters of Paris Inn Cafe"

"The Singing Waiters of the Paris Inn Cafe," heard Saturdays at 5:45 P.M., E.S.T. on CBS, is a fluent little musical program which recently attained coast-to-coast status after a long period of west coast airing over KNX, Los Angeles.

The program is definitely of a much higher calibre than the usual sustaining programs and should be well-received by the CBS audience.

"Class" music predominates, with occasionally a number of the popular variety. Highlights of Saturday evening's broadcast were renditions of "The Mountaineers" by the entire "Paris Inn" ensemble, and "The March of the Musketeers" by Roger Kilburn.

BANNER

"Keep Laughing"

PHILADELPHIA, March 1.—Having developed more than a dozen musical variety shows, most of them fed to the NBC Red, KYW's production department is now turning its attention to the comic element, figuring that Jack Benny can't go on forever.

LeRoy Miller and Morton Lawrence, as Berton and Dutton, with announcer Jim Harvey feeding straight lines, makes for a laughing combination that promises to be as zany as the Colonel and Budd. Without a visual audience to milk the laughs, the boys will have to juggle their material until they hit the proper vein. As heard on the initial broadcast, the mimed characterizations listened best, the "highlights of last week's news" coming over tops. The black-outs, however, fell flat. Jan Savitt's studio band of 16 keep the pace at a fast tempo. "Get Happy" is the signature with stock laughs to convey the idea to those who don't recognize the song.

"Keep Laughing" is offered as a sustaining show on KYW, Fridays at 1:15-1:30 P.M., E.S.T. The program has commercial potentialities, providing the comics don't get stale and fall back on Joe Miller.

Rites Are Held for Harry M. Crandall

Washington, March 1.—The last rites of Masonry and the Presbyterian Church were held today at the funeral of Harry M. Crandall, veteran exhibitor who died by his own hand last Friday morning. The services were read by Rev. John C. Palmer at Crandall's late residence on 16th St. Interment took place in Mt. Olivet Cemetery.

The honorary pallbearers were Alvin Newmeyer, Clifford K. Berryman, Frank V. Killian, Harry Wolf, Dr. Malcolm G. Gibbs, Nelson B. Bell, Andrew R. Kelley and L. T. Souder. The active bearers were George A. Crouch, Harry E. Lohmeyer, Robert E. Etris, Guy Wonders, Nat Glasser and Ashley M. Abendschein.

McCarthy Burial Set

The body of J. J. McCarthy arrives from Hollywood Thursday morning and will be interred at the Gate of Heaven Cemetery, Mt. Pleasant, N. Y. Services will be conducted by Father Madden of the Church of the Sacred Heart, Larchmont, N. Y., where McCarthy had been a parishioner. Clayton R. Sheehan is in charge of the details of the final burial service.

Fountain Killed in Australia

Sydney, March 1.—William Fountain of Thomas Lamb & Co., theatre architects, who has been missing in the Brisbane-Sydney airplane wreck since Feb. 19 was found dead yesterday. His wife and children have been in Brisbane for the past two weeks awaiting word.

Newall Dies in London

London, March 1.—Guy Newall, 51, British stage and screen actor, who made a stage tour in the United States 20 years ago, and who was at one time managing director of George Clark Film Prod., died here at his home.

Taylor's Grandfather Dies

Beatrice, Neb., March 1.—Jacob A. Brugh, 82, grandfather of Robert Taylor, died at the home of his son near here this morning, from influenza.

Rites for Mrs. Snell

Funeral services for Mrs. Julia Snell, mother of Frank M. Snell, vice-president of the Van Bueren Corp., who died Saturday, will be held today at St. John's Church, Noroton, Conn. Burial will be at Summit, N. J.

Jennings Funeral Tomorrow

Los Angeles, March 1.—The funeral of DeWitt C. Jennings, actor will be held here on Wednesday.

The Tavern
MEETING PLACE
of the INDUSTRY
●
MAKE THIS YOUR
LUNCHEON—
DINNER—SUPPER CLUB
158 W. 48th St. Toots Shor

Purely Personal

George J. Schaefer, vice-president and general manager of United Artists, left by plane last night by New Orleans. James A. Mulvey, vice-president of Samuel Goldwyn Prod., and Lowell Calvert, eastern representative for Selznick International, left by train last night and will join Schaefer in New Orleans for a trip to the coast.

●

Gene Moore and William Boetcher of Loew's sound engineering department, have gone to St. Louis on the first lap of a cross country tour. They are supervising installation of new sound horns in Loew houses.

●

John J. O'Connor, film buyer for the RKO circuit, arrived in Columbus yesterday. From there he will go to Cincinnati, Dayton and New Orleans, returning to New York on March 11.

●

Rudolph Eisenberg, theatrical attorney and national sales manager for Reliable Picture Corp., leaves for Florida in 10 days to attend the M. P. T. O. A. convention.

●

Charles Koerner, RKO theatre division head, arrived yesterday from Boston to spend a few days conferring with home office executives.

●

Arthur Gottlieb, president of DuArt Labs., left Miami yesterday for the coast and is traveling via Vera Cruz and Mexico City.

●

Hattie Helborn, secretary to Nicholas M. Schenck, is vacationing at Hollywood, Fla. She's due back March 12.

●

William Schneider is in town from St. Louis with Harry C. Arthur. They plan to remain about 10 days.

●

Aladar Laszlo's play, "The Muddled Deal," at present on the boards in Budapest, has been purchased by RKO.

●

Al Friedlander plans to leave today or tomorrow for a tour of the country. He'll be gone several weeks.

●

Monty Proser has returned from Miami. Ditto Milton Blumberg and Lewis J. Brecker.

●

Jack D. Trop has moved his offices from the Paramount Bldg. to Radio City.

●

Jack Goetz of DuArt Labs. will sail May 4 for England on the *Berengaria.*

●

Arthur Loew is due back from his cross-country vacation tour next week.

●

Mrs. Al Lichtman left yesterday for Hollywood to join her husband.

●

Sam Cocalis will open his summer estate at Deal on March 25.

●

A. H. Schwartz is back from a West Indies cruise.

●

Bill Scully, Loew's district manager, is in Miami. Vacationing.

Arthur W. Kelly, vice-president of United Artists in charge of foreign distribution, is due today aboard the *Berengaria.* On the same ship are Lillian Fischer, fashion adviser, Walter Warner's forthcoming "Vogues of 1938," and Raymond Massey, who is to play Black Michael in Selznick's "The Prisoner of Zenda."

●

Edward Hyman of Century circuit will leave for a Florida vacation on March 19. He will attend the Bobby Jones golf tournament in Augusta and also the northern and southern open tourney to be held at Pinehurst on March 23.

●

Eddie Smith, sales manager of Imperial, opened the new Imperial exchange in Cleveland yesterday. He will make stops in Detroit and Buffalo on his return to New York.

●

F. J. Holleran, assistant vice-president, and Harold Hatter, assistant manager of the Times Square branch of the National City Bank, are back from a business trip to Hollywood.

●

Roy H. Haines, newly appointed eastern sales manager for Warners, will be tendered a dinner by the Monday Knighters. Date and place have not been set.

●

Gracie Fields, arriving Monday on the *Queen Mary,* will be greeted by Monte Banks, who has charge of her pictures.

●

Mel Berns, chief of the RKO makeup department, will address the National Beauty Show in Chicago shortly.

●

Anna Lee, G. B. player, is contemplating a trip here, her first, for the opening of "You're in the Army Now."

●

Katharine Brown and Mrs. June Knight of Selznick International will leave for the coast tomorrow.

●

Mack Gordon and Harry Revel, song writers, will reach town tomorrow on a vacation of two weeks.

●

Barrett C. Kiesling, M-G-M coast executive, and Mrs. Kiesling, in town and at the Warwick.

●

Nate Manheim, Universal's foreign chief, is one year older today, but he doesn't say how many.

●

William Keighley is here for a brief vacation. He is staying at the Ritz Towers.

●

Lillie Messinger, RKO's eastern scenario editor, has returned from the coast.

●

A. C. Blumenthal is due from England in a few weeks.

●

Harvey Newins has returned from Sea Island, Ga.

●

Howard Dietz returned yesterday from the coast.

●

Noah Beery is in town from the coast.

●

William R. Ferguson has returned from Miami Beach, where he attended the opening of "The Good Earth" at the Community. After a 10-day showing at this theatre, the picture will be switched to the Paramount, Miami.

●

Elizabeth Armand, Iva Stewart, Irma Wilsen and Alice Armand have been signed by 20th Century-Fox and will leave for Hollywood on March 22.

●

Irving Weingart, formerly with the contract department of the Marcus Loew Booking Agency, has been transferred to the tax division of the company.

●

John D. Clark, general sales manager for 20th Century-Fox, left yesterday by train for coast production conferences with Darryl F. Zanuck.

●

Nat B. Finkler, manager of the contract department of 20th Century-Fox, is mourning the loss of his sister, Mrs. Martha Miller.

●

Mort Goodman, long with Warners' theatres in Cleveland, has joined Filmack Trailer Co. in Chicago as director of advertising.

●

Ellery Queen's novel, "Halfway House," published in the June issue of *Cosmopolitan,* has been acquired by M-G-M.

●

Joseph Hornstein has taken over Champion Lamp Co. from his son, George, who is now working for his father.

●

Bob Collier, just in from the coast, is interested in a television project which he is not yet ready to announce.

●

Stanley True of American Airlines is back from the coast. He also stopped at Memphis for two days.

●

Clinton M. White, assistant to George W. Weeks at G. B., is mourning the loss of his father-in-law.

●

Jack Kuhn is now assisting William R. Ferguson at Loew's on special roadshow material.

●

Bill Sussman is back at his desk after having been away for a few days with a sore throat.

●

Milton Kusell has returned from a week's tour of southern Paramount exchanges.

●

William Bishop, Loew exploiteer in Detroit, was in town for a few days.

●

Belle Landau of Loew's "still" department is on a leave of absence.

●

Dave Apollon has been appointed a Texas Ranger.

●

The Diamond Brothers arrive today on the *Berengaria* from England.

Resumes Theatre Post

New Orleans, March 1.—Harry S. McLeod, who resigned from the St. Charles Theatre staff to become advertising manager of WBNO, has returned to the theatre as promotion manager and booker of stage shows.

Would End Marathons

Oklahoma City, March 1.—Pat McGee, general manager of Standard Theatres, is launching a legislative drive to outlaw marathons.

Alert,
Intelligent
and
Faithful
Service to
the Industry
in All
Branches

MOTION PICTURE DAILY

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

VOL. 41. NO. 51 NEW YORK, WEDNESDAY, MARCH 3, 1937 TEN CENTS

NRA Chiefly Aided Labor Report Finds

Unfair Trade Practices Not Suppressed

By CLARENCE LINZ

WASHINGTON, March 2.—Success of the NRA efforts lay largely in the improvement of the condition of labor rather than in the suppression of unfair trade practices, according to a report of the President's Committee on Industrial Analysis appointed 11 months ago to study the accomplishments of the recovery codes. The report was transmitted to Congress by President Roosevelt together with a brief message in which he declared that a study of it will point the way to the solution of many vexing problems with regard to legislation on the subject.

Various trade practice measures taken under the NRA accomplished certain specific and useful things, but they usually were of limited scope, the committee found. Chiefly, it was held, the NRA gave business men the experience of working together in an effort to adjust differences and formulate a common policy for the general good of the entire industry.

"If industry should again be confronted with a similar problem, it would not attempt to get quite so much in the way of protection against

(*Continued on page 3*)

Allan Messer Named To G.B. Directorate

LONDON, March 2.—Allan Messer, a director of the Equity and Law Life Assurance Co., has been elected a director of Gaumont British.

It is understood here in informed quarters that the election of Messer to the board may result in a voting deadlock between the Ostrer and John Maxwell factions of the board. It was pointed out that when Isidore Ostrer was named chairman of the

(*Continued on page 8*)

Week's Pact Ending; Lee Seeks Renewal

George W. Weeks' contract as general sales manager of G.B. expires May 1. He admitted this yesterday in commenting upon current reports that he would leave the company, but added he could not announce his future plans at this time.

It is understood Arthur A. Lee, however, is negotiating to renew the deal.

Quite a Feat

The Chicago wire yesterday bristled with this one:

"As a result of foot injury yesterday, Gypsy Rose Lee is now doing her 'Follies' strip tease number sitting down."

Unionizing Moves on In Boston Exchanges

BOSTON, March 2.—A. F. of L. representatives will meet at Payne Memorial Hall this week in an effort to organize poster clerks, inspectresses, rewinders, shippers and similar employes into a single union. More than 100 such workers, at a meeting held a few days ago, agreed to request an A. F. of L. charter.

John L. Lewis' representatives have been in the district, trying to organize a C. I. O. unit. This action precipitated the opposition attempts, it is said. Exchange heads generally maintain a non-committal attitude. One told MOTION PICTURE DAILY that inasmuch as unskilled labor would be involved by the action, there would be 100 ready to step into any job vacated by a member of the proposed union.

Approve New Trade Group in England

By BRUCE ALLAN

LONDON, March 2.—More than 100 British producing executives approved the formation of a new trade organization at a meeting today at the offices of the Federated British Industries.

The probable name of the new association will be the Film Producers' Ass'n, and it is expected to include five sections: producers, studio owners, shorts producers, newsreels and laboratories.

A committee was appointed, con-

(*Continued on page 8*)

FILM BUYS MOVE UP BY 2 MONTHS

FWC-20th-Fox Deals Get Going March 9 with Others to Follow

Film buying this season will be moved up two months over last year, according to indications among major circuits. Last year preliminary negotiations between distributor and affiliated theatre representatives started in May. This year the talks between buyer and seller will get under way March 9.

First of the important product conferences will be held on the coast between National Theatres and 20th Century-Fox. The negotiations will involve about 400 theatres and are expected to last more than a week.

Spyros P. Skouras, William T. Powers, Edward Zabel and Milton Hossfeld, all of National Theatres, will leave tomorrow for Los Angeles where they will meet John D. Clark, general sales manager, and Herman Wobber, western division head for 20th Century-Fox. Clark has left Miami, after a vacation there, for the coast, while Wobber is already in California.

Although J. J. Sullivan, Fox West Coast film buyer, has attended previous buying conferences, his illness will prevent him from sitting in on the 20th Century-Fox talks. George Balsdon, assistant to Powers, also will be absent from the meetings. He is recuperating slowly at St. Joseph's Hospital, Stockton, Cal., from injuries suffered in a recent automobile accident.

After Skouras finishes setting product deals with all distributors he may take a vacation trip to Europe.

Depositions Ready On Ohio Playdates

CINCINNATI, March 2.—Paxton & Seasongood, attorneys for RKO Distributing Corp., have completed taking depositions in the fight against the state's anti-preferred playing time law.

Defendants have until March 15 to complete theirs. Both sides will have two weeks thereafter to file briefs in the Federal statutory court hearing the case.

S. & C.-Empire Deal To Date from Jan. 31

Under terms of the 10-year deal signed Monday between Springer & Cocalis and Empire State union, the contract is retroactive to Jan. 31, last, it was learned yesterday. The circuit has the right to cancel the agreement after five years.

Slight increases have been granted to operators in a number of the 38 theatres, it was stated at the circuit's headquarters yesterday. The raises,

(*Continued on page 8*)

Drop Sherman Bail In Union Fund Case

Judge John J. Freschi in General Sessions yesterday discharged the cash bail of $7,500 that had been posted by Harry Sherman, former head of Local 306, after his indictment for grand larceny. The indictment was made on May 18, 1936, charging him with larceny of $150,961.75, money allegedly belonging to the union. The bail was

(*Continued on page 8*)

New National Air Network Is Reported in Formation

A new national radio network may be launched within the next few months if plans sponsored by prominent radio, civic and financial figures and now reputedly nearing completion, are successfully culminated, it was learned yesterday.

Tentative arrangements for an initial station lineup are reported to have been made and discussions with the F. C. C. at Washington have been conducted by the sponsors, it is said.

Richard C. Patterson, former executive vice-president of NBC, and Dr. Stanley High, head of the Good Neighbor League, are reported to be the principal factors behind the project. Goldman, Sachs & Co. is said to be financially interested.

None of the principals could be reached for comment on the plans

(*Continued on page 6*)

More Radio News—Pages 6-7

May Consider Films Act in This Session

LONDON, March 2.—Walter Runciman, president of the Board of Trade, declared in the House of Commons today that it should not be assumed that action to amend the Films Act, which expires in 1938, would not be

(*Continued on page 8*)

New Nebraska Taxes Are Aimed at Films

LINCOLN, Neb., March 2.—Senator A. L. Miller today suggested the raising of additional money for relief by the imposition of a tax on cigarettes, liquor and theatre admissions.

This suggestion is in addition to

(*Continued on page 3*)

MOTION PICTURE
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PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3358; A. Weissman, Representative.
ROME: Viale Gorizia; Vittorio Malpassuti, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Nuestiftgasse, 55; Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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"Horizon" Previewed At Globe for Press

Weeks of excitement reached a peak at the Globe last night when Columbia previewed "Lost Horizon" for newspaper, magazine and trade paper writers.

Tonight, the picture makes its formal debut before what is slated to be a distinguished audience. The first public performance gets under way Thursday afternoon on a two-a-day basis.

Goetz, Balcon Due Here

LONDON, March 2.—Ben Goetz, in charge of M-G-M production in England, is due here shortly for four weeks of conferences in Hollywood with Louis B. Mayer. Michael Balcon will leave here on the *Normandie* on March 10 also for coast conferences at the M-G-M studio.

M-G-M here has signed Sidney Gilliatt to a writing contract.

U. A. Plant Busy

HOLLYWOOD, March 2.—One hundred workmen in three shifts, at 24 hours per day, started today at United Artists to strike every standing set on the back-lot, to make room for forthcoming productions by Samuel Goldwyn and Walter Wanger.

Insiders' Outlook

By RED KANN

FILM and radio are no longer glowering so ferociously at each other. The other day brought Lenox R. Lohr, president of NBC, with the statement that at no time had discussion turned toward the formulation of a controlling code for both industries. On its heels, there was Will Hays, just in from the coast, tapped on the same question and adhering very closely to the highlights of Lohr's earlier observations. Yet, a significance beneath its surface lurked in one portion of the story of his comment. That portion of it which went on to say:

> Not only has no attempt been made to control the relations between the two industries, Hays says, "but none is possible." A recognition of the mutual problems of the two and realization that "accommodations" must be made by both is the nearest approach to an "agreement" that has or can be made, Hays said.

▼

When Hays refers to the difficulties of a direct control over radio appearances of important Hollywood names, he cites a genuine trouble. Most contracts today contain a clause making it essential for the player to obtain specific permission from the employing studio to broadcast. In theory, therefore, the studio exercises control. Practically, this means little or nothing. The attraction of large return dangled by advertising agencies is too tempting to resist. For the studio to negate such offers can be, and often is, the lesser part of discretion for it may reflect itself in disgruntlements enough to seriously damage progress on the sound stages. . . .

▼

By "a recognition of the mutual problems," Hays undoubtedly refers to an interchange of confidences on the manner in which radio can hurt attendance, were it to run unbridled from purely a film point of view. The networks, on this score, there is reason to believe, were themselves confronted by a problem. Sponsored shows are made up of talent purchased by the advertising agencies who are under no commitment to discuss with the webs what shall or shall not be on their shows if the network censorship requirements covering good taste are met. It follows that any closely-knit arrangement between the film and radio industries could not be expected to hold, involving as it must, pledges to a point which the broadcasting systems could not deliver. . . .

▼

There was a way, on the other hand, and that way has been found. It embraces a more sympathetic understanding of the potential damage star-studded air shows might do to picture theatres. By consultation and by friendly interchange of advice, the understanding is the networks have been quite successful in persuading the agencies to build their shows along lines which reliable opinion holds has helped the potential drawing power of players and films far beyond the point approximated in the past. It has been a rather obvious observation anyway that radio, adroitly used, can achieve its own objective and, in so doing, prove of concrete value to motion pictures and their people as well. This has been launched and the probability is strong indeed that it will continue. It is well, too. Motion pictures cannot wipe out radio. The air needs names and Hollywood has them. Cooperation was the way out and cooperation it appears destined to be. . . .

▼ ▼

The publicity boys around town will be crowding this desk's telephone after they've had a chance to read this. But and regardless of all that, the truth of the matter is the first runs throughout the country are shaking their heads when their throats get hoarse and yelling when their vocal chords function. Their excitement has to do with the product, or, to put it more succinctly, the lack of it. They want attractions for their theatres and, while they are getting all of the film they can use, it is not quite the same thing. . . .

▼

Take a look at all majors' release schedules, they say. What's on them? And waiting for no answer, they quickly reply, "Nothing." Not interested in Easter or Decoration Day, it is now, this minute, that concerns them most. The conclusion of all this is obvious. If only a portion of the complaints holds together, this looks the time of times for anybody with anything resembling an attraction to let the pyrotechnics go with a loud boom and much noise. It means a jump ahead of the competition, open arms from hungry first run operators and cash in the treasury. Those who think they have the answer on celluloid need not try convincing us. We don't run theatres. But there are plenty who do and they want something that counts to fill their playing time. . . .

Kelly Back; Foreign Outlook Encouraging

Vastly improved business conditions in South America and England were reported by Arthur Kelly, United Artists' foreign manager, on his return to New York last night aboard the *Berengaria,* after a six months' trip covering 34,000 miles.

Kelly said that no changes in the company's foreign distributing organization were made during the trip, which was primarily an inspection visit to more than 20 of the company's distributing offices. He said that United Artists is maintaining its representation in Barcelona but has closed down all other offices in Spain for the duration of the revolution.

Max Schmeling, heavyweight contender, turned the tables on the other celebrities arriving on the *Berengaria* by monopolizing the autograph hunters and ship news men at the pier. Among the other arrivals were Lillian Fischer and Raymond Massey, both en route to Hollywood for work in new pictures, and William Wyler, director, returning from a vacation in France and a visit to his home city, Mulhouse.

Warners in National Ad Drive for "King"

Warners plans a nationwide billboard campaign on "The King and the Chorus Girl," Mervyn LeRoy production. The drive will start March 15, with the posting of 24-sheets in 1,200 cities across the country. The campaign will last four weeks, giving the picture a three-week advance.

In addition, an extensive fan magazine advertising schedule is planned on the picture. The 24-sheets also will be used by local exhibitors, who will snipe the sheets with announcements of the opening of the picture in their situations. The newspaper advertising budget on the film also is to be increased.

H. M. Warner to Sail

Harry M. Warner, just back from a vacation to Miami, will sail Saturday on the *Conte di Savoia.* Sam E. Morris, head of foreign activities for Warners, will accompany the president of the company.

Approves Palace Report

Federal Judge Francis G. Caffey yesterday approved the final report of Referee Oscar W. Ehrhorn in the Palace Amusement Co. bankruptcy proceedings. The bankrupt was a Wisconsin corporation which operated theatres in that state up to Feb., 1933. The only creditor, Stadium Theatres Corp., will receive a dividend of $20,299 based upon its original claim of $227,568.

Gates Motion Up Today

The motion made by Eleanor Gates in her suit against Liberty Pictures and M. H. Hoffman to examine Hoffman before trial to determine his connection with Liberty Pictures will come up today before Judge Charles B. McLaughlin. The action asks for $120,000 damages and an injunction, Miss Gates alleging that Liberty without her authorization advertised their picture, "Once to Every Bachelor," as being based on her story "The Search for the Spring."

NRA Chiefly Aided Labor Report Finds

(*Continued from page* 1)

competition," the committee felt, "if only because some industries learned on their own account that some of these things did not work."

NRA attempted to cover more ground, and at greater speed than could possibly be covered effectively, the report charged. "Both management and labor went too far, with the result that many impracticable and unenforceable provisions were put into the codes to the detriment of the more worth-while provisions." On the whole, it was said, codes were more successful in closely knit industries with a limited number of producers.

No analysis of individual codes is attempted in the report, but the activities of the various boards and sections of the NRA are carefully analyzed, as are the results of the various steps taken to develop codes and secure enforcement.

Fewer Firms to Be Included

"If controls of the NRA type are to be tried again," the committee suggested, "the experience indicates that the attempt should be limited to a few important industries in order that proper standards of investigation and adequate supervision may be maintained, and should be guided from the start by such definite principles and policies as NRA experience indicates are likely to stand the test of application. Under the type of policy finally adopted by NRA, if strongly adhered to, there is little chance that codes would be proposed in such large numbers as to create serious difficulties, but even that chance might well be guarded against."

And, it was added, if trade practice rules again are to be formulated, they should be initiated by the industries rather than by the Government.

Agnew and Unger to Attend Para. Meet

Neil Agnew, Paramount vice-president, and J. J. Unger, eastern division manager, are expected to join Adolph Zukor in attending the company's three-day conference of theatre partners and operators at Miami, following the M.P.T.O.A. convention there.

Al Wilkie, Paramount publicity manager, leaves for Miami today, and will be followed next week by Robert M. Gillham, director of advertising and publicity. Paramount theatre men from all over the country and Canada will attend the meeting, which will be presided over by Y. Frank Freeman, Paramount vice-president, and will be held at the Roney-Plaza, March 18-20. Hotel reservations already run to 100 rooms.

Zukor Leaves Coast March 12

Hollywood, March 2.—Adolph Zukor will leave here March 12 for the M. P. T. O. A. convention at Miami and the meeting of Paramount partners. He will then go to New York after which he plans to return here March 30.

Navy's Film Costs $310,000 Annually

Washington, March 2.—The annual cost of film programs for the U. S. Navy is about $310,000, it was disclosed today with submission to the House of Representatives of the annual appropriation bill for the department.

The Government provides $85,000 toward that amount, the remaining $225,000 coming from the profits of the ship's stores in vessels and at navy stations, it was explained by Lieutenant Commander C. D. Kirk of the Bureau of Navigation.

Each ship or station that shows the films is assessed at the rate of 30 or 35 cents per month, per man. This pays for the pictures and additional funds are drawn from the ship's stores profits from time to time for replacement of equipment. The present equipment now has an average of about six years and a replacement program has been initiated.

"Amusement and recreation are contributory means of improving morale," Kirk said during hearings on the bill. "Motion pictures are considered the most important single source of recreational entertainment, with athletics a close second. Both are important factors in the development of a high state of morale."

The total cost of the equipment acquired by the navy was $650,000.

Take Theatre Payroll

Two men robbed the manager, his assistant and the cashier of the Public, 2nd Ave. and 4th St., Sunday night of a $2,100 payroll, it was revealed yesterday. The gunmen fled after binding and gagging the three.

Greenthal on Coast

Hollywood, March 2.—Monroe Greenthal, director of advertising and publicity for United Artists, arrived from New York yesterday by air.

Harley Lunch Guest Of 20th-Fox Heads

F. L. Harley, managing director for 20th Century-Fox in London, was guest of honor at a luncheon tendered by Walter J. Hutchinson, head of the foreign department, at the Hotel Plaza yesterday. Harley will sail today on the *Berengaria* with Russell Muth.

Among those present were: W. C. Michel, F. S. Irby, Charles E. McCarthy, Felix Jenkins, Leslie F. Whalen, William Sussman, E. S. Fraser, H. H. Buxbaum, Irving A. Mass, J. Carlo Bavetta, C. F. Minck, Sidney Towell, E. P. Kilroe, William Kupper, Truman Talley, Clarence V. Hake, W. J. Eadie, William J. Clark, O. W. Bolle, S. S. Horen, Alan Freedman and Roger Ferri.

Testimonial Dinner To Maloney of MGM

Pittsburgh, March 2.—More than 350 gathered here last night in the William Penn Hotel at a testimonial dinner to John J. Maloney, M-G-M exchange manager, who is celebrating his 15th year with the company. Attorney Edward O. Tabor presented the guest of honor a gold watch, the gift of his friends, and Arch Dunsmore, director of education at the Western Penitentiary, gave him a humidor made by the inmates of the institution in appreciation for Maloney's interest in the welfare of the prisoners.

Rosey Roswell was toastmaster. The guests included Judges Frank Patterson, John Egan and George Moore.

Fete Indiana Legislators

Indianapolis, March 1.—Members of the Associated Theatre Owners of Indiana held open house at the Variety Club here tonight for members of the Indiana Legislature and their wives. More than 200 attended. W. C. Carpenter, Marc J. Wolf and Carl Niesse had charge of the arrangements.

New Nebraska Taxes Are Aimed at Films

(*Continued from page* 1)

a gas tax proposal of six cents per gallon for old age assistance and relief. There are two bills pending asking a 10 per cent gross film rental tax and a 10 per cent tax on theatre grosses.

Two New Bills in Albany

Albany, March 2.—Two bills affecting theatres have been introduced in the Assembly here by Nicholas Rossi, Democrat, of New York.

The first bill seeks to prohibit the sale of an admission ticket unless a seat for the purchaser is actually available, violation of the ruling to bring a fine of $25 to $100.

Rossi's second measure asks that a matron be required for every 25 children present in a theatre. The law now in force requires one matron for each house.

Will Await B.N. Complaints

New Orleans, March 2.—No action against the continuance of Bank Night will be taken unless specific complaint is made, it was stated here today by District Attorney Charles A. Byrne. The games were barred yesterday by a decision of the State Supreme Court.

Kill Another Censor Bill

Boston, March 2.—A second censorship bill has been killed by the Legislature. This one was sponsored by Jacob A. Riis of the Youth Foundation. The State Administration Committee gave leave to withdraw.

Weil Starts Swing East

Hollywood, March 2.—Joe Weil, Universal exploitation head, left today by plane for Dallas, St. Louis, Kansas City and Chicago. He will make brief stops at each city to check on the progress of the campaign for "Top of the Town."

Hospital Deed Goes to Jesse H. Jones

Will H. Hays, representing the industry, presents the deed to the hospital at Saranac Lake, N. Y., to Jesse H. Jones, chairman of the board, Reconstruction Finance Corp., in his capacity as treasurer of the Will Rogers Memorial Commission, in ceremonies at Fox Movietone Studios. Seated, left to right: Senator J. Henry Walters, RKO; W. C. Michel, 20th Century-Fox; Hays; Jones; H. M. Warner; Charles C. Moskowitz, Loew's. Standing, left to right: Arthur S. Cherouny; Leopold Friedman, Loew's; Spyros P. Skouras, National Theatres; Jules Brulatour, Eastman Kodak; Y. Frank Freeman, Paramount; Amon G. Carter, publisher, Ft. Worth Star Telegram; Capt. E. V. Rickenbacker; Ed Kuykendall, M.P.T.O.A.; Harold Rodner, Warners; George J. Schaefer, United Artists, and Major L. E. Thompson, RKO.

A MERRY ROGUE'S GA

JAMES **DUNN**

Irrepressible Peck's Bad Boy of the screen!

SALLY **EILERS**

Mischievous, kissable miss adored by millions!

MISCHA **AUER**

He's in again! The gorilla man of "My Man Godfrey"! The tipsy count of "Three Smart Girls"!

Again the NEW UNIVERSAL comes through (remember "My Man Godfrey" and "Three Smart Girls"!) with one of the swellest entertainments of the year!

"WE HAVE

Directed by Alfred Werker

NOTHER "HIT—HIT—HOORAY!

ERY! YOUR BOX OFFICE WILL FALL IN LOVE WITH THEM!

DAVID NIVEN

Watch him!
He's a comer!

MARJORIE GATESON

Where laughs
are, there she is!

WARREN HYMER

Famous "dese, dose
and dem" clown!

OUR MOMENTS

Associate Producer Edmund Grainger

for the **NEW UNIVERSAL!**

Hearing Dates Set by FCC on New Stations

By BERTRAM F. LINZ

WASHINGTON, March 2.—Hearings on the application of the Johnson City Broadcasting Co. for a 1,200-kilocycle station at Johnson City, Tenn., will be held before an examiner of the F. C. C. at Johnson City, March 8, it was announced today.

A number of other hearings have been scheduled for next week, to be held in Washington. On March 9 the tentative calendar calls for hearings before an examiner on the application of the Northern Broadcasting Co. for an 830-kilocycle station at Traverse City, Mich., to use 500 watts power; H. A. Hamilton for a 1,420-kilocycle station at Spartanburg, S. C., using 100 watts night and 250 watts day; and Leonard A. Versluis for an 830-kilocycle, 500-watt daytime station at Grand Rapids.

On March 10 examiners' hearings will be held on the applications of the North Georgia Broadcasting Co. for a 1,200-kilocycle, 100-watt daytime station at Rossville, Ga.; James D. Scannell for a 1,420-kilocycle, 100-watt station unlimited time station at Lewiston, Me., and the Ogdensburg Publishing Co. for a 1,500-kilocycle, 100-watt unlimited time station at Ogdensburg, N. Y.

Examiners' hearings also will be held March 12 on applications of the Elmira *Star-Gazette* for a 1,200-kilocycle, 250-watt daytime station at Elmira, N. Y.; Radio Enterprises for a 1,310-kilocycle, 100-watt daytime station at Lufkin, Tex., and Redlands Broadcasting Ass'n for a 1,310-kilocycle, 100-watt daytime station, also at Lufkin, Tex.

FCC Grants Five Station Licenses

WASHINGTON, March 2.—Operating licenses today were granted to five broadcasting stations by the Federal Communications Commission, as follows: WSAU, Northern Broadcasting Co., Wausau, Wis., 1,370 kilocycles, 100 watts, daytime only; WWAE, Hammond-Calumet Broadcasting Corp., Hammond, Ind., 1,200 kilocycles, 100 watts; WGNY, Peter Goelet, Newburgh, N. Y., 1,210 kilocycles, 100 watts, WBAX, John H. Stenger, Jr., Wilkes Barre, Pa., 1,210 kilocycles, 100 watts, limited time; and KCMC, KCMC, Inc., Texarkana, Tex., 1,420 kilocycles, 100 watts.

At its regular weekly meeting the broadcast division also granted a construction permit to WJNO, West Palm Beach, Fla., to increase its day power to 250 watts; authorized WKRC, Cincinnati, to operate on 550 kilocycles with 1,000 watts night and 5,000 watts day power, subject to reduction of day power to 1,000 watts when WOSU is operating; approved the voluntary assignment of the license of KANS, Wichita, Kan., from Charles G. Theis, to the KANS Broadcasting Co. and authorized WCKY, Covington, Ky., to increase power to 10,000 watts.

Hearings were ordered on a num-

(*Continued on page 7*)

New National Air Network Is Reported in Formation

(*Continued from page 1*)

yesterday. Patterson's office reported that he was in Washington and was expected back here about Friday. High's office said he was "out of town," but was expected back either Friday or Monday. His whereabouts were not disclosed and it was said that he could not be reached prior to his return as he was "traveling." Inquiries at Goldman, Sachs were referred to a partner of the investment firm. The official's secretary said that he was out of town, but expected back on Friday or Monday.

At each office it was stated that it was not known whether or not the principals were traveling together.

All previous attempts to form coast-to-coast chains in competition with NBC and CBS have ended in failure, with the exception of Mutual's.

Back in 1934 Al Smith and Vincent Astor, representing a powerful Wall Street combine, bought WMCA from Donald Flamm and set up the American Network. Some 20-odd stations comprised the network, which reached as far as St. Louis and Memphis. The web operated unsuccessfuly for a period and finally was disbanded.

Ed Wynn Web Recalled

Shortly thereafter Ed Wynn formed his ill-fated Amalgamated Network, which operated for but two days. Wynn is reported to have invested and lost much of his personal fortune in the venture.

Most tragic attempt of all to formulate a new national attempt was George McClelland's. He was the original manager of WEAF and later vice-president in charge of sales of the NBC network. When it became apparent that his attempt was to end in failure, McClelland committed suicide.

Samuel Insull, former utilities tycoon, made two attempts to form national radio webs, both of which ended in failure.

There is still talk of an additional coast-to-coast network supposedly to be formed by Warners and the Transamerican Broadcasting Co. This plan, it is understood, is still very much alive and may materialize shortly.

New Fitch Program Ready

"Fitch Romances" is the title of a new program which will be heard on a split NBC-Red network beginning March 13. Sponsored by the Fitch Co., the series will be aired from 11:45 to 12 P. M., E.S.T. on the following stations: WEAF, New York; WCAE, Pittsburgh; WTAM, Cleveland; WWJ, Detroit, and WMAQ, Chicago.

The series will feature Gene Arnold, the "Ranch Boys," and an instrumental trio. Listeners will be asked to supply their personal romance stories for re-enactment on the program. L. W. Ramsey Co., Davenport, Ia., is the agency.

Brown, Williamson on Derby

Although confirmation still is lacking from NBC and Batten, Barton, Durstine and Osborn, it has been definitely established that the Brown and Williamson Tobacco Corp. will sponsor this year's running of the Kentucky Derby.

Radio and Films

The "Insiders' Outlook" column on page 2 today includes an editorial discussion on cooperation between radio and films and the turn it has taken.

Jennings in New Job With WSAI at Cincy

CINCINNATI, March 2.—Robert G. Jennings, for the past two years sales manager of WSAI, has been appointed assistant manager in charge of sales and programs, according to William S. Hedges, general manager for Crosley Radio Corp.

Hedges also has announced a new policy for WSAI, involving a series of civic, educational and historical programs about Greater Cincinnati. "Know Your City," a proposed educational feature, will be broadcast from important factories and industrial plants. The station will use many remote lines and mobile units for civic events. Lines will be installed in the City Hall to broadcast governmental affairs.

Complete facilities of WLW have been placed at the disposal of WSAI.

Set Series on Milkmen

"Adventures of Dari Dan," serialized story of the life of milkmen, begins March 8, on the NBC-Red network, and will be heard for 15 minutes three times weekly at 5 P. M., E.S.T.

This new series replaces "While the City Sleeps," which has been heard Tuesdays and Thursdays at 5 P. M., E.S.T. on the Red network for the past year. The sponsor is the same, Bowey's, Inc. Ken Robinson, assistant continuity editor of the NBC central division, is the author of the new serial.

Wood Joins Taplinger

Robert S. Wood, formerly associate editor of the old *Evening World,* and more recently editor of *Radio Guide,* has joined the Robert S. Taplinger publicity office as executive assistant to Taplinger.

Wood is regarded as the dean of radio editors, having conducted the first daily radio column in a metropolitan newspaper. He also was an executive of old WJZ when that station was formed back in the pioneer days of broadcasting.

Taplinger Leaves Rosenthal

Sylvan Taplinger, for three years assistant to Herbert Rosenthal, CBS program director, has resigned to accept a post with Kated, Inc., to aid in producing the Kate Smith-A. & P. "Bandwagon" program. The resignation becomes effective March 8.

Fitzgerald Starting Series

Ed Fitzgerald will start a series of 15-minute programs, Mondays through Saturdays, for the L. Bamberger Store on WOR, beginning March 15. The series will be broadcast from 9 to 9:15 A. M., E.S.T. Fitzgerald's contract is for 52-weeks.

Chevrolet's Sunday Show Fades Apr. 11

The Sunday night Chevrolet series which is heard over CBS, will fade from the air following its broadcast on April 11. The account is handled by Campbell-Ewald.

A note of irony is lent to this development by the fact that Chevrolet renewed its transcribed program almost simultaneously with the cancelling of the "live show."

Call Series "Spirit of America"

HOLLYWOOD, March 2.—"The Spirit of America" will be the title of the series of 13 coast-to-coast programs on which Hollywood, leading divines and public figures will cooperate in the cause of philanthropy and tolerance. NBC will air the program.

They will be sponsored by the Radio Committee of All Faiths and the movement is headed by Dr. Everett R. Clinchy of New York.

Liggett & Myers Adds Two

Effective immediately, Liggett & Myers Tobacco Corp., sponsors of CBS programs featuring Andre Kostelanetz and Nino Martini on Wednesdays, and Hal Kemp and Kay Thompson on Fridays, will add two stations to the outlets now carrying the programs. The stations are located in Dubuque, Ia., and Phoenix, Ariz. With the new additions, 93 stations will carry the programs.

Refuses Dictograph Review

The U. S. Circuit Court of Appeals has decided that a subpoena calling for the production of records before the S. E. C. in connection with an investigation, is not reviewable. The court upheld U. S. District Court Judge Julian W. Mack, who refused to enjoin the commission in its investigation of the sale of stock of the Dictograph Products Co., Inc.

"Garden" Series to Start

March 7 is the starting date for the "Your Garden" talks by John Zollinger over WJZ for the Wright Seed Co. Al and Lee Reiser will furnish piano interludes. The program, placed through the H. B. Le Quatte advertising agency, will be aired from 11:05 to 11:15 A. M., E.S.T.

Delv Renews Berch

Jack Berch, heard on WOR, has been renewed for another 13 week period by his sponsor, Delv cosmetic creams.

Wilson Paramount Announcer

HOLLYWOOD, March 2.—Don Wilson today was chosen as announcer for the "Paramount on Parade" program.

★ PRIVACY, plus expert recording is guaranteed, when you build an Electrical Transcription in our Studios.

UNITED ARTISTS and GAUMONT BRITISH and many others use this famous service.

RADIO & FILM METHODS
101 Park Ave. New York
CAledonia 5-7530

FCC Grants Five Station Licenses

(Continued on page 6)

ber of applications, including one from the General Electric Co. for an international short wave station near Belmont, Cal., to operate on 20,000 watts power, for programs designed principally for the far east.

It also ordered hearings on the applications of the Louisville Broadcasting Co., Louisville, for a 1,210 kilocycle, 250 watt daytime station; WEAN, Providence, for increase of day power to 5,000 watts; WKOK, Sunbury, Pa., to move transmitter locally and increase day power to 250 watts; WBRY, Waterbury, Conn., for increase of day power to 5,000 watts; WORL, Boston, for increase of power to 1,000 watts and increase to unlimited time; WSMK, Dayton, O., for increase of power to 250 watts night and 500 day; KQV, Pittsburgh, for increase of power to 1,000 watts; KFRU, Columbia, Mo., for increase of night power to 1,000 watts; Young People's Ass'n for the Propagation of the Gospel, Shark River Bay, N. J., for 640 kilocycles, 5,000 watts daytime station; Valley Broadcasting Co., Youngstown, O., for 1,350 kilocycles, 1,000 watts unlimited time station; KOOS, Marshfield, Ore., for assignment of license from Pacific Radio Corp., to KOS, Inc.; WBNO, New Orleans, for assignment of license from Coliseum Place Baptist Church to WBNO, Inc.; Northwest Publications, Inc., Duluth, for 580 kilocycles, 250 watt station; and Church of Jesus Christ of Latter-Day Saints, Salt Lake City, for international broadcast station with 50,000 watts power.

Several Rejections

The Commission announced the rejection or dismissal of applications for new stations, as follows: Greater Muscle Shoals Broadcasting Co., Sheffield, Ala., Service Life Insurance Co., Omaha., Archie E. Everage and Alusia, Ala., D. L. Thornton, Centralia, Wash.; Wike and Studebaker, Baker, Ore.; H. Wimpy, Albany, Ga.; U. S. Broadcasting Co., Toledo and Columbus, O.

Also denied were the applications of KUJ, Walla Walla, Wash., for power increase; WHAT, Philadelphia, for change of frequency and power increase; and WCAP, Asbury Park, N. J., for power increase.

Authority was granted KIT, Yakima, Wash., to change frequency and night and day power; KYA, San Francisco, was given an extension of time to May 15 to complete its new station. WGPC, Albany, Ga., was given a renewal of license as a result of the denial of the application of H. Wimpy for a station in that city.

Phone Miss Durbin In a Mass Interview

Approximately 25 reporters from newspapers in and around New York today will interview Deanna Durbin, who is in Hollywood, via a long distance telephone hookup at the Hotel Victoria.

The interview has been arranged by Loew's and will start at 2 P. M. with each newspaperman to be given an opportunity to ask two or three questions. The answers will be received in the same room via an amplification system.

Radio Personals

KIEL BARNEKOV, formerly of the *Herald-Tribune*, has joined the publicity staff at Campbell-Ewald . . . Walter Neff of the Neff-Rogow agency is now the daddy of a baby daughter . . . Paul Gregory, formerly of the WMCA announcing staff, joins the radio department at Benton and Bowles . . . Claudia Simmons, who recently appeared on the "Do You Want To Be an Actor" series, has been signed by Warners . . . Andy Iona's Hawaiians will be featured as guests on next Tuesday's Al Pierce show . . . Helen Morgan has been set for a "Showboat" appearance next Thursday . . .

✚

Innes Harris, of the Irwin Wasey radio staff, off to Baltimore to confer with a prospective client . . . Charles Warburton of the production staff at NBC is doubling as announcer on the transcribed "Inkspots" series . . . Next week's "Beauty Box" production starring Jessica Dragonette will be Franz Lehar's "Land of Smiles" . . . Ed Mead has been added to the writing staff at Benton and Bowles . . . Harry Pasco, continuity chief at WMCA, has formed a class in Spanish instruction. Pasco is quite a linguist—speaks six languages . . . Bert LeBarr, WMCA sales executive, now visiting Inter-City network stations in New England . . .

✚

Harlan Eugene Reid sails for England today to cover the coronation. . . . Tommy Dorsey, the Scott quintet and the Blue Flames are this Saturday's "Swing Club" features on CBS. . . . Start of Ken Murray's new program for Campbell Soup has been advanced to March 31. Starting date originally was announced as April 7. . . . Judith Anderson and Walter Abel will headline Vallee's program tomorrow. . . . Al Young, WMCA announcer, has shifted to the Edward Petrey Co., station representatives. . . . Wesley Vaughan replaces Gene Lester as soloist with Irving Aaronson's orchestra, heard over WHN.

✚

Myra Hess will be the guest soloist on the Ford "Sunday Evening Hour" Sunday, March 7. . . . Phil Lord is now en route west for a three-week vacation. . . . Inter-City network also will carry President Roosevelt's Victory Dinner address March 4. . . . Faculty members from Hofstra College, Hempstead, will match their knowledge against their students on WHN during the "Current History Exams" Wednesday, March 3. . . . Florence Maxwell, WINS, leaves this week for a two-week Florida vacation. During her absence, Sylvia Press will conduct Miss Maxwell's "Mr. Reader" program. . . .

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Philadelphia Town Pump

PHILADELPHIA, March 2.—KYW adds a book reviewer to the program listings, Warren Schutt airing his views. . . . Albert A. Cormier starts his third year as vice-president and general manager at WIP, having come here from WOR. . . . Allan Scott, WCAU newscaster, off for Florida. . . . Jan Savitt and his KYW bandmen will make the music for the Lehigh University Military Ball on March 6. . . . Norris West and Joe Gottlieb have taken over most of the production jobs on the dramatic shows produced at WCAU. . . . Anice Ives, WMCA women's club director, returned to her former stamping grounds for a guest shot over WIP. . . . The Three Naturals, singing instrumentalists, replace the Meistersinger, singing violinist, on the Iowa Soap show over KYW. . . . Wayne Cody, WFIL "Jolly Man," passes his 1,500th broadcast for the kiddies.

Hollywood Town Pump

HOLLYWOOD, March 2.—Harry Savoy off the Eddie Cantor program, quieting reports he would get the steady comic spot . . . Billy Shea, film cutter, was interviewed about faces on the cutting room floor by Jimmy Vandeveer, KHJ's roving reporter tonight at 7:15 P.M. P.S.T. . . . Jack Benny, Don Wilson and Kenny Baker will check out for New York Tuesday night directly after Benny's guest airing on Ben Bernie's American Can show . . . Tom Harrington, producer of the Benny program, will fly back. Phil Harris and orchestra will probably be unable to make the trip due to film work at Paramount . . . Paul Lewis, CBS concert artist, here . . . Lila Lee will do an ether dramatization of Bret Harte's "Tuolomy" as her initial weekly stint over KECA Thursday from 9:30 to 10:00 P.M., P.S.T. . . . Cliff Arquette, radio comedian, is being screen tested by Paramount and Radio . . . KECA starts a new weekly program Tuesday titled "Masterpieces" under the direction of Raine Bennett. It is a musical program and will go on the air at 7:45 P.M., P.S.T. . . . On the strength of a single appearance in "Hollywood Extra," a KFI series, Kimboi Grant has been signed by Radio Pictures. . . .

Siegel Ad Head at KFWB

HOLLYWOOD, March 2.—Sam Siegel has been named publicity director of KFWB. He replaces Jean Armand who resigned when Haven MacQuarrie left to concentrate on the Chase & Sanborn hour.

Trotta Names Ampa Awards Committees

Vincent Trotta, chairman of the Ampa committee on the annual awards, has named two sub-committees, one to select judges for the awards and the other to make arrangements for the exhibition.

The committee to select judges is headed by Paul Gulick and includes Mort Blumenstock, S. Barret McCormick, Gordon White and Trotta. The exhibition committee is headed by Paul Benjamin.

Howard Hughes Gets Harmon Air Award

WASHINGTON, March 2.—Howard R. Hughes today received from the hands of President Roosevelt the Harmon International Trophy as the world's outstanding aviator during 1936.

The trophy, awarded by the Ligue Internationale des Aviateurs, was donated by Clifford Burke Harmon, pioneer aviator, and is awarded to perpetuate the memory of the Lafayette Escadrille.

Writers' Guild Is Dissolved on Coast

HOLLYWOOD, March 2.—The Screen Writers' Guild became officially dead yesterday. The guild filed a certificate of dissolution with the county clerk's office stating that all debts have been paid.

The guild was engaged in a controversy with producers over a long period, in connection with an attempt to organize the screen writers. The guild lost out in its fight, chiefly as a result of the action of producers in giving five and seven-year contracts to writers.

Mrs. Alta Baker Dies

SPOKANE, March 2.—Mrs. Alta Baker, 31, wife of Al Baker, manager of the Fox, is dead here following an operation. She had been confined to a sanitarium for three years. Baker took the body to her home in Kansas City, Mo.

Robert Rosenthal Dead

Robert Rosenthal, agent general for Paramount distribution in Switzerland, died suddenly on Monday, according to word received yesterday by John W. Hicks, Jr., vice-president in charge of foreign distribution for Paramount.

Mrs. Jack Robbins Dead

BOSTON, March 2.—Mrs. Jack Robbins, wife of the former Advance Trailer executive, died this week at the Beth Israel Hospital.

In Warner Trailer Post

LOS ANGELES, March 2.—Arnold Albert, exploitation director for the Warner circuit in the western zone, has left that post to become assistant to Sanford M. Abrahams, trailer production head at the company's Burbank studios. No successor has yet been appointed. Albert was identified with the Warner home office publicity and advertising department before taking over the theatre exploitation job.

Wall Street

Marked Increases on Board

	High	Low	Close	Net Change
Columbia	37¼	36¾	37⅛	+ ⅞
Columbia, pfd.	45	45	45	+ ½
Consolidated	5	4⅞	4⅞	+ ¼
Consolidated, pfd.	17	16½	17	+ ¼
Eastman Kodak	169½	169½	169½	+1½
Eastman, pfd.	161½	161½	161½	+1
Gen. T. Equip.	30⅞	30½	30½	+ ½
Loew's, Inc.	80½	78	80	+2½
Paramount	26⅝	26	26⅛	+ ¼
Paramount 1 pfd.	185	184	185	+1
Paramount 2 pfd.	24½	24	24	+ ⅛
Pathe Film	9	8⅞	8⅞	.....
RKO	9	8¾	8¾	+ ⅛
20th Century-Fox.	35⅞	34⅞	35⅞	+1
20th Century, pfd.	43¼	43¼	43¼	— ¼
Warner Bros.	15⅞	15⅛	15¾	+ ⅝

Curb Off Slightly

	High	Low	Close	Net Change
Grand National	3½	3¼	3¼	— ⅛
Sonotone	2	2	2	.....
Technicolor	21⅜	21¼	21⅜	.....
Trans-Lux	5	4⅞	4⅞	— ⅛
Universal Pict.	14½	14½	14½	— ½

Little Bond Activity

	High	Low	Close	Net Change
Keith B. F. 6s '46	98⅝	98⅝	98⅝	.....
Loew's 3½s '46	100	99⅞	100	+ ¼
Paramount B'way 3s '55	75	75	75	.....
Paramount Pict. 6s '55	100¾	100½	100½	— ¼
Warner Bros. 6s '39 wd	98½	98	98½	.....

(Quotations at close of Mar. 2)

Purely Personal

N. L. NATHANSON and the missus, back from Miami, at "21" yesterday, to Toronto shortly and back to Florida for the M. P. T. O. convention. J. ROBERT RUBIN lunching with GILBERT MILLER whose play, "The Amazing Dr. Clitterhouse," opened the Hudson last night. SYLVIA SIDNEY had a date with HERB CRUIKSHANK and IRVING HOFFMAN, who had to tear himself away from HELEN MORGAN to keep it. WILLARD McKAY started out by his lonesome, but shortly thereafter was joined by LESLIE E. THOMPSON, HERMAN ROBBINS, CHARLES B. PAINE and DAVE PALFREYMAN. Seen here and there, as well, were JERRY MORRIS and CECELIA AUGER; JACK CONNOLLY, who sails the end of April to handle coronation coverage for Pathe News; JACK PEARL, his wife and MRS. ED SULLIVAN.

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A. W. SMITH, JR., yesterday lunched with BUCK WILDER, Virginia independent circuit owner, at the Tavern. WILDER is spending a few days in town renewing acquaintances. At another table BILL POWERS, GEORGE WEEKS and JAMES DAVIDSON talked about G.B. product in National Theatres. The Monday Knighters were represented by CHARLES MOSES, MITCHELL KLUPT, HARRY SHIFFMAN, HENRY BROWN, LEO JUSTIN, MORRIS JACKS and IRVING WORMSER. JOAN EBERSON discussed theatre electrical work with CHARLES WEINSTEIN. HARRY C. ARTHUR and IRVING LESSER took a liking to apple dumplings, while CHARLES LEONARD and RODNEY BUSH talked about WALTER WANGER'S advertising program. ANNA ROSENTHAL, legal head of Grand National, had ELIZABETH NORTH as her guest. J. J. MILSTEIN grabbed a quick bite and left early. MARVIN SCHENCK was sporting his newly acquired Miami tan.

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MARY PICKFORD, GLENDA FARRELL, RUTH CHATTERTON, WINIFRED SHOTTER, GILBERT MILLER, HASSARD SHORT and MAX BAER are sailing today on the *Berengaria*.

TO LOS ANGELES
FLY "FIRST-CLASS"
SLEEP Overnight in new FLAGSHIPS
Over the all-year Southern Transcontinental Route, in NEW 14-berth Flagship Sleepers; the most luxurious, quietest, longest-range planes. Fly on the AMERICAN MERCURY, 3 stops only.
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Ticket Office—45 Vanderbilt Ave.
AMERICAN AIRLINES INC.

Ingenious Crime Play Well Turned; A Cinch for Films

Murder with charm, with criminal psychology and pathology tossed in to make it further intricate, took place on the comfortably filled stage of the Hudson Theatre last night. It had to do with Dr. Clitterhouse, an amazing fellow who tired of the routine of private practice for something more stimulating scientifically.

What do thieves think about as they go about their pilfering? Does their blood pressure jump? Do their nerves tingle? Dr. Clitterhouse did not know. He did not believe medical science knew and so he set out on a one-man crime wave to find out. Four burglaries came and went and even the doctor's good friend, Chief Inspector Charles of the Yard never suspected what might happen under an apparently normal veneer when it scratches itself into action.

With the Law as Accomplice

The eminent doctor even turns to the inspector for Scotland Yard's triple A recommendation of the safest "fence" in London. That contact once established, Clitterhouse, at last, is face to face with the genuine article. In fact, he is it. This gives him opportunity to take blood tests and to otherwise disport himself scientifically to the mystification of his gang. When he and his notebook have had their fill, his guinea pig ex pedition is over.

But Kellerman, the "fence," is suspicious and, by remembering his respectable youth as a watchmaker, plants a paper contraption under the telephone dial which turns informer by revealing the number Clitterhouse always calls from crime headquarters. The other end, quite naturally, is his office on the more discreet side of the tracks.

Finally in Too Deep

At any rate, Clitterhouse discovers there is no such crime as the perfect one when Kellerman makes an appearance demanding not only the notes from which were to spring the Clitterhouse treatise but that the doctor go in for safe-cracking. Not much left to do but to drop heroin in Kellerman's whiskey, take him off to the country and drop him in the river. But on the body is found the doctor's telephone number and the net closes in. Comes Sir William Grant, K. C. and a friend, to hear the story and to stake his reputation on freedom for the doctor through the casual observation he must have been mad. And thus, off goes Clitterhouse to the Yard, the inference being this is one genteel murderer who will escape punishment for his crime.

It sounds strange, perhaps, to describe such a proceeding as entertainingly and thoroughly diverting, we're sorry—no, we're glad—but they are and vastly so. Sir Cedric Hardwicke is quietly amusing and very competent, as usual, as the experimental medico. The cast, each in its way, is made up of jewels of performance under Lewis Allen's stage direction and the successful Gilbert Miller's production aegis. This is the play by Barre Lyndon which was such a success in London and will be here. It is too ingenious and too completely well wrought to have any other future.

Warners ultimately will place "The Amazing Dr. Clitterhouse" on celluloid as part of their arangement made with Miller some months ago and including "Tovarich." Under the code, of course, Clitterhouse will have to pay for his crime unless the boys in San Fernando Valley can think up another way out. We rather hope they do. Clitterhouse is too nice a bird to have his neck stretched.

Drop Sherman Bail In Union Fund Case

(*Continued from page* 1)

discharged on recommendation of Irving Mendelson, assistant district attorney, in a 22-page recommendation. Sherman's attorney, Hyman Bushel, said that within the next month he would move for a dismissal of the indictment and that the discharging of the bail was preliminary to such a motion.

Sherman was president of 306 from February, 1933, to the summer of 1934. He was accused of taking the money from the union bank account and placing it in safe deposit boxes in the Guarantee Trust Co. The boxes were rented in the name of Charles Beckman, the financial secretary, and access also was given to Charles Hyman, who was then treasurer. Subsequently, the money was withdrawn from the boxes and it is charged it was turned over to Sherman. Sherman claimed the money was used for organization and rehabilitation. When pressed for an explanation Sherman is said to have told members of the union it was none of their business what had been done with the money. However, when different members of the union were questioned by Mendelson, they were unable to present facts showing that Sherman used the money for any but union purposes.

S. & C.-Empire Deal To Date from Jan. 31

(*Continued from page* 1)

according to an official of the theatre organization, were granted in line with Sam D. Cocalis' plan to boost salaries where employes show their worth.

A compulsory savings plan whereby all employes of the Cocalis Amusement Co. put away $2.50 a week is meeting with approval of approximately 55 theatre managers and home office workers, it was stated. Under the plan, the Cocalis circuit contributes a similar amount to the individual savings account. Last year, each employe collected $255.

Asked whether the circuit was amenable to an amalgamation of Empire with Local 306, a circuit executive stated that such a move would be beneficial to the organization. Local 306 recently absorbed Allied M.P. Operators and it was reported that efforts would be made to consolidate Empire in the group.

The Empire-S. & C. deal which expired Jan. 31 was for five years.

May Consider Films Act in This Session

(*Continued from page* 1)

introduced during this session of Parliament.

He said he has noted the suggestion that payments for foreign films released in England should be balanced by payments for British films for export.

Urges Divided Quota

LONDON, March 2.—F. G. W. Chamberlain, a member of the Bristol Branch of the C.E.A., has suggested in a letter to the Board of Trade that, in any revision of the Films Act, the quota should differentiate between first and second features, and that one first feature should have the value of two second features. He claims that this would prevent American companies using low class British films for quota.

Approve New Trade Groups in England

(*Continued from page* 1)

sisting of four producers, three studio owners, and two members representing each of the other sections, to draft a constitution, which is planned to embrace every unit engaged in production, including American companies who produce in England.

It is considered probable that the F. B. I. Film Group will disappear, and that the new organization may affiliate with the F. B. I. The present Film Group consists of producers only. Michael N. Kearney, present head of the Film Group, is expected to be selected as secretary of the new organization.

Allan Messer Named To G.B. Directorate

(*Continued from page* 1)

board, 20th Century-Fox was given the right to appoint another director. Their original choice, Sydney Wright, an attorney and director of M-G-M and Empire Films, is said to have been rejected at the instance of Ostrer.

It was pointed out further that if Messer, who presumably is representative of the 20th Century-Fox interests, had been named earlier, the distribution deal with C. M. Woolf might not have won the approval of the board, since the 20th Century-Fox interests are known to have been in accord with Maxwell in opposition to the Woolf arrangement.

Gainsborough Has Loss

LONDON, March 2.—Gainsborough Pictures, subsidiary of Gaumont British, has reported a loss of £98,000 for the year 1936.

Flash Previews

"The Man Who Found Himself" —Ordinary fare, telling of a young doctor's mental and professional regeneration. Marks the debut of Joan Fontane.

"The Wedding of Palo"—Filmed in the Arctic regions, this is a light, ethnological study of Eskimo life and love.

These pictures will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

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VOL. 41. NO. 52 NEW YORK, THURSDAY, MARCH 4, 1937 TEN CENTS

I.T.O. Takes No Action on Local Games

Situation "Status Quo," Attorney Declares

No action was taken yesterday by the I.T.O.A. on the local game situation when members of the organization met at the Astor Hotel for what was presumably intended to be an agreement in view of recent decisions by Loew's and RKO to abandon the policy.

Within the past few weeks both major circuits have hiked admissions in a number of Greater New York houses and before many more weeks games will be a thing of the past.

The I.T.O.A. contention has been that members would discontinue various types of games provided the major circuits would do likewise and at the same time boost admissions. At yesterday's meeting, a committee reported to the membership on Loew's and RKO moves, but as far as the independent association was concerned the situation is in "status quo," according to Melvin Albert of Weisman, Celler, Quinn, Allen & Spett. He made the statement to Motion Picture Daily after attending the Astor session.

Albert was responsible for bringing representatives of Loew's and

(*Continued on page* 23)

Nebraska Test Suit Set for Bank Night

Lincoln, Neb., March 3.—Paul Chaney, representative of Attorney General Hunter, was ordered today to start a test action against Bank Night. He conferred in Fall City with Ray Coffin, president of Allied Prod.; Ralph Blank, head of Central States; Evert Cummings, head of Tri-States and S. P. Halpern, Minneapolis attorney, who will represent theatres.

The conference was to determine

(*Continued on page* 23)

Oregon Bans Chance Games of All Kinds

Salem, Ore., March 3.—Reversing action taken earlier in the week, the Senate has passed a bill prohibiting all games of chance, including pinball and slot machines. The vote was 17 to 13.

Having been passed by the House, the measure now has gone to the Governor.

Radio—Pages 24-25

Maxwell Seen In Open Fight With Ostrers

Scores Move of Ostrers To Quit Producing

By **BRUCE ALLAN**

London, March 3.—A virtual declaration of war between John Maxwell and the Ostrers in the directorate of Gaumont British is indicated in the course of an interview with Maxwell published today in the *Financial News*. An open fight for control of the company was implied in Maxwell's statements.

It was indicated here today also that trustees for the debenture holders of G. B. may call a meeting of the holders before endorsing the deal with C. M. Woolf for G. B. distribution, which was opposed by Maxwell.

Maxwell, referring to the move for the scrapping of production and distribution by the company, which was initiated by the Ostrers, declared: "There has been nothing quite like it since the Chinaman burned down his house to roast the pig." Speaking of the Woolf deal, he said: "It may make it possible to treat the large trading loss as a nonrecurring one payable out of capital, and make

(*Continued on page* 6)

Columbia 6-Month Profit Is $629,771

Columbia Pictures Corp., for the six months ended Dec. 26, 1936, reports a net profit after all charges and provision for Federal income and other taxes of $629,771.93, which compares with a net for the corresponding six months of 1935 of $781,272.83, after all deductions.

For the three months ended Dec. 26, 1936, the net profit after all charges was $500,513.84, which was equal to $1.51 per share on the common stock. The net for six months was equal to

(*Continued on page* 21)

One Independent

Hollywood, March 3.—In the midst of a wrangle over the troublesome business of inter-studio borrowing of talent an irate producer gave this new definition of an independent producer:

"Louie Mayer is the only real independent producer. He doesn't have to ask anybody for anything."

RKO Net for '36 Reaches $2,514,734

RKO and subsidiaries had a consolidated net profit for the 53 weeks ended Dec. 31, 1936, after all charges and provision for estimated Federal taxes, of $2,514,734.73, which compares with a consolidated net profit for 1935 of $684,732.96, according to the fourth report of the trustee, Irving Trust Co., to the U. S. District Court, filed yesterday. The statement is preliminary to the audited report, which is expected to show little change.

The report showed a very substantial gain in net profit of theatre operations, reaching $1,414,886.99 for 1936, which compares with a profit for 1935

(*Continued on page* 26)

New Union May Call Sit-Down in Detroit

Detroit, March 3.—A sit-down strike of shippers, poster clerks and inspectresses seems iminent here with the formation by the Detroit and Wayne County Federation of Labor of a new organization which will be known as the Inspectresses, Shippers and Poster Handlers Union. It is believed that the strike will start Friday morning. The number of applications for membership

(*Continued on page* 23)

'Lost Horizon' in Notable Broadway Roadshow Debut

First night regalia, which is one way of saying high hats and furs, was paraded in wholesale last night for the formal New York opening of "Lost Horizon," the much-discussed Frank Capra version of the novel by James Hilton. It was an important event in the lives of Columbia executives, the picture representing an investment of $2,000,000. Perhaps less, but not much.

There was the usual traffic jam and much excitement at the Globe. High executives of virtually all of the major companies were glimpsed

(*Continued on page* 26)

Warners Plan 60 Features Next Season

Same Total of Shorts as This Year Is Set

Warners will produce 60 features next season and the same number of shorts as the current season, Harry M. Warner, president, told Motion Picture Daily yesterday. The company is continuing the First National brand, he said, and half of the output will bear this name.

Production budgets for the first group of 1937-38 product have been set up and a number of new season's films are now in work, Warner stated. The outlay for the new program will be increased appreciably over the $20,000,000 spent for this season's schedule. Details in this connection will be completed when Warner returns to the coast in the near future. Jack L. Warner is now finishing up the few remaining pictures on the 1936-37 program, the president added.

Production in England may be increased from 20 to 26, Warner said. He will sail Saturday with Sam E. Morris on the *Conte di Savoia*.

There is no intention on the part of Warners to invade the English exhibition field, Warner said in denying reports which have cropped up from time to time that the company was planning such a move. He admitted having offers to enter the field, but decided against it.

In addition to England, Warner and Morris will visit Italy, Denmark, Norway, Sweden and France. They will be gone about seven weeks on "a general business trip."

Industry to Fight Joining Berne Group

The industry will oppose adherence by the United States to the Berne Copyright Convention, subject to certain revisions, until after the Convention members hold their special meeting at Brussels, according to Edwin P. Kilroe, chairman of the

(*Continued on page* 26)

Dickstein to Amend Alien Actors Bill

By **BERTRAM F. LINZ**

Washington, March 3.—Amendment of the alien actor bill to meet the objections to the proposed quota system was promised today by Representative Dickstein as the House Immigration Committee offered a

(*Continued on page* 21)

MOTION PICTURE
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(Registered U. S. Patent Office)

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"Meade's Woman" at $28,000 in 2nd Week

"John Meade's Woman" at the Paramount garnered approximately $28,000 in the second week at the Paramount with Guy Lombardo and his orchestra on the stage. The figures are about $13,000 less than the first seven-day gross.

"Green Light" at the Strand tallied about $18,000 in the second week. It is now in its third stanza. The Rialto took in approximately $6,800 on "Man of the People," while the Rivoli ended the first week of "Man Who Could Work Miracles" with $22,000.

"Maid of Salem" opened big at the Paramount yesterday. By 3 P. M., the management estimated 11,000 persons had visited the theatre. This was said to be about 500 admissions ahead of the first day of "The Plainsman."

Set 20th-Fox Dividends

Cash dividends of 37½ cents per share on the preferred and 50 cents per share on the common were declared yesterday by the board of directors of 20 Century-Fox. Both dividends will be payable March 31 to stockholders of record March 19.

SEC Reveals Heavy Trading In Paramount

By CLARENCE LINZ

WASHINGTON, March 3.—Heavy trading in Paramount stocks by Hemphill, Noyes & Co., indirect owner, in January were reported today by the Securities and Exchange Commission in its semi-monthly summary of the transactions of officers, directors and principal stockholders.

During the month, the commission disclosed, the company's transactions resulted in the sale of 118,300 shares of common secured through exchange or conversion and the disposition of 16,900 shares of six per cent convertible first preferred acquired in the same manner. The report showed that Hemphill, Noyes & Co. were short 6,300 shares of common at the close of the month, but subsequently covered itself by the conversion of 900 shares of first preferred.

Harris Acquisition Shown

The only other trades in Paramount reported were the acquisition of 100 shares of common by Duncan G. Harris, New York, who held 200 shares at the end of the month, and the acquisition of 200 shares of six per cent convertible second preferred by Austin C. Keough, New York, who held 223 shares of second preferred and 59 shares of common at the close of the month.

A report on the holdings of Stanton Griffis, New York, director, showed him in possession of 1,000 shares of common, 1,000 shares of first preferred and 1,000 shares of second preferred at the close of the period.

The commission made public the report on the holdings of officers and directors on Jan. 27, when the Paramount registration became effective, showing that Barney Balaban, W. B. Cokell, John W. Hicks, Jr., Fred Moorhardt, officers, and Stephen Callaghan, Harry O. King and Adolph Zukor, directors, held no equity securities. Y. Frank Freeman held 1,000 shares of common; A. Conger Goodyear, 1,000 shares of common, 600 shares of first preferred and 1,000 shares of second preferred; John Hertz, through Lehman Brothers, 6,000 shares of common and 8,000 shares of second preferred and, through a trust, 300 shares of first preferred; Henry Herzbrun, 209 shares of common and 83 shares of second preferred; Charles A. McCulloch, 1,500 shares of first preferred, and Earl I. McClintock, 100 shares of second preferred.

Cohn's Transactions Listed

A December report on Columbia Pictures showed that Harry Cohn disposed of 100 common voting trust certificates by gift, reducing his holdings to 70,491, and Jack Cohn by exchange disposed of 11,992 purchase warrants and acquired that number of voting trust certificates, bringing his holdings to 38,570.

A report on Consolidated Films Industries showed that James E. MacPherson, New York, sold 1,000 shares of $2 cumulative participating preferred and later covered his sales by purchases, leaving his holdings unchanged at 1,640 shares.

Acquisition of 15,000 shares of Grand National Films common was reported by Kirk W. Todd, Pittsburgh, director, while the Chase National Bank reported further liquidation of 20th Century-Fox stocks held under escrow agreement, disposing of 438 shares of common and 876 shares of $1.50 cumulative preferred; the bank at the close of the month held 351,909 shares of common and 703,818 shares of preferred.

Warner Holdings Reduced

Harry M. Warner reported the making of a gift of 32,500 Warner optional six per cent convertible debentures, reducing his holdings to 1,404,000, and Samuel Carlisle, New York, reported the sale of 200 shares of common, reducing his holdings to 1,300 shares.

A report of the holdings of officers and directors of General Theatre Equipment Corp. on Jan. 27, when its registration became effective, showed no equity stocks held by M. V. Carroll, W. E. Green or R. B. Larue, officers, or by Robert L. Clarkson, Chester W. Cuthell, Daniel O. Hastings or Hermann G. Place, directors.

The report showed that the Chase National Bank held, beneficially, 181,213 shares of common and 2,965 subscription warrants; Seton Porter, director, 530 shares of common; Edward C. Delafield, director, 200 shares of common, and Ralph N. Harder, director, 100 shares of common.

Advertising Guild May Take Ampa Men

Formation of the American Advertising Guild and establishment of a special division for film and theatre publicity, advertising and exploitation men is seen as a move to replace Ampa.

At a special meeting Tuesday night in a Times Square hotel, approximately 40 persons identified with the film business attended. Discussions revolved around setting up minimum salaries, specified working hours, collective bargaining and recognition from producers and distributors.

Until officers are named and divisions of various industries outlined, those attending the meetings are inclined to be reticent. However, developments are expected within the next few weeks with a formal announcement of the organization's plans.

Moss Speaker at Ampa

Paul Moss, license commissioner of New York, will be the guest speaker at the Ampa luncheon meeting at the Hotel Edison today. He will speak on Bank Night.

Para. Offer to Expire

Holders of Paramount 20-year six per cent sinking fund debentures have been notified by Barney Balaban, president, that the company's offer for an exchange of these for an equal amount of three and one-half per cent convertible debentures of 1947 will expire March 9.

Delay Loew Board Meet

Loew's board of directors meeting scheduled for yesterday was called off due to lack of a quorum. The next session is slated for April 7. David Bernstein, vice-president and treasurer, is due back from a southern business and vacation trip about March 15.

Resume Fox Probe, But Adjourn Early

ATLANTIC CITY, March 3.—The proceedings before Federal Referee Robert E. Steedle here in the bankruptcy of William Fox were resumed here today after a postponement of several weeks. After a short session, the hearing was adjourned to March 30.

By that time it is expected Federal Judge John Boyd Avis in Camden will have decided the contempt citations filed by Referee Steedle against Mrs. Eva Fox, the bankrupt, and Herbert Leitsteen, family bookkeeper, for refusing to answer questions.

Today, Wyllys S. Newcomb of Hughes, Schurman & Dwight of New York, counsel for some of the large creditors, obtained from Murry C. Becker of New York, one of Fox's counsel, documents demanded previously. These, which Newcomb introduced into the record, include the certificate of incorporation and other letters and exhibits involving that enterprise. They serve to trace investments Fox made in developing early talking picture and sound film technique 10 years ago.

Cocalis Negotiating For 12 or 14 Houses

Sam D. Cocalis, who is operating 21 of his own theatres in addition to supervising the Springer & Cocalis circuit of 23. units, is understood to be negotiating for a group of 12 to 14 theatres in the local area. A deal is expected to be signed within the next few weeks.

Involved in the 14 houses are several small independent circuits and acquisition of these units would solidify the 44 situations he now controls. Financial backing for the new expansion move is said to be set with only minor details left before the additional units change hands.

Kelly Urges B Films Be 'Ploughed Under'

Arthur W. Kelly, vice-president in charge of foreign distribution for United Artists, suggested yesterday that Class B pictures be "ploughed under," following his return from a six-month trip covering Europe, South America and South Africa.

"There's more money to be made on big pictures now than ever before," Kelly declared. Business is on the upgrade everywhere, he said, but the public is "shopping around for its entertainment." Cheap pictures are suffering from competition of the native-made product, which is making unusual progress, especially in the Spanish-speaking market, he declared.

Confer on Zukor Jubilee

SALT LAKE CITY, March 3.—Conferences on the Adolph Zukor Jubilee are being held here by Charles M. Regan, Paramount's western division manager; Hugh Braly, Rocky Mountain division head; Myke Lewis, Pacific coast division manager, and Branch Manager Frank Smith.

Another for Brandt

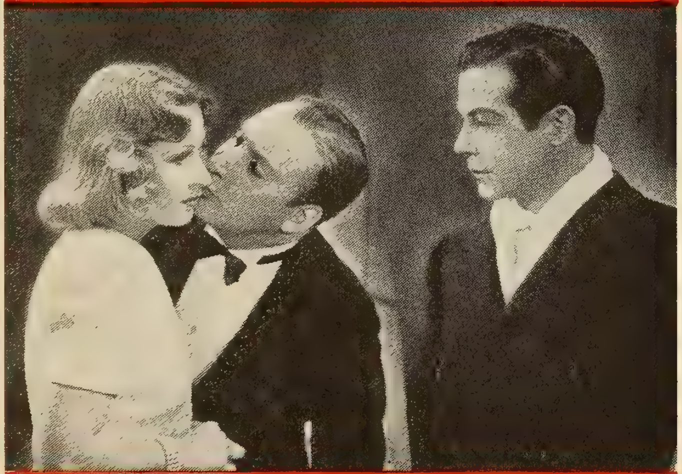
Harry Brandt has closed a deal to take over the new 600-seat theatre which is to be constructed at 23rd St. and Ninth Ave.

King meets girl!
King loses girl!
King gets girl!

--And YOU Get the Biggest Easter Entertainment of Your Show Life! . . .

50 million Frenchwomen
can't be wrong!

He turned his throne into a love seat
—so he ain't gonna reign no more!



Every girl has her day—
she had her knight!

His art was the talk of Europe—
especially his etchings!

Reign, Reign,
Go
H.R
THE
CHOR

HE WROTE IT!
**Story by Groucho Marx
and Norman Krasna**

away,
Wants to Play!

And He's Going To Play
For Big Stakes In

KING
and the
US GIRL

Starring for the First Time In America
The Idol of the Continent

FERNAND GRAVET

And Their Royal Hi-De-Highnesses
JOAN BLONDELL • EDW. EVERETT HORTON
and Alan Mowbray • Mary Nash • Jane Wyman
Kenny Baker • Luis Alberni • Shaw and Lee
Songs by Werner R. Heymann and Ted Koehler
A MERVYN LEROY PRODUCTION for
WARNER BROS.

The king can do no wrong! But look out for ex-king Alfred!

The King's in love!
Long love the king!

Home was never like this—unless you lived with His Royal Highness!

And wasn't that a dainty dish to set before the king?

Maxwell Seen In Open Fight With Ostrers

(Continued from page 1)

it possible for the preference shareholders to get dividends, and thus obviate their having votes."

He revealed the details of the Woolf arrangement, calling it a salvage operation, with General Film Distributors, the Woolf company, to pay £130,000 annually for G. B. distribution and lease of the printing plant, which is "rather less than yielding a profit at present."

Pointing to the General Film Distributors' guarantee of £600,000 on the distribution of nine G. B. films, Maxwell said: "Unfortunately, that is £177,000 less than was estimated in the recent calculations."

Asked if the directors who dissented from the plan consider that production could have been continued by G. B., Maxwell said: "Undoubtedly. The present administration failed, but that does not mean that there are no brains in Britain. Also skilled people could be obtained from the United States."

Tells of U. S. Negotiations

He revealed that 20th Century-Fox and M-G-M had asked 48 hours in which to make a proposal for assistance to G. B., but that the Ostrers refused. Past G. B. production costs were double those stated for the eight pictures included in the Woolf deal, Maxwell indicated, and added that distribution could have been continued for a year on G. B. pictures, and that supplies could have been obtained from outside.

"My own company offered to supply 10 pictures a year free of risk," he stated. Another British producing company with important backing also offered product, but was refused after a week's delay, he said.

The dissenting directors, he declared, represent 57 per cent of the ordinary capital, and the others less than one per cent. The deal means there will be no dividends in years, he said.

Kane's Status Revealed

The election to the directorate of Allan Messer was revealed yesterday as a move to balance the power in the board, since Messer is an Ostrer nominee, and Robert Kane, head of 20th Century-Fox production in England, was quietly elected to the board recently, without it being generally known. Kane was deputized to act for him by Sidney R. Kent, president of 20th Century-Fox.

With reference to the United States, Maxwell said: "There are no contractual obligations, but merely a pious expression of the intention to send pictures for distribution. Most British production companies, including General Film Distributors, gave such assurances voluntarily months ago."

Trade paper advertisements of G. B. and General Film Distributors announcing that the latter will collect and deliver all films for the former, are taken here as a move on the part of the Ostrers to rush matters, but the opinion here is that their position is desperate.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Call It a Day"

(Warners)

HOLLYWOOD, March 3.—Here is a smart adaptation of a smart stage play. Very humorous, it is brimful of those comedy elements which amuse all types of audiences. Telling a gay and airy story of the romantic adventures which befall a staid English family in the course of a day, the film is staged in a manner which makes all principals stars and offers each minor character the opportunity to participate in the joviality. A natural for word-of-mouth build-up, the picture has plenty of showmanship potentialities for some sparkling campaigns.

In the spring, when fancies are said to turn to love, Ian Hunter, a dutiful husband, is hard put to escape the wiles of Marcia Ralston, an actress. Frieda Inescort, his wife, is pushed into a giddy affair with Roland Young by Alice Brady, who is having a hectic time giving him the cold shoulder. Olivia de Havilland, her elder daughter, is in the throes of an exotic love with Walter Wolfe King, an artist, but is stymied by him and Peggy Wood, his wife. Peter Willies, adolescent son yearning for Continental adventure, falls for Anita Louise, the charming next door neighbor. Bonita Granville, the child, worships any artistic muse whether it be high art or motion pictures. Their adventures are chock-full of entertainment quality that will make any audience feel good. When a change is sought in the affairs of the family, attention is centered on the antics of the three servants, Elsa Buchanan, Una O'Connor and Beryl Mercer, also on the household cat and the neighborhood dog.

Being free from the British atmosphere which makes difficult the selling of an English story in this country, no one need worry that "Call It a Day" won't do good business here and meet with popularity among the American masses. Even those who deliberately avoid English pictures should go for this one. Casey Robinson's adaptation of the Dodie Smith play is continuously clever as it concentrates on the comedy elements. Archie Mayo directed skilfully, giving exhibitors and audiences worthy merchandise.

Production Code Seal No. 2,872. Running time, 90 minutes. "G."

"Nancy Steele Is Missing"

(20th Century-Fox)

HOLLYWOOD, March 3.—Because this covers a period of 20 years, its effectiveness is lessened and much power is lost. George Marshall, director, who undoubtedly was conscious of this problem, has saved much time by planting his action skilfully. Nevertheless, the general effect is the losing of sympathy for the characters who never seem to become living people.

During the Wilson era, Victor McLaglen kidnaps the infant daughter of Walter Connolly, a munitions magnate. Before he can negotiate for a ransom, McLaglen is arrested for a felonious assault previously committed. The baby is left with a respectable couple while McLaglen is jailed in the same cell with Peter Lorre to whom, during the following 20 years of his incarceration, he gradually divulges the story of the kidnapping.

Upon McLaglen's release, Connolly befriends him and June Lang, the daughter, who is now fully grown. Lorre arranges to collect a ransom while McLaglen battles with his conscience. When Lorre finally completes the deal, McLaglen, now fully repentant, tells Connolly the truth and returns to prison for life as Miss Lang goes back to her parents.

The screenplay by Gene Fowler and Hal Long, from the story by Charles Francis Coe, concentrates on drama as the main theme, using a prison break as one means of inserting a punch. The well-chosen cast includes Robert Kent, Shirley Deane, Granville Bates and Jane Darwell in addition to the principals. The picture can best be sold as a kidnapping story different from others which preceded it.

Production Code Seal No. 3,012. Running time, 85 minutes. "G."

(Additional Reviews on Pages 22-23)

"Maid of Salem," yesterday morning's opener at the Paramount, was previewed by wire from Hollywood on Jan. 22.

"Fire Over England," previewed by wire on Jan. 11 from the coast, will open this morning at the Radio City Music Hall.

"The Great O'Malley," opening tomorrow morning at the Strand, was reviewed from Hollywood by wire on Dec. 4.

"Love is News," tonight's preview at the Roxy, was previewed from the coast on Feb. 16.

"Outcast," now current at the Rialto, was reviewed on Jan. 28th by wire from the coast.

Newsreels Prepared For Coronation Day

LONDON, March 3.—The British Office of Works has allocated key positions covering the entire line of march in the Coronation procession, for the accommodation of newsreel apparatus. If there is room all newsreels will have places for their cameras. If room is lacking in certain important positions, the footage obtained in those spots will be passed to all other companies.

The actual ceremony in Westminster Abbey will be filmed by one or two cameras if permission is obtained, as is expected, but the footage will be available to all reels. Individual reels also will have their own private stations, using all available cameras. Pathe declares it will use 30.

Arrangements have been made to deliver prints of the Coronation films by plane to 70 cities on the day of the ceremony. Already engaged for the flights are Captain Mollison, Scott Brook, Llewellyn Rose and Beryl Markham. The six star pilots will be competing for the Gold Cup on the fastest flight under sealed handicap. Mollison will participate unless he is signed for the delivery of the prints by plane from here to the United States for Movietone News.

Seek "Cissy" Testimony

A motion for examination before trial of Columbia Pictures and Harry Cohn, president, will be heard today before N. Y. Supreme Court Justice Charles B. McLaughlin, in connection with the suit brought by Jack Curtis and Charles Allen of Curtis and Allen against Fritz Kreisler and Charles Foley.

Curtis and Allen are asking for brokers' commission amounting to $3,750, due them on the sale to Columbia Pictures of the film rights of the defendants' opera known as "Cissy," which were sold for $37,500. The action has been set for trial on March 19, 1937.

Court Testimony Ordered

N. Y. Supreme Court Judge Lloyd Church signed an order yesterday directing that testimony of Charles B. Mintz, George Stalling, Earl Hurd, Ted Fears, Bill Nolan and Jack King, who are now in Los Angeles, be taken before trial of the suit of Pedro Llanuza against Columbia Pictures, Winkler Film Corp., Charles B. Mintz, Walt Disney and United Artists.

The plaintiff alleges that in 1931 he conceived the idea of characterizing screen personalities in animated shorts which he submitted to Columbia who agreed not to use the idea without paying him.

The purpose of taking the testimony in Los Angeles is to prove that the idea was not an original one.

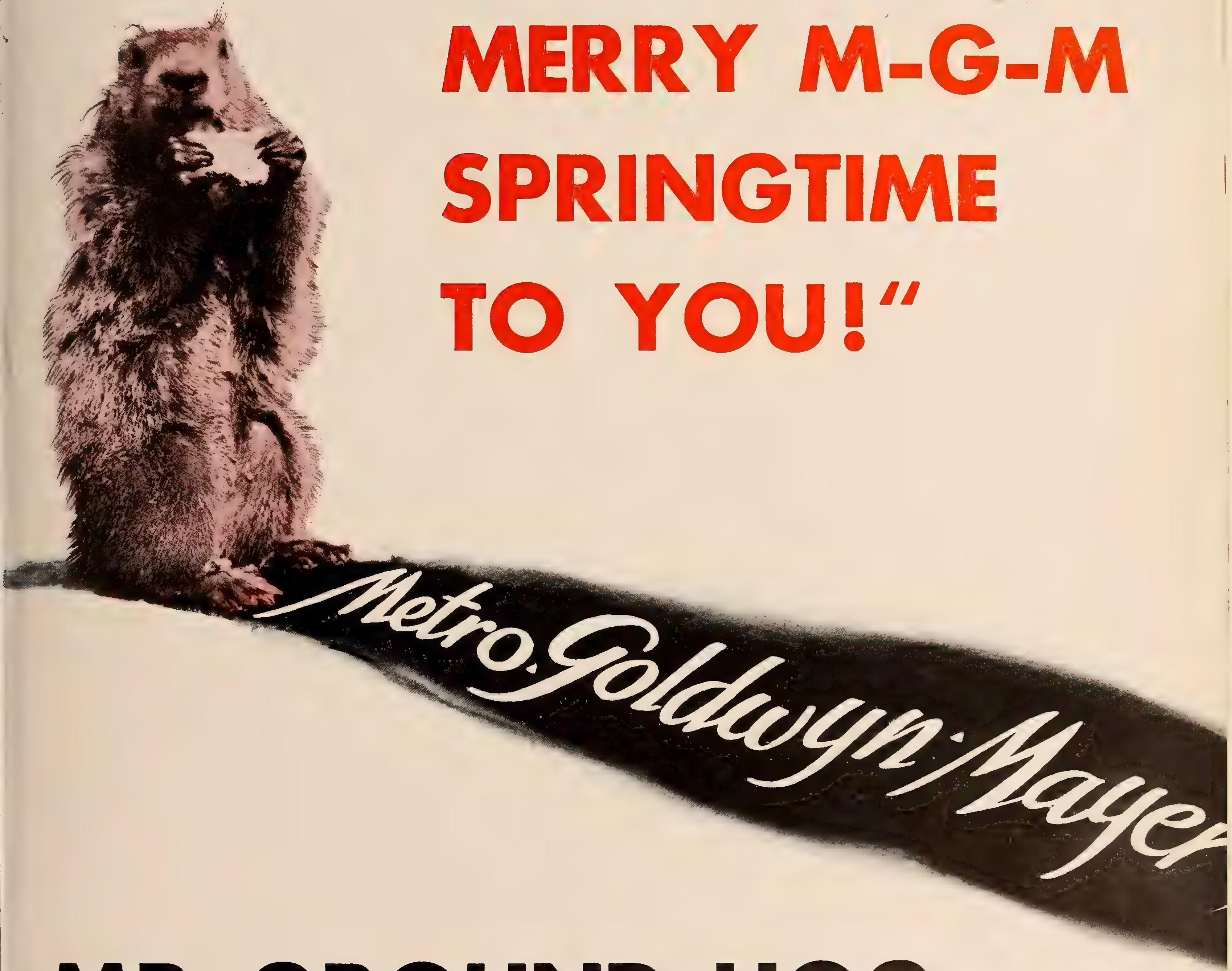
Churchill on Coast

HOLLYWOOD, March 3.—E. J. Churchill, head of Donahue & Coe, New York advertising agency which handles national copy for a number of United Artists producers, arrived from the east today.

Delay Ohio ITO Meeting

COLUMBUS, March 3.—The meeting of the I. T. O. of Ohio, scheduled for Tuesday, to discuss bills pending in the legislature, has been postponed until next Tuesday.

"ME AND MY SHADOW SAY MERRY M-G-M SPRINGTIME TO YOU!"



MR. GROUND-HOG CASTS HIS SHADOW!

The wise little fellow is right again this year! Sing Tra-la-la and DOUGH-Re-Mi for the Biggest M-G-M Hits of Histor-ee! Whee! Start on next page!

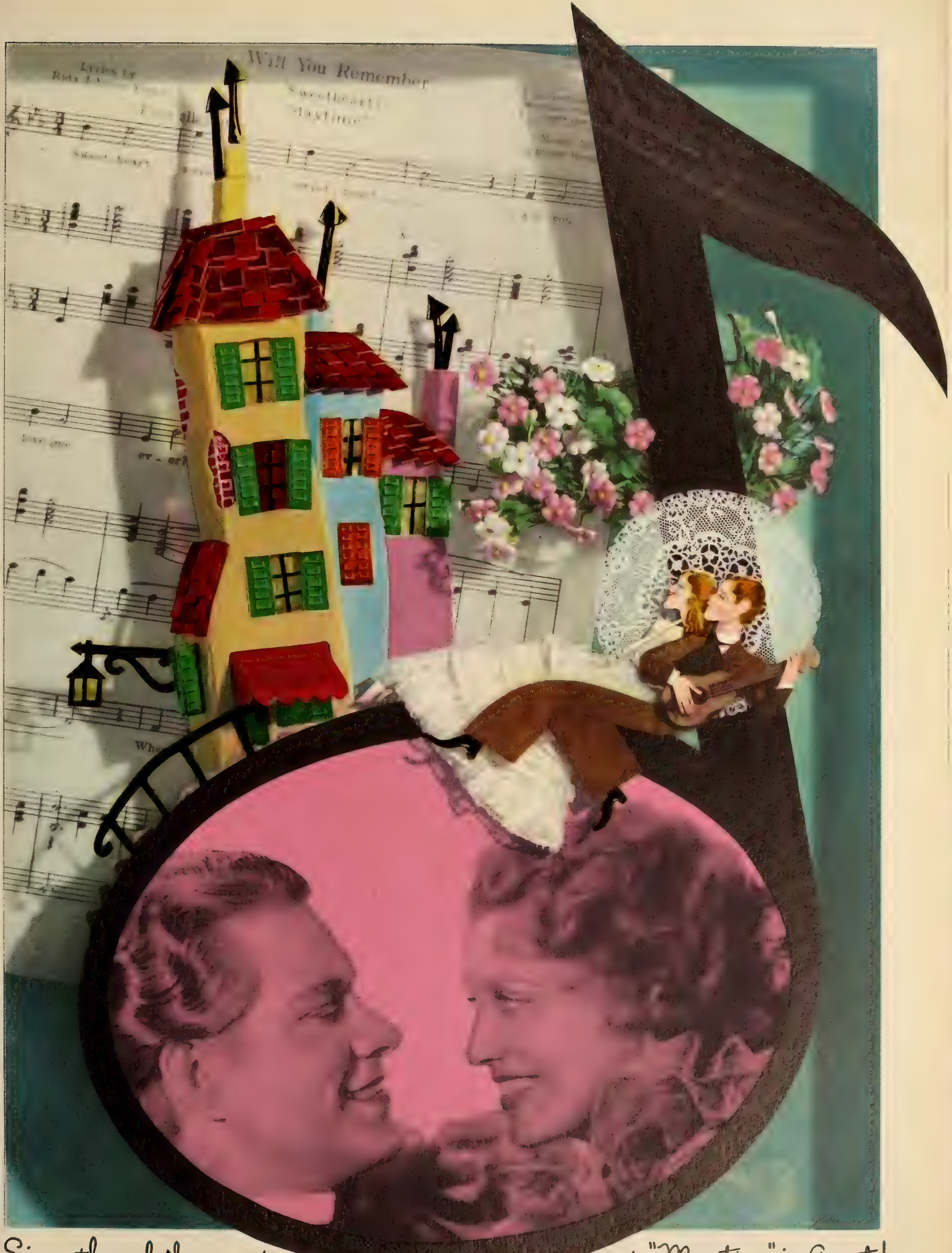
10,000 M-G-M SHOWMEN ARE SAYING TODAY:

"There's only one thing that matters—PICTURES!"

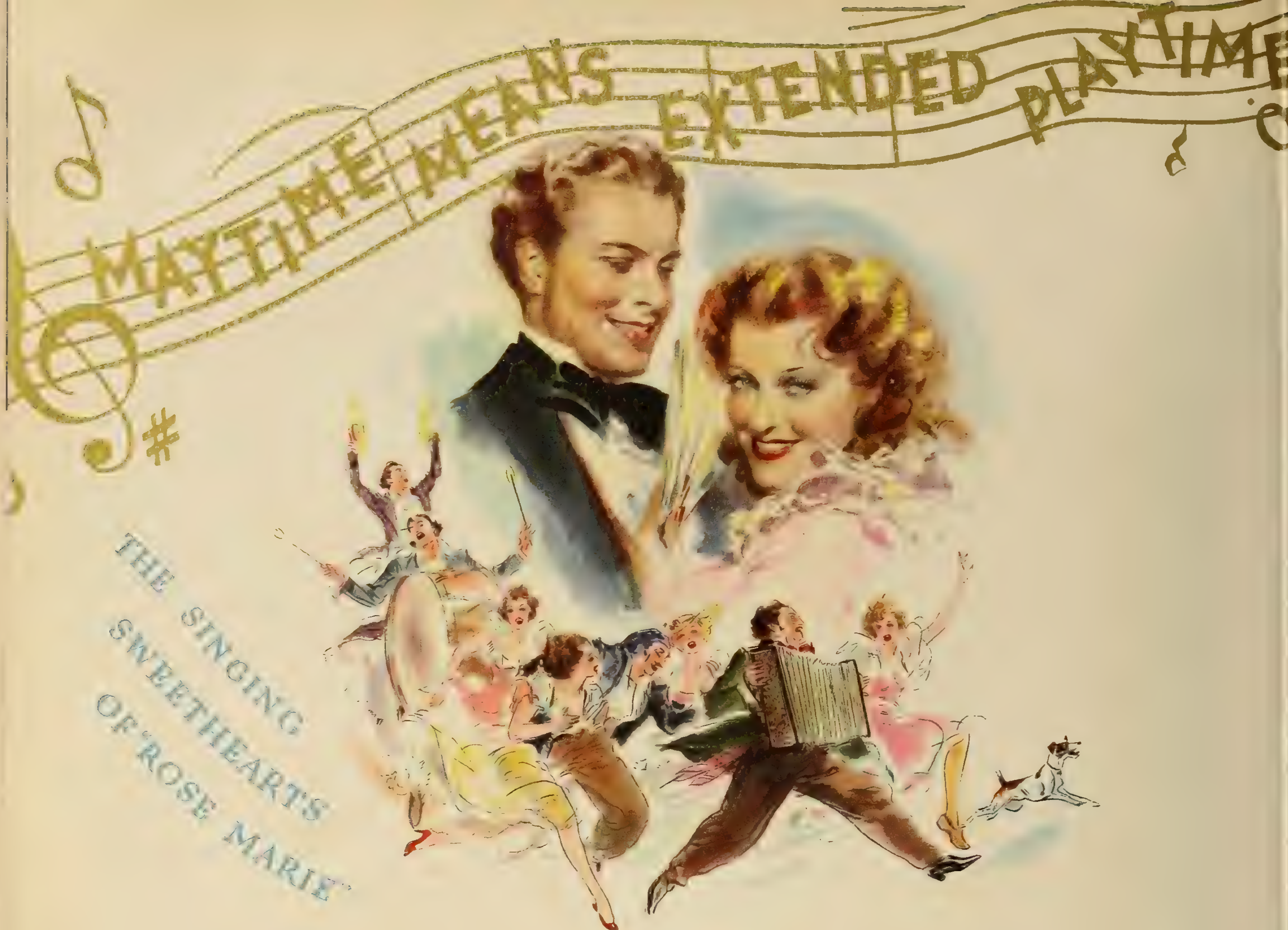
AND WHEREVER FILM MEN MEET THEY AGREE:

"There's only one company can be depended on to make them!"

"DON'T LOOK NOW, LEO, BUT THERE'S SOMEBODY WANTS TO TALK TO YOU ABOUT 'MAYTIME'!"


Will You Remember
Lyrics by

Sing the glad news from every roof-top! M.G.M's "Maytime" is Great!


MAYTIME MEANS EXTENDED PLAYTIME
THE SINGING SWEETHEARTS OF "ROSE MARIE"

Jeanette MacDonald Nelson Eddy

IN

MAYTIME

with JOHN BARRYMORE

To make a greater picture than either of their previous hits—*"Naughty Marietta"* or *"Rose Marie"* was the task of Metro-Goldwyn-Mayer. It was no easy matter to repeat such memorable triumphs but the completed picture, a sensation at its Coast preview, is the answer. To the romantic stars, Miss MacDonald and Mr. Eddy; to the unfailing producer Mr. Hunt Stromberg of "San Francisco" and "Great Ziegfeld" fame *(to mention just two of his many hits)*; to Director Robert Z. Leonard *(Z. for his "Ziegfeld" direction)*; to Mr. John Barrymore, Mr. Herman Bing, and the great Cast; to all whose efforts for so many months contributed to the making of the picture Metro-Goldwyn-Mayer offers its sincerest salute of admiration and gratitude, echoed by thousands of showmen the world over. In appreciation of the importance of "MAYTIME" M-G-M has taken full page ads in national magazines and newspapers to launch what is destined to be one of the greatest box-office attractions of our time. *And the parade of M-G-M hits marches merrily on and on and on!*

On the next page is news about the picture that Director W. S. Van Dyke was busy making while you were cleaning up with his last hit—"After The Thin Man." He never misses! You'll see that we're right!

(next page)

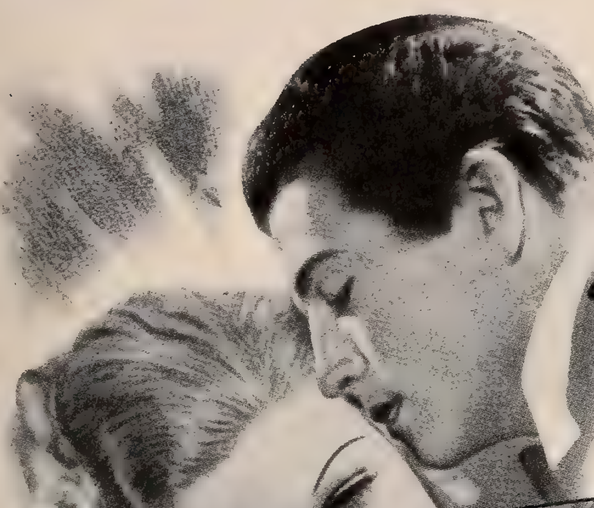
Whether your patrons live here ☞

or here ☞

They'll get the same thrill here ☞

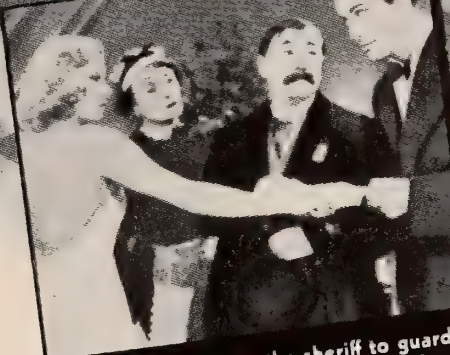
because M-G-M has co-starred two flaming stars ☞

This selling ad appears in all fan magazines!



Preview of their first picture together!

How Bob loves—and how Jean loves it!...It's a merry mad farce in the M-G-M "Libeled Lady" manner—which means high-powered romance mixed in with the laughs!...Here's the merriest of Springtime pictures!



Bob is assigned by the sheriff to guard Jean's personal property...that's when the fun begins!

He masquerades as her butler, so her high-toned society friends won't suspect she's flat broke...

Who should Jean's honor-guest be but Bob's fortune-hunting brother, who thinks Jean is an heiress!

Bob's the boy to clear up complications—so he becomes Jean's personal property, Item No. 1

JEAN **HARLOW** · ROBERT **TAYLOR**

in

"Personal Property"

with **Reginald Owen**

A Metro-Goldwyn-Mayer Picture · Produced by John W. Considine, Jr.

Directed by **W. S. VAN DYKE**

The Hit-Director of "After the Thin Man" "San Francisco" and others

AND NOW!

Get ready! Get set! Go!

AS GREAT AS

Rudyard Kipling's

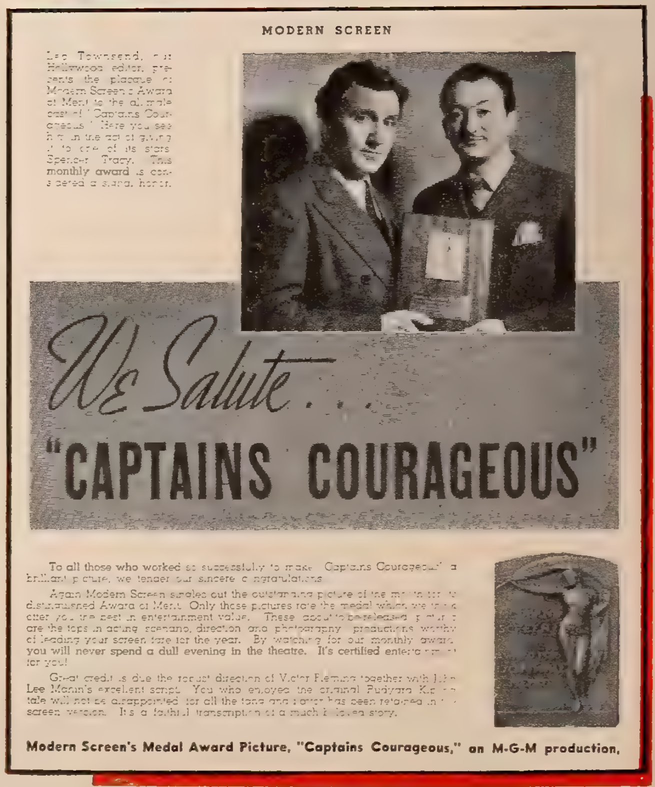
CAP

COU

Dust off the Hall of Fame for another M-G-M masterpiece!

MODERN SCREEN
AWARD FOR EXCEPTIONAL MERIT

This is the first award given to "Captains Courageous." There will be many more before the year is over!



MODERN SCREEN

Leo Townsend, our Hollywood editor, presents the plaque of Modern Screen's Award of Merit to the all-male cast of "Captains Courageous." Here you see him in the act of giving it to one of its stars, Spencer Tracy. This monthly award is considered a signal honor.

We Salute . . .

"CAPTAINS COURAGEOUS"

To all those who worked so successfully to make "Captains Courageous" a brilliant picture, we tender our sincere congratulations.

Again Modern Screen singles out the outstanding picture of the month for its distinguished Award of Merit. Only those pictures rate the medal which we think offer you the best in entertainment value. These about-to-be-released pictures are the tops in acting, scenario, direction and photography—productions worthy of leading your screen fare for the year. By watching for our monthly award you will never spend a dull evening in the theatre. It's certified entertainment for you!

Great credit is due the robust direction of Victor Fleming together with John Lee Mahin's excellent script. You who enjoyed the original Rudyard Kipling tale will not be disappointed for all the tang and savor has been retained in the screen version. It's a faithful transcription of a much beloved story.

Modern Screen's Medal Award Picture, "Captains Courageous," an M-G-M production,

"MUTINY ON THE BOUNTY"!

TAINS
RAGEOUS

VICTOR
FLEMING'
PRODUCTIO

THE CAST:

Freddie
BARTHOLOMEW

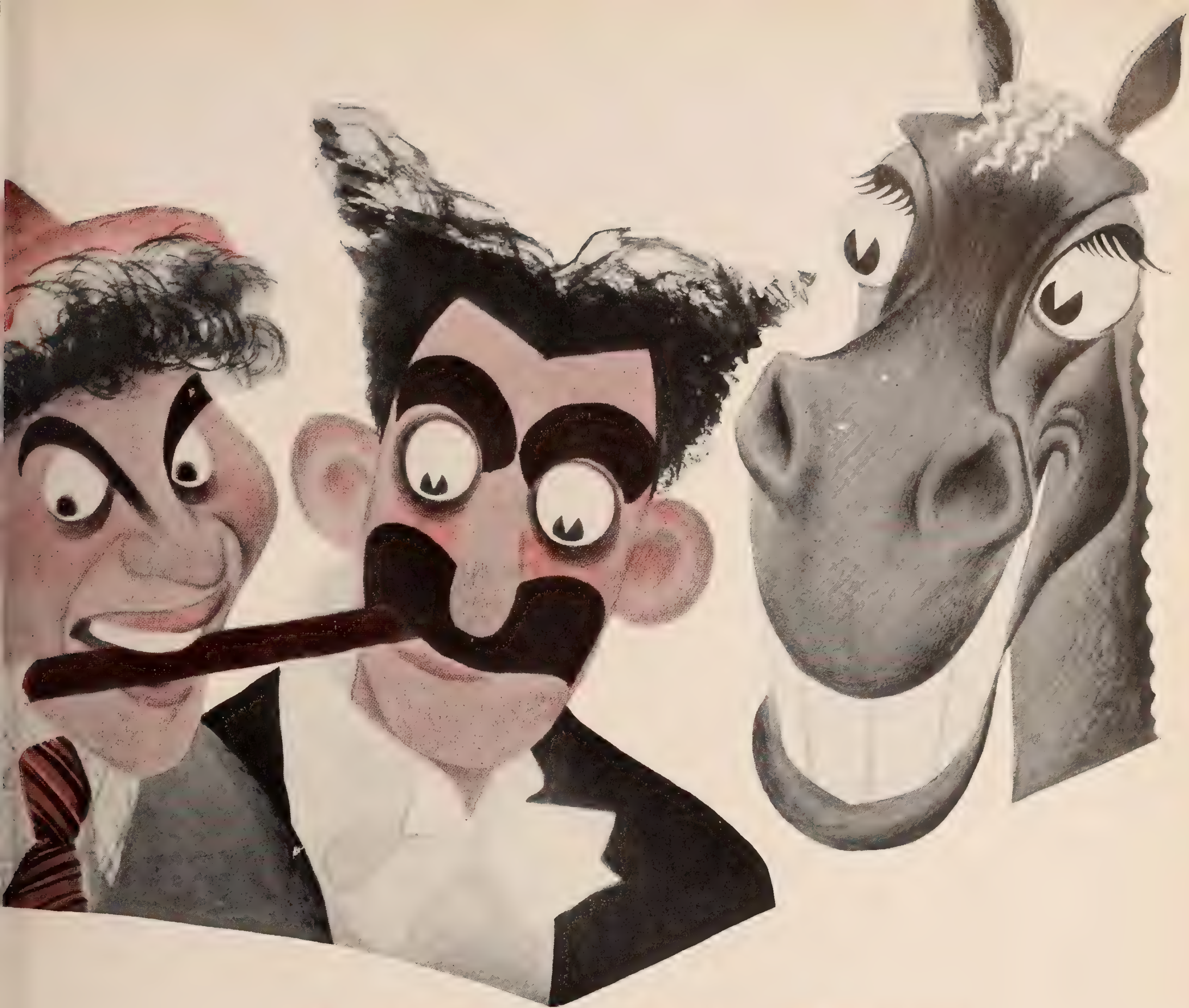
Spencer
TRACY

Lionel
BARRYMORE

Melvyn
DOUGLAS

Produced by LOUIS D. LIGHTON

This picture which has been two years in production and costs a fortune to make could stand alone in an entire season and bring fame to any company. It is but one of M-G-M's amazing group of springtime attractions! Carry on!



"A DAY AT THE RACES"

(just you wait!)

And another BIG ONE! But ***BIG!***

(Turn please)

CLARK GABLE
and
MYRNA LOY
in **"PARNELL"**
with
Edna May Oliver · Edmund Gwenn
Alan Marshall · Donald Crisp
Billie Burke
Based on the Broadway Stage Success
A John M. Stahl Production
A Metro-Goldwyn-Mayer Picture
Directed by John M. Stahl

Unquestionably Clark Gable's greatest role, more dramatic than Blackie Norton in "San Francisco," more powerful than his Fletcher Christian in "Mutiny on the Bounty." And Myrna Loy is perfect for the celebrated co-starring role, the girl for whom he surrendered the destiny of a nation!

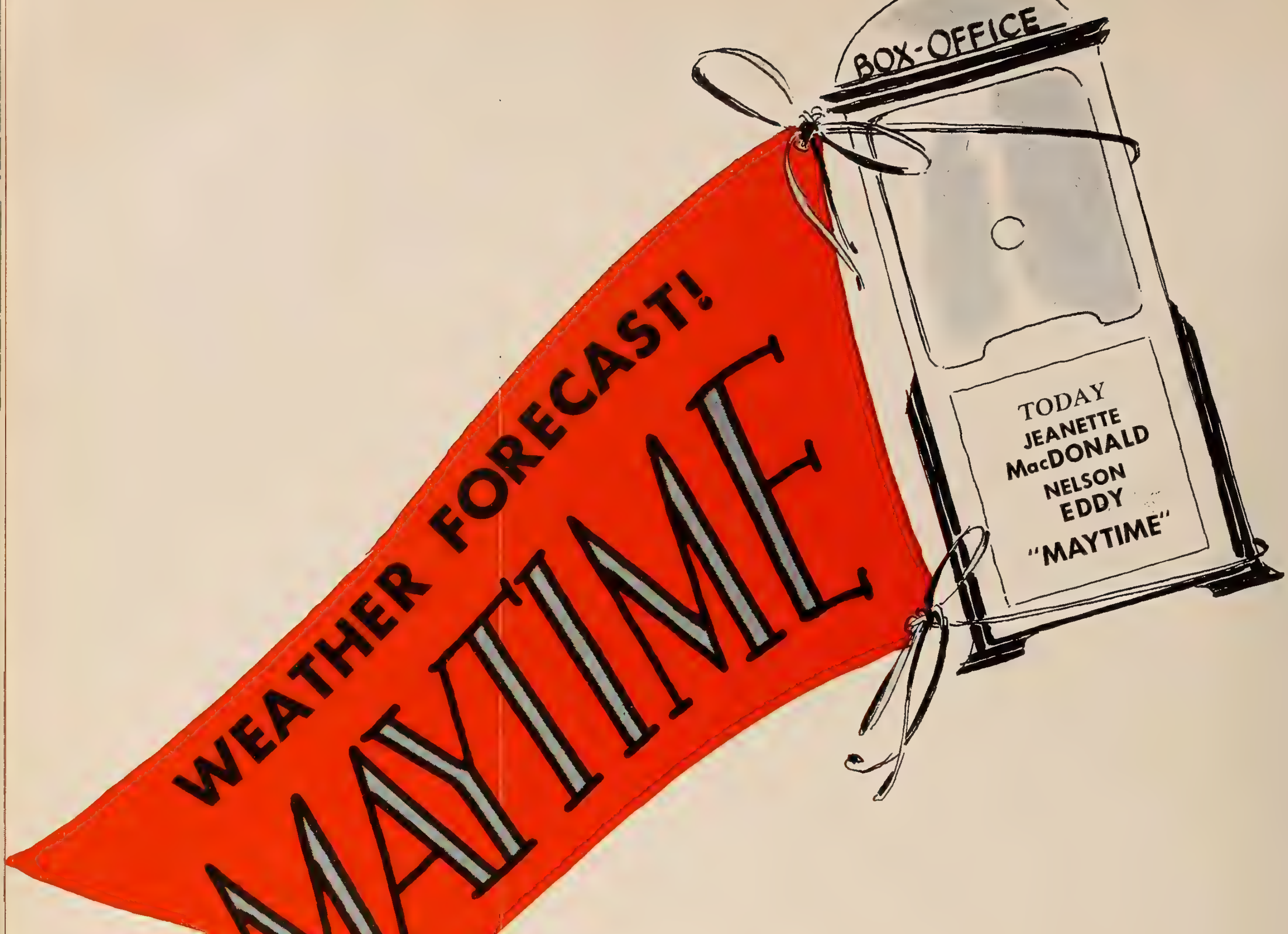
His Mightiest ROAR
Since "San Francisco"

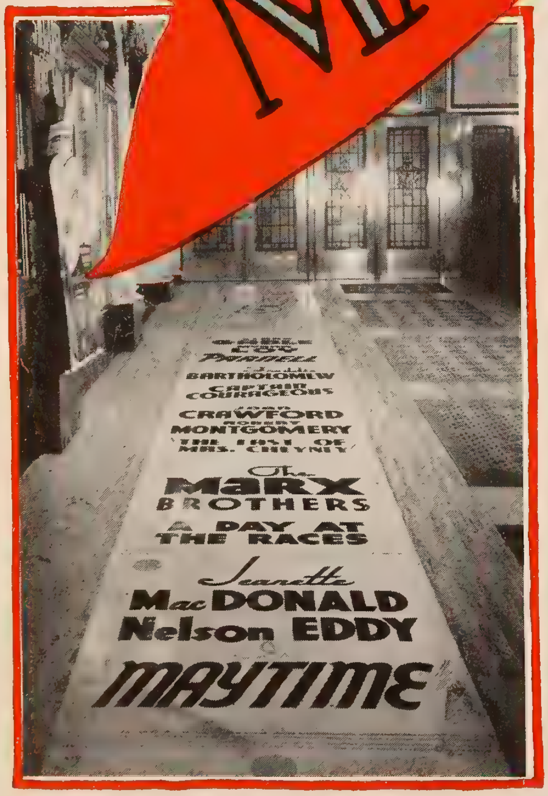
CLARK GABLE
MYRNA LOY

Parnell

You thought "San Francisco" was exciting—but wait! This picture which has been months in the making and nears completion in the skilled hands of John M. Stahl will thrill you to the finger-tips. So great it is being advertised in leading national magazines in addition to all fan magazines. Something to watch for indeed!

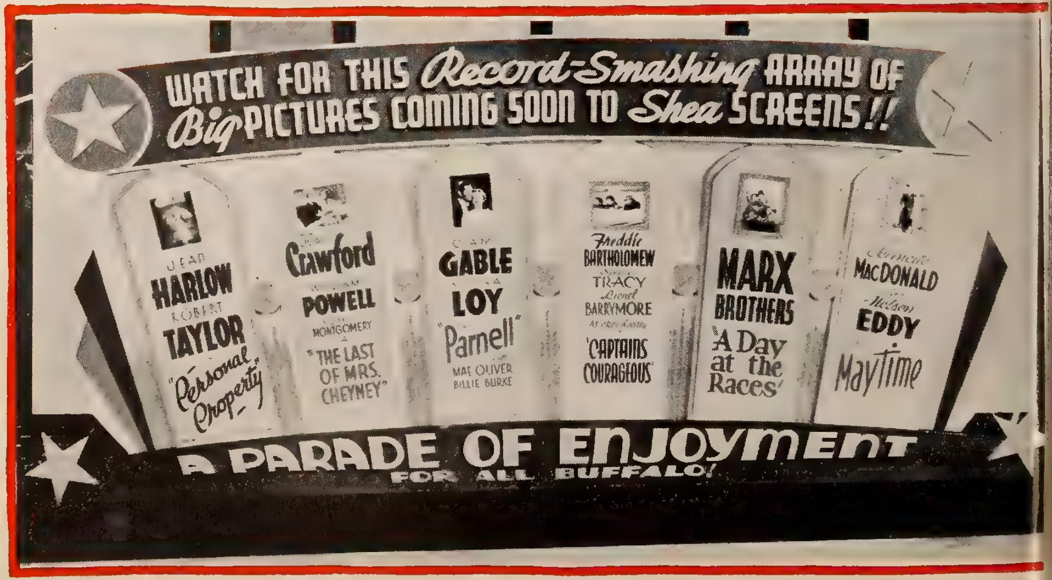
(The next page is last, but not least!)


BOX-OFFICE
WEATHER FORECAST!
MAYTIME
TODAY
JEANETTE
MacDONALD
NELSON
EDDY
"MAYTIME"


GABLE
LOY
PARNELL
BARTHOLOMEW
CAPTAINS COURAGEOUS
CRAWFORD
MONTGOMERY
THE LAST OF MRS. CHEYNEY
The MARX BROTHERS
A DAY AT THE RACES
Jeanette
MacDONALD
Nelson EDDY
MAYTIME

Welcome on the mat at Poli Theatre, Worcester. They can't miss the coming hits pasted on the lobby floor.

While the mobs are packing in to see "Maytime" keep your screen and lobby alive with M-G-M's springtime hits! It's great to be an M-G-M Showman!


WATCH FOR THIS Record-Smashing ARRAY OF Big PICTURES COMING SOON TO Shea SCREENS!!
JEAN HARLOW
ROBERT TAYLOR
"Personal Property"
Crawford
POWELL
MONTGOMERY
"THE LAST OF MRS. CHEYNEY"
GABLE
LOY
"Parnell"
MAE OLIVER
BILLIE BURKE
Freddie BARTHOLOMEW
TRACY
Lionel BARRYMORE
"CAPTAINS COURAGEOUS"
MARX BROTHERS
"A Day at the Races"
MacDONALD
Nelson EDDY
Maytime
A PARADE OF ENJOYMENT
FOR ALL BUFFALO!

Lobby display sells Shea's Buffalo as the home of hits.

Dickstein to Amend Alien Actors' Bill

(*Continued from page 1*)

crowded hearing room its current version of "Personal Appearance." The star of the show was Fern Andra, nee Pruenzel, former wife of Ian Keith, honorary baroness of a German state, a "midwest gal," in her own words, who made good in Central Europe and was formerly the owner of her own German producing company.

An amended bill now being whipped into shape by Dickstein will eliminate the requirement for an "equal trade" of talent and will provide for the unlimited entry of artists from countries which do not discriminate against Americans. A flat embargo, however, may be imposed on the entry of actors from countries which do not permit the stage appearance of American talent.

The bill would retain the provision permitting entry, without regard to other sections of the act, of artists of "outstanding ability." It also would retain the highly disputed provision that it would be necessary for producers desiring to import talent to show that similar type and ability could not be obtained from among the ranks of American artists.

Actress Tells of England

Miss Andra reviewed her history, told of difficulties encountered when she went to England to make a picture in 1930. Throughout her stay in England, she said, she was "harassed" by the home office. This was after she was forced to abandon her studio in Germany. "America would be just as great if there were no Europe to send pictures to," she declared in explanation of the statement that fewer pictures are exported than is generally believed.

Questioned sharply by members of the committee as to her experiences abroad, Miss Andra finally admitted she was opposed more to the restrictions imposed on Americans by European countries than in barring the entry of aliens into this country.

More details of the socalled "claque racket" in opera were revealed by Evelyn Brandt, representing the Grand Opera Artists Ass'n, who urged enactment of the bill to protect an "infant industry."

A total of $13,000,000 annually is being spent to employ the 11,500 persons now on the roll of the theatre project, about 25 per cent of whom are actors, it was declared by Agnes Cronin of the WPA.

No difficulty would be encountered in administering the bill as it is proposed to amend it, said Thomas J. Finucane, of the legal division of the immigration and naturalization service.

There will be one more appearance, on March 9, Dickstein said following today's hearing, and on that day talent "bigger than any that has yet appeared" will perform.

Opposes Dickstein Bill

William Morris has sent a telegram to Congressman Dickstein at Washington opposing passage of the alien actor bill on the ground that it would stir up retaliatory measures by foreign governments and in the end injure American talent.

The telegram says an exchange of international talent "always has been of great artistic and financial help to all American interests."

Sunday Bills Hit Snags

Boston, March 3.—The Maine Legislature has turned thumbs down on the annual attempt to legalize Sunday shows.

Oppose Missouri Censors

Jefferson City, Mo., March 3.—A large delegation of women, members of the Better Films Council and other women's organizations, attended a hearing today on the film censor bill and opposed it.

See End of St. Louis Bill

St. Louis, March 3.—The Board of Aldermen is expected to accept the recommendation of the Board of Estimate and Apportionment that Alderman L. E. Couplin's censorship bill be dropped.

Purely Personal

JANET GAYNOR arrived from the coast yesterday, accompanied by her mother, Mrs. Laura Gaynor, to remain one month on what is her first visit here in several years. She has just completed work in "A Star Is Born."

•

Edward Golden, general sales manager for Monogram, is due back the end of the week from a tour of several exchange centers.

•

Heck Everitt, southern district manager for Republic, is due from Charlotte today for conferences with J. J. Milstein.

•

Charles R. Rogers changed his traveling plans for the fourth time and now is not expected here from the coast until some time next week.

•

Harold Rodner and A. P. Waxman will leave shortly for the coast on behalf of the Will Rogers Memorial Fund.

•

Jack Benny is scheduled to arrive in New York by train Saturday morning.

•

John Barnes of the London staff of Quigley Publications sailed for England yesterday on the *Berengaria.*

•

Joseph Buloff, actor, has signed an actor-manager contract with the William Morris Agency.

•

Edward Schnitzer, eastern district manager for Republic, will return tomorrow from Boston.

•

Roy H. Haines, eastern sales head for Warners, is due back from Boston today.

•

Al Wilkie left yesterday for Miami and will be there several weeks.

•

Michael Ruden left yesterday for a six-week vacation at Miami Beach, Fla.

•

Louis Schine was in from Gloversville yesterday.

•

Sol Edwards returned yesterday from Albany.

•

Barney Balaban has returned to New York from Chicago.

DEANNE DURBIN yesterday was invited to attend the World's Fair in Long Island in 1939. The invitation was extended by John S. Bodkin of the Queens Evening News, who was one of the reporters attending the transcontinental telephone interview arranged by Loew's in connection with "Three Smart Girls." Miss Durbin said she would be glad to attend if in New York at the time.

•

Ned Depinet and Jules Levy entertained Eddie Silverman of Chicago at luncheon yesterday. The place was "21" where also were Jack Cohn, M. A. Schlesinger and Percy Phillipson.

•

M. G. Felder, head of Theatre Profit Sharing Co., will leave today for Chicago, Davenport, St. Louis and other cities en route to the coast. He will be gone three weeks.

•

Gilbert Miller started his ferry across the Atlantic yesterday. Sailing on the *Berengaria,* he is due back as soon as March 28.

•

Si Seadler is all set to leave by plane for the coast today if nothing turns up at the last minute to change his plans.

•

Mack D. Weinberger, sales manager for General Pictures, gets back today after a tour of eastern key cities.

•

H. Pierce of United Detroit Theatres flew to Detroit yesterday after a short visit here.

•

Howard Hughes will be the principal speaker at the Advertising Club luncheon today.

•

Henry Brown will sail today on the *Quirigua* for a 17-day West Indies cruise.

•

William Wyler left for the coast yesterday via American Airlines.

•

George Jessel arrived on the coast yesterday via American Airlines.

•

E. W. Hammons will return from Hollywood today.

•

Milton C. Weisman flew in from Miami yesterday.

Columbia 6-Month Profit Is $629,771

(*Continued from page 1*)

$1.77 per share on the common, which compares with $2.29 per share on the profit for the six months ended Dec. 28, 1935. These figures are after allowing for deductions equal to the dividend requirements of the present outstanding preferred stock. No provision has been made at this time for the tax on undistributed profits, the report noted.

The balance sheet shows current assets of $10,733,690.16 and current liabilities of $1,739,758.60. Working capital was reported at approximately $9,000,000.

Gross income from rentals and sales of films and accessories for the six months amounted to $9,234,154.85. The earned surplus at Dec. 26, last year, is given at $4,300,382.02.

Short Subject

"India on Parade"

(*Fitzpatrick-M-G-M*)

More superb views, done in the well known FitzPatrick manner, and enhanced by the FitzPatrick narrative which weaves a blend of poetic information. The Taj Mahal, at Agra, is captured in fine Technicolor compositions and there are other colorful scenes about the Maharajah of Baroda's palace. A fine job throughout. Production Code Seal No. 3,068. Running time, 9 mins. "G."

Lou Gehrig Signed By Principal Prod.

Hollywood, March 3.—Lou Gehrig, baseball star, has been signed by Sol Lesser's Principal Prod. at a reported figure of $2,500 weekly to play with Richard Arlen in "Trail Blazers," work to start immediately following the completion of the baseball season. Release will be through 20th Century-Fox.

Negotiations for Gehrig's appearance in a series of Tarzan films will be resumed by the athlete and Christy Walsh, manager, following the first film's conclusion. These announcements were made today at a luncheon tendered sports writers by Gehrig and Walsh at the California Club. Gehrig stated that his films commitment will not interfere with his diamond career.

Salt Lake Gets Premiere

Salt Lake City, March 3.—The world premiere of "She Met Him in Paris," Claudette Colbert's latest starring vehicle, now being filmed, will be held here on a date as yet undecided, it was revealed today by Harry David, general manager of Intermountain Theatres.

A big celebration is being planned here for the opening.

Sun Valley, where the film is being shot, is linked with the Paramount studios by teletype. A long distance record is claimed for this type of communication.

Wall Street

Uneven Trading on Board

	High	Low	Close	Net Change
Columbia	38⅛	37⅜	38⅛	+1
Columbia, pfd.	44	44	44	—1
Consolidated	5¼	5	5	+ ⅛
Consolidated, pfd..	17¼	16⅞	16⅞	— ⅛
Eastman Kodak ..	170	169	169	— ½
Gen. T. Equip. ..	30⅞	30⅞	30⅞	+ ⅜
Loew's, Inc.	81½	80	80½	+ ½
Paramount	26⅜	25⅝	25¾	— ⅜
Paramount 2 pfd..	24¼	23¾	23⅞	— ⅛
Pathe Film	9⅛	8¾	8¾	— ⅛
RKO	9	8¾	9	+ ¼
20th Century-Fox.	36½	35¾	35¾	— ⅛
20th Century, pfd..	44½	44½	44½	+1¼
Warner Bros.	15⅞	15¼	15¼	— ½

Little Curb Movement

	High	Low	Close	Net Change
Grand National ..	3⅜	3¼	3¼	.....
Sonotone	2	2	2	.....
Technicolor	21⅛	19¾	20	—1⅛
Trans-Lux	4⅞	4¾	4⅞	.....

No Bond Changes

	High	Low	Close	Net Change
Keith B. F. 6s '46	98⅝	98⅝	98⅝	.....
Loew's 3½s '46....	99⅞	99½	99½	.....
Paramount Pict. 6s '55	100⅝	100½	100½	.....
RKO 6s '41 pp....	118	118	118	.....
Warner Bros. 6s '39 wd	98⅝	98½	98½	.....

(Quotations at close of Mar. 3)

"Avenue" Sets Kansas City's Pace, $14,500

Kansas City, March 3.—"On the Avenue," with which the Tower started under complete Fox Midwest ownership, took the big money, $14,500, over the line by $7,500. It was moved to the Fox Uptown for a second stanza.

In spite of rain Friday and Saturday, snow Sunday, and cold all week, and the Better Homes & Flower show at the Municipal Auditorium, which drew 85,000 by Friday, other first runs showed more box-office strength than for several weeks. "Sea Devils" proved the winning feature on a double with "Criminal Lawyer" at the Newman, where the take was $300 over the $7,000 standard. "The Last of Mrs. Cheyney" went $100 over the $11,500 line at the Midland. "The Great O'Malley" and Ethel Waters stage show disappointed the Mainstreet, but managed to do $200 more than $9,000 par. A special midnight show for negroes Feb. 24 helped. "One In A Million" took $3,400, $600 shy of average at the Uptown, in its fourth Kansas City week.

Total first run business was $46,000. Average is $38,500.

Estimated takings:

Week Ending Feb. 25:

"THE GREAT O'MALLEY" (W.B.)

MAINSTREET — (3,100), 25c-35c-55c, 7 days. Stage: Ethel Waters and her "Swing, Harlem, Swing" show, with the Three Brown Sisters, Whitie's Six Lindy Hoppers, Derby Wilson, and "Sunshine" Sammy. **Gross:** $9,200. (Average, combination bill, $9,000)

"THE LAST OF MRS. CHEYNEY" (M-G-M)

MIDLAND — (4,000), 25c-40c, 7 days. **Gross:** $11,600. (Average, $11,500)

"SEA DEVILS" (Radio)
"CRIMINAL LAWYER" (Radio)

NEWMAN — (1,900), 25c-40c, 7 days. **Gross:** $7,300. (Average, $7,000)

"ON THE AVENUE" (20th-Fox)

TOWER—(2,200), 25c-40c, 7 days. Stage: Buddy Doyle, Marcy Brothers & Beatrice, Kirby & Duval. **Gross:** $14,500. (Average, $7,000)

"ONE IN A MILLION" (20th-Fox)

UPTOWN—(2,000), 25c-40c, 7 days, 4th week. **Gross:** $3,400. (Average, $4,000)

"Chan" Dual Only Oklahoma Grosser

Oklahoma City, March 3.—"Charlie Chan at the Opera," on a dual with "Mind Your Own Business," was the only attraction to get into the profit column. The gross at the Liberty was $3,300, up by $800.

"Gold Diggers of 1937" at the Criterion and "Men Are Not Gods" at the Midwest failed to get steamed up. The former fell $600 below average, while the latter ended up $800 in the red.

Total first run business was $10,900. Average is $11,500.

Estimated takings for the week ending Feb. 27:

"GOLD DIGGERS OF 1937" (W. B.)

CRITERION—(1,700), 10c-35c-55c, 7 days. **Gross:** $4,400. (Average, $5,000)

"MEN ARE NOT GODS" (U. A.)

MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $3,200. (Average, $4,000)

"CHARLIE CHAN AT THE OPERA" (20th-Fox)
"MIND YOUR OWN BUSINESS" (Para.)

LIBERTY—(1,500), 10c-25c-35c, 7 days. **Gross:** $3,300. (Average, $2,500)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Man Who Found Himself"

(Radio)

Hollywood, March 3.—Cast names here are not overly strong. The motivating story is not unique as it details a young doctor's mental and professional regeneration. But as the film presents the flying hospital as a new angle and introduces Joan Fontane as a promising screen personality, it possesses a merit that should please the average audience. On the whole, the characters are believable and the situations in which they are involved are logical. The four writers who collaborated on the adaptation have done a good job with Alice Curtis' original, "Wings of Mercy."

In New York, young Doctor John Beal, who loves to fly, becomes involved in scandal when the plane crashes and his young woman companion is killed. Berated by his tradition-worshipping father, George Irving, Beal hits the hobo trail, to be found by Philip Muston, an aviator, who gets him a mechanic's job at a west coast airport. Under an assumed name, he meets and falls in love with Miss Fontane, a flying nurse, who, after learning his real identity, is instrumental in helping the boy get a new grip on himself. A train wreck occurring, Beal flies an ambulance to the scene of the accident. There, finding his father exhausted from tending the injured, Beal, aided by Miss Fontane, returns to his status as a doctor to complete a life-saving operation. Reinstated in his father's respect, Beal and Miss Fontane continue treating the wreck victims.

Miss Fontane demonstrates she has the personality and talents presaging popularity. Beal, Huston and Irving are effective as featured supports and Jane Walsh, Frank W. Thomas, James Conlin, Diana Gibson, Stanley Andrews and Billy Gilbert check in with standard performances. Lew Landers' direction is credible. His use of miniatures adds to film's production value.

Production Code Certificate No. 3,026. Running time, 65 minutes. "G."

"Circus Girl"

(Republic)

Hollywood, March 3.—There is plenty of excitement, for the youngsters especially, in this yarn of a four-cornered romantic tangle against the background of the circus, featured by some excellent trapeze work, and the climactic scene of a broken rope high above a cage of growling lions. It is first rate material of its type for the subsequents and dual spots generally.

John H. Auer's direction maintains the pace satisfactorily. The screenplay of Adele Buffington and Bradford Ropes from the *Cosmopolitan* story by Frank R. Adams, opens the romantic complications immediately, as Donald Cook and Bob Livingston, trapeze team, are both obviously in love with June Travis. It is equally apparent that she loves Cook, or thinks she does, despite the fact that he is involved with Betty Compson, lion tamer. When Livingston accuses Cook, after the latter marries Miss Travis, Cook knocks him out. Blinded by blood in the course of their act, Livingston drops his partner, and Cook is finished as a trapeze artist.

The climax comes when Miss Travis returns to work with Livingston. Cook stages an act where Livingston performs over a cage of untamed lions and cuts a rope so that Livingston will fall. There is real suspense as the rope breaks, Livingston holds on somehow, and Cook goes up to rescue him, then himself falls among the lions. Livingston and Miss Travis complete the film in the expected fashion.

Production Code Seal No. 3,044. Running time, 63 minutes. "G"

"Paradise Express"

(Republic)

Hollywood, March 3.—An adventure type of action film, with a shot of romance and considerable heroism, this should do the trick in a dual spot, or where the youngsters look for their action diet.

When a grouchy old jerkwater railroad owner gets into financial difficulties through the unfair competitive tactics of a trucking company run by racketeers, a receiver is appointed. When the receiver, Grant Withers, arrives, he is faced with the united opposition of the entire town, including Dorothy Appleby, who is the road owner's granddaughter and secretary.

It takes little time for Withers to win the approval of the girl, and a little longer time to gain the help and goodwill of the town's mostly unemployed railroad workers. The methods of the trucking company,

(Continued on page 23)

"Holiday" and Waring Smash Detroit Draw

Detroit, March 3.—"Stolen Holiday," with the help of Fred Waring's Pennsylvanians, sent the Michigan gross up to $28,300, over normal by $8,300, in what was a generally dull week among first runs.

"When You're in Love" took $22,400 at the Fox, with the help of a stage show. "The Green Light" reached $12,200 at the United Artists and was held over.

Total first run business was $79,000. Average is $70,000.

Estimated takings for the week ending Feb. 25:

"THE WOMAN ALONE" (G. B.)
"HOLY TERROR" (20th-Fox)

ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $3,800. (Average, $5,000)

"WHEN YOU'RE IN LOVE" (Col.)

FOX—(5,100), 15c-75c, 7 days. Stage: Salici Puppets, Pat O'Malley, Billy & Beverly Bemis, Gene Sheldon, Joyce Reimer. **Gross:** $22,400. (Average, $20,000)

"STOLEN HOLIDAY" (F. N.)

MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Fred Waring's Pennsylvanians, Poley McClintock, Rosemary Lane, Priscilla Lane, Johnny Davis, Fern, 3 Fellas, Gene Conklin, Larry Collins, Charles Newman, Scotty Bates, McFarland Twins. **Gross:** $28,300. (Average, $20,000)

"WANTED: JANE TURNER" (RKO)
"THE CAPTAIN'S KID" (F. N.)

STATE—(3,000), 10c-40c, 7 days. **Gross:** $4,300. (Average, $5,000)

"THE GREEN LIGHT" (W. B.)

UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $12,200. (Average, $10,000)

"CAMILLE" (M-G-M)

MADISON—(2,000), 15c-65c, 7 days, 3rd week. **Gross:** $9,000. (Average, $10,000)

"Legion" Dual Gets Providence Honors

Providence, March 3.—The Majestic and Strand were the only two houses downtown to reach par for the week, the former garnering $7,200 with "Black Legion" and "Wings of the Morning," while the Strand just hit its $6,500 average with "Bulldog Drummond Escapes" and "A Doctor's Diary." The Majestic average is $7,000.

"The Holy Terror" at Fay's came close to the $7,000 par, catching $6,900, aided by a stage show. Loew's State did only $8,100 with "Devil's Playground" and "Women of Glamour" and the Albee was $1,000 down at $6,000 with "You Only Live Once" and "The Mighty Treve."

The weather was warm and generally fair. Pro boxing was the chief opposition.

Total first run business was $34,700. Average is $39,500.

Estimated takings for the week ending Feb. 18:

"BULLDOG DRUMMOND ESCAPES"
"A DOCTOR'S DIARY" (Para.)

STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,500. (Average, $6,500)

"BLACK LEGION" (W.B.)
"WINGS OF THE MORNING" (20th-Fox)

MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,200. (Average, $7,000)

"THE HOLY TERROR" (20th-Fox)

FAY'S—(1,600), 15c-40c, 7 days. Stage: "Stars of Tomorrow" Revue. **Gross:** $6,900. (Average, $7,000)

"DEVIL'S PLAYGROUND" (M-G-M)
"WOMEN OF GLAMOUR" (Col.)

LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $8,100. (Average, $12,000)

"YOU ONLY LIVE ONCE" (U.A.)
"THE MIGHTY TREVE" (RKO)

RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $6,000. (Average, $7,000)

I.T.O. Takes No Action on Local Games

(Continued from page 1)

RKO to License Commissioner Paul Moss' office several weeks ago. He complained that the circuits were not playing the games in compliance with the law. This brought a denial from C. C. Moskowitz of Loew's.

Claiming he was unauthorized to act on behalf of the I.T.O.A., when the question of dropping games was put to him, Albert said that Harry Brandt was the only one who could make an official decision. He said this would be done as soon as Brandt returned. The I.T.O.A. president got back from Florida yesterday and two efforts to reach him were unavailing.

While they would not be quoted for publication, two important independent circuit operators who are not members of the exhibitor unit told Motion Picture Daily they would not eliminate games. The attitude taken by these men is that they intend to run their businesses as they see fit.

With games only a minor topic, members of the I.T.O.A. haggled mostly about inviting the major circuits to join and getting delinquents to pay up dues. There was a heated discussion on the proposed invitation to major theatres and when the session broke up the men were still undecided what stand to take. Affiliated circuits, however, have refused to join the organization from time to time, but have contributed financially to committees set up to fight adverse legislation.

Nebraska Test Suit Set for Bank Night

(Continued from page 1)

whether or not theatres would abide by the ruling that Bank Night is illegal. The theatre men told Chaney they would not halt the games, so the action was ordered prepared immediately.

Drop St. Louis Bank Night

St. Louis, March 3.—St. Louis city and county houses have dropped Bank Night, Screeno and other games as a result of the ruling of Circuit Attorney Franklin Miller, but it is flourishing elsewhere in eastern Missouri.

Dispute Stops Show

Salt Lake City, March 3.—Fifteen hundred patrons of the Paramount here were forced to leave the theatre when a dispute between Manager Earl McClugs and A. B. Marcus, manager of the stage show, Continental Revue, caused the discontinuance of the performance. Each manager charged the other with failure to live up to terms. Seven hundred patrons lined up at the box-office and received refunds.

Gracie Fields Sails

Southampton, March 3.—Gracie Fields sailed for New York on the *Queen Mary* today en route to the M-G-M studio.

Ben and Mrs. Goetz are passengers on the same liner.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Paradise Express"

(Continued from page 22)

which include tossing cars off the tracks, breaking rails to cause the wreck of a train and the death of its crew, and similar tactics to hold the local freight business, engages the active attention of Withers. The film climaxes with a race of train against trucks to Paradise, whereby the film gets its ambiguous title. The train wins, of course, and Winters does likewise with the girl's affections. The race gives the film closing punch.

Allan Vaughn Elston and Paul Perez did the original from which Jack Natteford and Betty Burbridge wrote the screenplay. Joseph Kane directed.

Production Code Seal No. 2,983. Running time, 62 minutes. "G."

"White Bondage"

(Warners)

Hollywood, March 3.—A melodrama of the deep south, this film deals with a timely social-economic problem as the thematic background for a human interest romance. The topic is share-cropping. Because of its topical news value, the subject should attract some attention in metropolitan areas and be particularly interesting in rural communities where people are familiar not only with the difficulties of wresting a living from the soil, but also know the avarice of greedy land owners.

Against well-produced backgrounds, plantation owners Joseph King and Virginia Brissac defraud tenant farmer share-croppers of their rightful part in the cotton harvest. A tri-cornered romantic conflict involves Croppers Howard Phillips and Jean Muir and Outlander Gordon Oliver. As the farmers rebel and burn part of the crop, circumstances contrive to make it appear that Oliver is a spy in the employ of King and Miss Brissac and that he tipped off that Phillips started the fire. There ensues a stirring bloodhound chase through the canebreaks and Phillips is captured. The farmers, erupting into mob fury, determine to lynch Oliver, but Miss Muir, who has been held prisoner by Miss Brissac, arrives in time to stay its wrath. Oliver's life safe, the plantation owners are forced to share their profits with the farmers and, as Oliver drives off to new adventures, Miss Muir and Phillips envision a happier life together.

Although produced on an economy budget, the picture is well acted and directed. Work of the players is convincing and Nick Grinde has managed to balance human and social economic drama with thrills and action.

Production Code Certificate No. 2,845. Running time, 60 minutes. "G."

"Parole Racket"

(Columbia)

Hollywood, March 3.—Striking a headline note, in that it deals with the evils of the parole system, and at the same time with the shakedown terroristic methods of racketeers and their "protective associations," this film is lively fare, having a full quota of melodramatic action and the expected romance. It should be eminently satisfying for dual bills and in subsequent spots.

The girl reporter who becomes more than friendly with the detective, Rosalind Keith works with Paul Kelly in his effort to track down the leader of the racketeering gang which seems to recruit its ranks through generous use of paroles. The opposition of the girl's editor, Thurston Hall, turns to assistance when Kelly makes him see that glorifying gangsters makes the work of the police that much more difficult.

Kelly, a lieutenant, permits himself to be demoted and caught in the act of taking a bribe in order to get into the penitentiary. There he finds how paroles are speeded, gets one himself, joins the gang, and finally reaches the top man, capturing a few others en route, after hectic moments of automobile chases, gun battles and the like. Meanwhile Miss Keith renders editorial assistance and considerable aid to the romance which completes the film. C. C. Coleman, Jr., directed from an original by Harold Shumate.

Production Code Seal No. 3,050. Running time, 61 minutes. "G."

Re-Sign Sidney Lanfield

Hollywood, March 3. Sidney Lanfield has been given a new term contract by 20th Century-Fox.

Stallings to Marry Soon

Laurence Stallings and Louise Vance, fashion commentator for Movietone News, will be wed March 10.

New Union May Call Sit Down in Detroit

(Continued from page 1)

in the new union could not be ascertained nor could statements be obtained from the principals involved.

It is reported that the new union will demand the following wage minimums: Shippers, $40 a week; assistant shippers, $32.50; poster clerks, $35; inspectresses, $24, with time and a half for overtime and double time for Sundays.

Branch managers are refusing to discuss the matter, but it was learned that an attempt will be made to service theatres with film from Chicago and other nearby cities if the strike materializes. A uniformed policeman is stationed in the Film Exchange Bldg. day and night but no trouble has developed so far.

The industry here had its first taste of a sit-down strike last Friday when inspectresses, shippers and poster clerks quit on the premises of 20th Century-Fox for three hours. Leter Sturm, exchange manager, effected a quick and amicable settlement.

A.F.L. Beats C.I.O. in Hub

Boston, March 3.—Shipping and inspection departments of exchanges here last night were granted charters by the A.F.L. at a meeting held in the Hotel Bradford. Addresses were delivered by John Fenton, local organization representative, and by other labor leaders. Another meeting will be held next week, at which time officers will be elected.

The action of the A.F.L. frustrates the attempt of John L. Lewis to organize exchange employes. Another of Lewis' C.I.O. meetings is scheduled, but the A.F.L. claims that it has the registration of more than 90 per cent of the employes who would be affected by the Lewis action. Federation registration fees of $2 are reported to have been paid in the majority of instances.

The labor coup was effected largely by the fast work of Local 182, M. P. Operators' Union, presided over by Thad Barrows and which recently gained national recognition by its opposition to the 2,000-foot reel.

Meetings of the C.I.O. about two weeks ago attempted to organize rewinders, shippers and inspectresses. This set off the spark which culminated in today's development.

Portland Operators Get Raises

Portland, March 3.—Local 159, M. P. Operators, I.A.T.S.E., has secured a 10 per cent increase in wages from all independent houses here. Negotiations with the circuits are still in progress.

Daley Inquest Held

Los Angeles, March 3.—Coroner Frank Nance today conducted an inquest into the death of George Daley in the projection room at Universal where a screening showed the sequences with the explosion of the bomb which killed the one-time Marine.

Akim Tamiroff Signed

Hollywood, March 3.—Akim Tamiroff, who recently completed a role in "Her Husband Lies," has been given a new contract by Paramount.

New Shows On the Air

"School Days of the Air"

HOLLYWOOD, March 3.—Gus Edwards seems successfully to have brought his famous old vaudeville skit, "School Days," to the air as a smart, snappy and refreshing variety show which should start any one of its 19 kids who make up the program on the road to bigger things.

The members of the classroom are introduced in rhythmic rhyme by the teacher and, without a break in the show, go into their specialized entertaining. Outstanding among the youngsters are a wisecracking tot, Tommy Bond, who reads his lines like a veteran, a chap named Tony Pagliacci, who is equally facile, imitating Baron Munchausen and Joe Penner and a hot musical duo consisting of an accordion and banjo. Edwards is the kindly and tolerant professor who lets the kids run away with the show.

Eddie Cantor, Bobby Breen and Orchestra Leader Jacques Renard inaugurated the list of guest artists which will appear every week. Milton Berle and his gang will appear next week. Bert Fiske and his KFWB orchestra provide a class musical background.

With a little bit of polishing up "School Days of the Air" should annex a host of listeners.

The program goes on Monday nights at 8:15 P. S. T. over KFWB and local affiliate stations running a half an hour. A sustainer.

Spot Announcements to WMCA

Maxwell House Products Co., through the Advertisers Broadcasting Co. has signed for a four-week series of spot announcements over WMCA, beginning today. The announcements will be read each Thursday.

Also contracted for a daily series of spot announcements on WMCA is the Stag Laundry Co. beginning March 8 for 13 weeks. The deal was handled direct.

New Series for Griffin

The Griffin Manufacturing Co. will sponsor a new series of programs over NBC's basic Blue beginning May 17, from 7 to 7:30 P. M., E.D.S.T. The program will be known as "The Griffin Melody Clock" and will feature Hugh Barrett, Jean O'Neill, Barry McKinley and an orchestra. The contract is for 52 weeks, and was placed through Bermingham, Castleman & Pierce.

Vincent Richards Signed

Vincent Richards, who last season broadcast the country's important tennis matches over WOR and Mutual, has been re-signed for the same duties this season. He is under exclusive contract.

The Script Library
A DIVISION OF RADIO EVENTS, INC.
535 Fifth Avenue,
New York, N.Y.
A Radio Script for Every Sustaining and Commercial Need

NBC Adds 30 New Stations Since Jan. 1, Recap Shows

Thirty stations have been added to the NBC chain since Jan. 1, 1936 and 20 stations have been granted power increases during this period, it is revealed in NBC's latest promotional booklet. The 30 new stations are:

WABY, Albany; KOB, Albuquerque; KGNC, Amarillo; KERN, Bakersfield; WNAC, Boston; WICC, Bridgeport; WEBR, Buffalo; WCSC, Charleston; WCOL, Columbus; KVOD, Denver; WGBF, Evansville; WGL, Fort Wayne; WOWO, Fort Wayne; KMJ, Fresno; WFBC, Greenville, KARK, Little Rock; KECA, Los Angeles; WFEA, Manchester; WTCN, Minneapolis; KLO, Ogden; KEX, Portland; WEAN; Providence; KGHF, Pueblo; KFBK, Sacramento; KJR, Seattle; KGA, Spokane; KGBX, Springfield; KWG, Stockton; WBOW, Terre Haute, and WSPD, Toledo.

The power increases and the stations:

Daytime

		Watts	
City	*Station*	*From*	*To*
Baltimore	WFBR	500	1,000
Billings	KGHL	2,500	5,000
Buffalo	WBEN	1,000	5,000
Cedar Rapids	WMT	2,500	5,000
Des Moines	KSO	1,000	2,500
Detroit	WWJ	1,000	5,000
Indianapolis	WIRE	1,000	5,000
Los Angeles	KECA	1,000	5,000
Madison	WIBA	1,000	5,000
Memphis	WMC	2,500	5,000
New Orleans	WSMB	500	1,000
Oklahoma City	WKY	1,000	5,000
Providence	WJAR	500	1,000
Seattle	KOMO	1,000	5,000
Syracuse	WSYR	250	1,000

Evening

Indianapolis	WIRE	500	1,000
New Orleans	WSMB	500	1,000
Providence	WJAR	500	1,000
Raleigh	WPTF	1,000	5,000
Syracuse	WSYR	250	1,000

Set March 10 for Test of Air Power

NEW CASTLE, Del., March 3.—The National Wireless Power and Light Corp. set next March 10 as the date for the demonstration of the "feasibility of the use of transmission of electric power and light by wireless" from the company's laboratory at Deemer's Beach near here.

The demonstration was originally scheduled for March 1, but due to a faulty tube was postponed. John C. Roberts, inventor, says the demonstration will be held on that date unless failure of the tube to arrive necessitates a further postponement. In that event the demonstration will be held about March 15.

Pipe in Yankee Network

NEW HAVEN, March 3.—WICC moves its New Haven Teacher's League program from 7:30 to 7:15 P. M. Tuesday night, to make room for a new 7:30-8 P. M. Yankee network variety commercial, sponsored by First National Stores and emanating from Boston. The Teachers' League discussions on WICC are confined to parent-teacher relations. The League uses WELI for The Town Hall of the Air, Sundays at 4 P. M. when controversial subjects are discussed in forum style by prominent leaders.

Berlin to Salute Virginia

RICHMOND, March 3.—A Berlin station will salute Virginia with a program starting at 7:30 P. M., E.S.T., March 12, the Virginia Chamber of Commerce has been informed.

Five NBC Programs Sign Off This Month

Five NBC programs leave the airways this month. They are: "Real Silk," featuring Edwin C. Hill, March 28; "Melody Matinee," sponsored by Smith Bros., March 28; "Modern Romances," sponsored by Modern Magazines, March 31; "Musical Toast," sponsored by the Kreuger Brewing Co., March 22; and "Bambi," sponsored by General Foods, March 22.

Lily Pons Replacing Nino Martini on CBS

Lily Pons will replace Nino Martini on the Wednesday Chesterfield Cigarettes program over CBS beginning April 14. Martini is leaving to fill concert and film engagements.

Miss Pons formerly broadcast on the Chesterfield hour but left it last spring for the filming of "That Girl from Paris."

LeQuatte, Named by Ad Group

H. B. LeQuatte, head of the agency bearing his name, has been named chairman of the Program Committee for the Advertising Federation of America's annual convention which will be held in New York June 20 to 23. LeQuatte is vice-president of the Federation and an official of A.A.A.A.

Benny from the Waldorf

Due to the unprecedented demand for tickets, Jack Benny's two programs from New York will be aired from the grand ball room in the Waldorf Astoria, instead of from the large show studio in Radio City.

FCC Sets Calendar Of Public Hearings

WASHINGTON, March 3.—The F. C. C. today made public a tentative calendar of hearings for the final half of March, as follows:

March 15: Applications of H. O. Davis, Mobile, Ala., and Seaboard Investment Co., Inc., Montgomery, Ala., for new stations to operate on 610 kilocycles with 250 watts night and 500 watts day power; Waterloo *Times-Tribune* Publishing Co., Waterloo, Ia., 1,370 kilocycles daytime station with 100 watts power, and Harold Thomas, Pittsfield, Mass., 1,310 kilocycle station with 100 watts night and 250 watts day power.

March 16: Applications of Troy Broadcasting Co., Inc., Troy, N. Y., and Utica *Observer-Dispatch,* Utica, N. Y., for 950 kilocycle daytime station with 1,000 watts power, and Arthur H. Croghan, Minneapolis, for 1,310 kilocycle daytime station with 100 watts power.

March 22: Applications of Radio & Television Research Co., Los Angeles, for 1,570 kilocycle station with 1,000 watts and Southern Broadcasting Corp., New Orleans, for 1,200 kilocycle part-time station with 100 watts; station WJBW, New Orleans, for increase of time and increase of day power.

March 23: Applications of KDON, Del Monte, Cal., for change of frequency and increase of power; Salinas Newspapers, Inc., Salinas, Cal., for 1,390-kilocycle daytime station with 250 watts power; Bend *Bulletin,* Bend, Ore., for 1,310-kilocycle unlimited time station with 100 watts night and 250 watts day power, and Fayette Broadcasting Corp., Uniontown, Pa., for 1,420-kilocycle daytime station with 250 watts.

To Hear Porto Rican Plea

March 24: Applications of Juan Piza, San Juan, P. R., for 1,500-kilocycle unlimited time station of 100 watts night power, 250 day; Lou Poller, Scranton, Pa., for 1,370 kilocycle daytime station, 250 watts power; Ann Arbor Broadcasting Co., 1,500-kilocycle unlimted time station with 1,000 watts, and station WSPA, Spartanburg, S. C., for change of frequency from 920 kilocycles to 880 kilocycles and increase of power.

March 26: Applications of Geraldine Alberghane, Pawtucket, R. I., and Bay State Broadcasting Corp., Providence, for 720-kilocycle station, 1,000 watts, and station WHBB, Selma, Ala., for increase of time and voluntary assignment of license.

The commission, en banc, will hold a hearing on March 16 to take up the applications of WLTH, WBBC, WVFW and WARD, Brooklyn; WEVD, New York, and the *Brooklyn Daily Eagle,* all seeking full time on the 1,400-kilocycle band. Each of the Brooklyn stations is seeking the facilities of the others, the *Daily Eagle* is seeking a construction permit, and WEVD is seeking the facilities of the Brooklyn group.

Receipt of applications for two new broadcasting stations was revealed today by the F. C. C.

Requests for new stations were filed by the Enterprise Co. for a new 1,400 kilocycle, 500 watts unlimited time station at Beaumont, Tex., and by the Southern Minnesota Broadcasting Co. for a 920 kilocycle station at Rochester, Minn., to use 1,000 watts at night and 5,000 watts day.

Radio Personals

PAT KELLY, NBC chief of announcers, will replace Milton J. Cross on the 'Sidewalk Interviews" program beginning next Monday . . . Elizabeth Palmer, wife of NBC's Frank Healey, has been signed for pictures by 20th Century-Fox and leaves for Hollywood March 17 . . . Al Pierce and several members of his "gang" left yesterday by plane for Detroit . . . Stuart Canin, 10-year old violinist who started the "feud" between Jack Benny and Fred Allen, and Sam (Schlepperman) Hearn will guest appear on Benny's program Sunday night . . .

◆

Lucy Monroe, heard on "American Album of Familiar Music," will sing at the Victory Ball in Washington tonight . . . Princess Catherine Radziwill will be interviewed on Douglas Allan's WINS program today at 2:15 P. M. . . . Charles Martin, radio executive at the Biow agency and producer of the Philip Morris "Thrill of the Week" and "It Might Have Happened to You" will publish the scripts in book form . . . Peggy Harmon has been added to the script writing staff at Benton and Bowles . . . Dale Carnegie, in addition to Helen Morgan, will guest appear on next week's "Showboat" production . . .

◆

Russ Walker, *World-Telegram* news commentator, has joined WHN as a staff announcer . . . Pinky Tomlin screen comic and song writer, arrived in New York this morning . . . Louis Massey and the "Westerners," who leave their present commercial, "Dude Ranch" this week, will start a vaudeville tour March 23 . . . Another who will start a personal appearance tour beginning April 1 is Zinn Arthur and his orchestra, currently heard on WHN . . . Stepin Fetchit and Belle Baker will guest appear on the Nash-Lafayette "Speedshow" this Saturday . . . "Four Sons of Satan," who have been broadcasting over WKBB, Dubuque, will join Vince Travers NBC sustaining series this week . . .

◆

Don Albert's orchestra joins Jay C. Flippen's WHN "Airfinds" program today . . . Betty Lawford, now appearing in "The Women," will be Radie Harris' guest star on WHN tomorrow at 8 P. M.

◆

St. Louis Town Pump

ST. LOUIS, March 3.—W9XD, auxiliary station of KSD, owned by the *St. Louis Post-Dispatch,* will carry the Paramount program at 11 A. M., C.S.T., Sundays because KSD is unable to put them on at that time . . . Woody Klose, program director for WTMV, East St. Louis, spoke yesterday before the Junior Advertising Club . . . KWK is preparing to celebrate its 10th anniversary March 17 with a show to be put on at the Municipal Auditorium and aired over the Mutual network . . . Paul Phillips, continuity editor for KMOX, is back as his desk after a week's illness.

Underwood Quits CBS

HOLLYWOOD, March 3.—Loyal Underwood, one of the original announcers with CBS, concluded 13 years with the company Wednesday when he resigned to become a free lance producer.

F. T. C. Confers on Music Trade Rules

WASHINGTON, March 3.—Members of the trade practice conference division of the Federal Trade Commission today held an informal discussion with John G. Paine, chairman of the board of the Music Publishers' Protective Ass'n on proposed trade practice rules for the music industry.

Officials of the commission said that while some concrete suggestions have been offered as to the practices to be covered by the codes they have not yet been whipped into shape sufficiently to permit consideration at a hearing.

When the full set of rules has been submitted, the commission will study them to determine whether they meet its requirements and then will call a public hearing at which all interested persons may present their views.

News Series Planned By American Tobacco

The American Tobacco Co., sponsors of the "Hit Parade" series heard on both NBC and CBS, this week auditioned Edwin C. Hill for a new news series which will probably be placed on CBS at an early morning hour. Lord and Thomas arranged the audition and are planning the series.

It has been learned also that George Washington Hill, president of the American Tobacco Co. is now considering a series of sports broadcasts to supplement the "Hit Parade" programs. The sports involved are said to be football in the fall and probably horse racing in the winter. The programs, if they materialize, will be heard on all three national networks.

"Counselor" Program Dropped at Columbus

COLUMBUS, March 3.—Because of protests from Publicity Associates, New York, who claimed priority rights to the idea and title of "The Family Counselor," previously used by Allen Grigsby, New York, in the "Checkmaster Plan," local station WBNS, which recently inaugurated a program of similar theme and title, has withdrawn it. The local airing was sponsored by the First Saving & Loan, and featured Dr. Roy Burkhart, pastor, as the "counselor."

Houston Gets Radio Theatre

HOUSTON, March 3.—The old Palace, vacant for some time, has been remodeled and made into a Radio theatre for KTRH, *The Houston Chronicle* station. The theatre will seat 1,200. Admission will be by card, given upon request to the station.

Hastings Joins KDB

HOLLYWOOD, March 3. — Louis Weiss, manager of KHJ, has appointed Don Hastings to manage KDB in Santa Barbara, a Don Lee outlet. Hastings was formerly program director for WBBM, Chicago and a radio writer in the same city.

KIRO to Jump to 5,000 Watts

SEATTLE, March 3.—Station KIRO will increase its full-time output from 1,000 to 5,000 watts, H. J. Qillan, manager, stated today. The station will become a part of the Columbia system in the fall.

Police Object

Denver, March 3.—Claiming the script of the dramatization of the killing of a gunman by Denver police was garbled and misleading, Chief of Police George W. Marland has demanded that his department be allowed to read and censor future scripts dealing with like events in which police officers are used as characters.

Marland charged the script, broadcast over KLZ, pictured Denver police as "hicktown detectives," made them out as perfume sniffers and gas meter readers, and pictured Denver as a capital of crime.

Police Warnings Go on Air

KANSAS CITY, March 3.—Safety announcements made by police to erring pedestrians and automobilists from the police safety car on downtown streets are to be broadcast over WHB. Each Friday afternoon the policemen in charge of the car will go on the air over microphones installed in the car. The car is equipped with a loudspeaker for calling attention of traffic violators to their misdeeds.

L. A. Police Cooperate

HOLLYWOOD, March 3.—KMTR "Radio Bureau of Missing Persons" is receiving the full cooperation of local police and legal authorities. Last Sunday's initial airing of the "bureau" found Los Angeles County District Attorney Fitts in the role of volunteer counselor on the program.

To Join National Police Chain

OKLAHOMA CITY, March 3.—KGPH, the sheriff-police radio station will become part of the national chain of police radio stations when it moves into the courthouse following the completion of its new "CW" transmitter. Tulsa will have the only other station of the kind in this territory.

Legislators Go On Air

HARTFORD, March 3.—"Capitol Hill," a program of interviews with representatives in favor of or against certain bills, broadcast from the legislative chambers, is attracting WTHT listeners. Cedric Foster, the station's director of public relations, and Moses W. Burkman, *Times* political editor, direct the program on Tuesday, Wednesday and Thursday mornings at 11.

Harper Named Radio Editor

HOLLYWOOD, March 3.—Jim Harper has been appointed new radio editor of the *Evening* and *Daily News* here. He succeeds Ken Frogley, who has been promoted to head a new weekly publication financed by these papers of which final details have not yet been set. Harper, formerly with the Robert Taplinger office, will be succeeded by Ray Buffum, now with KFWB.

Will Lecture on Taxation

NORFOLK, March 3.—Ten lectures on taxation are to be delivered by City Manager Thomas P. Thompson over WTAR. John N. Sebrell, city attorney, also is scheduled to speak April 7 on another tax problem. The talks are sponsored by the Virginia League of Municipalities.

Take Bids for WFIL Philadelphia Studio

PHILADELPHIA, March 3. — Bids have been asked from contractors for the construction of WFIL's new studios. WFIL is the local outlet for Mutual.

The new studios will cost an estimated $200,000 and will be ready for occupancy by July. Horace Trumbauer is the architect, with chief engineer Frank Becker supervising construction.

Witmer in Detroit On Ford's Programs

Roy C. Witmer, NBC vice-president in charge of sales, is now in Detroit conferring with Ford officials regarding the status of the Friday evening NBC Ford program, "Universal Rhythm," which, it has been reported, will either be considerably revised or replaced entirely by a new program, due to Ford's dissatisfaction with results achieved by the series. The contract for this program expires March 26.

It is believed that the Tuesday evening CBS Ford series, "Watch the Fun Go By," will be treated in a like manner.

Witmer is expected back in New York today with definite word as to the fate of the NBC series.

To Air Baseball Opening

The opening of the American League baseball season, April 19, featuring the game between the Washington Senators and the Philadelphia Athletics, at Washington, will be broadcast on the NBC-Blue network, beginning at 2:45, E. S. T.

Signs for Cincy Reds' Games

CINCINNATI, March 3.—WSAI, NBC outlet in the local Crosley studio, will this year for the first time air the Cincinnati Reds' ball games, under a contract signed with General Mills through the Knox-Reeves Agency, Minneapolis. Last season's games were broadcast over WCPO, Cincinnati *Post* station, under sponsorship of Socony-Vacuum, and it is expected that both that station and the previous sponsors will again participate this year, since the agreement gives General Mills the privilege of sharing the programs and including other stations. Sunday games will not be broadcast as was done previously.

Powell Crosley, Jr., president of the two Crosley stations here, also is president of the Cincinnati Reds.

Six Stars for "Parade"

Guest artists for the current month on the Lucky Strike "Hit Parades" are as follows:

Carole Lombard, March 6, CBS; Philip Merivale, March 10, NBC; Sydney Rayner, March 13, CBS; Jane Wyatt, March 17, NBC; Margot Grahame, March 20, CBS; Lanny Ross, March 24, NBC; Enzio Pinza, March 27, CBS; Miriam Hopkins, March 31, NBC.

LEO SAYS:
The circulation of newspapers and magazines affiliated with WHN on radio tie-ups total more than one million!
WHN DIAL 1010
AFFILIATED with M-G-M • LOEW'S

RKO Net for '36 Reaches $2,514,734

(Continued from page 1)

of $87,063.19, and losses of $741,718.55 and $1,253,598.07 for 1934 and 1933, respectively. The increase in theatre operating profit was attributed in large part to an attendance increase during the year approximating 10 per cent. The theatre figures do not include the results of operations of the various subsidiaries of Orpheum Circuit, Inc., managed by Stadium Theatres Corp., as pledgee.

The gross income of theatre operating subsidiaries during 1936 showed a continued gain, the report states, running approximately $1,900,000 over 1935, while total operating expenses, exclusive of Federal income, excess profits and undistributed surplus taxes, rose less than $300,000.

The consolidated statement shows income from theatre admissions of $21,081,465, from film rentals and sales of $25,327,832, and from rents and other income of $2,741,351, for a total of $49,150,649.

The consolidated net profit is taken after all charges, including accrued interest on RKO's secured six per cent gold notes, 10-year six per cent gold debentures and $1,118,500 of its extended six per cent gold notes, but before providing for dividends in arrears on the seven per cent cumulative preferred stock of Keith-Albee-Orpheum Corp., a subsidiary.

Subsidiaries Profit Listed

Net profit of RKO Radio Pictures, Inc., and its subsidiaries for 1936 after all charges amounted to $1,088,384, as compared with net profit for 1935 of $777,183. The charges included an interest accrual of $763,079, an indebtedness to RKO. Gross receipts were reported nearly twice the total of 1932. RKO Pathe Pictures, Inc., since merged with RKO, showed a loss for the year of $195,051, after all charges, while Pathe News operations for the year resulted in an unaudited net profit of $352, against a net profit in 1935 of $5,907.

The report states that during the two and one-half years from July 1, 1934, to Dec. 31, 1936, the fixed indebtedness of RKO and its subsidiaries was reduced to $4,216,356, including the payment of $1,125,208 in principal amount of RKO's secured six per cent gold notes, and interest on indebtedness was paid in the aggregate amount of $3,545,175. During the same period, the cash of RKO increased from $4,696,904 to $7,955,974.

Reorganization Hearing Mar. 18

The report indicates that the hearing on the RKO reorganization plan will be held March 18.

The only change in the status of the funded deft of the company since the filing of the previous report last July was in the secured six per cent gold notes of the company. On June 30, last, $900,000 in principal amount of the secured notes remained outstanding. Since then additional prepayments have reduced the aggregate principal amount outstanding to $700,000 on Dec. 31, 1936 and to $600,000 on March 1st, last. The hearing on the show cause order on the petition by the trustee to make payment in full of all secured notes outstanding is set for March 11, according to the report.

Under the terms of an agreement now in preparation, the action of Rogers, Prod., Ltd., against RKO, which resulted in a claim filed of $350,000, will be settled at $15,000.

The report indicated that while the operations of the active Orpheum subsidiaries have shown steady improvement since 1933, the combined operations of the subsidiaries still resulted in a net loss in 1936.

The report indicated the total of claims filed against RKO as of Dec. 31, last, at $55,121,179.

'Lost Horizon' in Notable Broadway Roadshow Debut

FRANK CAPRA'S
RONALD COLMAN
LOST HORIZON
PLEXICON
CAFETERIA
MEZZA

Metropolitan Photo Service

Broadway was jammed in the vicinity of the Globe last night where "Lost Horizon" made its formal New York debut as a roadshow.

(Continued from page 1)

in the audience and prominently on deck, of course, was the Columbia's home-office staff, headed by Jack Cohn.

The company completely refurbished the house for the picture. The entire front was changed and redecorated in chromium and glass, with a brilliant electric light display and a new marquee. The old boxoffice at the entrance was removed. Supplanting the less regal hangings of the Dillingham era, in the inner lobby was an exhibit of photographs and art studies of the costumes of "Lost Horizon," which were made during the preliminary research work before the picture was started.

Extensive changes also were made in the interior. All the boxes were removed, which increased the seating capacity by 50 seats and gave an unobstructed view of the stage from any part of the house. New seats were installed, the entire theatre repainted, and the stage given a new curtain of old gold damask. New sound equipment adorned the booth.

Decision Reserved In Plea on Orpheum

U. S. District Court Judge Murray Hulbert reserved decision yesterday on the motion made by the preferred stockholders' committee of the Orpheum Circuit, Inc., to reverse the order of Referee Oscar W. Ehrhorn which provided for the sale of Orpheum assets to the Stadium Theatres, Inc., an RKO subsidiary, for $700,000 and rejected the offer of $2,000,000 made by the stockholders for the same asset. Ehrhorn's order also rejected the stockholders' petition to compel Marcus Heiman, trustee of Orpheum, to intervene in the RKO reorganization proceedings and to bring an action to set aside an alleged fraudulent transfer of assets of Stadium and to compel the starting of a suit against the officers and directors of Orpheum for alleged mismanagement.

Isidore Kresel, attorney for the preferred stockholders holding $1,600,000 worth of stock charged that the Federal Court was being used by RKO interests as an instrument to perpetrate a fraud on Orpheum investors. He also charged that Orpheum assets had been subjected to mismanagement so that the value of Orpheum properties decreased from $20,000,000 in December, 1928, to $3,000 in January, 1933.

California Interests Heard

Samuel Zirn, representing a California committee of preferred stockholders and California Electric Co., a creditor, also requested that Ehrhorn's order be reversed. He stated that he would make an important motion in the proceedings on March 10, but declined to reveal its nature.

Edward Hanlon, who appeared on behalf of the trustee, pointed out that Orpheum was a voluntary bankrupt and that stockholders had no standing in court. He asserted that the creditors had the right to decide which offer they preferred and that Kressel's offer was contingent on the success of the law suits. He also stated that the creditors regarded the Stadium offer as mathematically best under the law, but said the trustee has no right to intervene in the reorganization proceedings. He claims that Kressel's charges of fraud were ambiguous and were not backed up by any evidence.

O. C. Doering, appearing for the Irving Trust Co., trustee of RKO, also asked the court's approval of the sale. He claimed that if stockholders of all subsidiaries of RKO came into the reorganization proceedings it never would be completed. He said that if Orpheum stockholders did succeed in intervening in the reorganization, they would get nothing in any event.

Jules C. Randall, representing the largest creditor, Phillip Snyder, stated that the creditors accepted the Stadium offer because they felt they would get the most money in the shortest time.

Judge Hurlburt stated at the outset that he was a stockholder in the Van Beuren Corp., an RKO subsidiary, but all attorneys agreed that he was qualified to act in the proceedings. All sides were given until March 16 to prepare briefs.

Industry to Fight Joining Berne Group

(Continued from page 1)

copyright committee of the M. P. P. D. A., *Motion Picture Herald* will say today.

The State Dep't at Washington is understood to have modified its original stand for immediate adherence, and is now giving serious consideration to the value of delay until after the Brussels meeting, which was to have been held last summer, but has been postponed indefinitely. It was indicated at that time that the members desired American cooperation and apparently were willing to make such reasonable revisions as requested.

The Duffy copyright bill pending in the Senate provides for immediate adherence, but a subcommittee of the Foreign Relations Committee has been named to study the matter of adherence. Kilroe has expressed the belief that Congress will not act on the measure during this session, because of the press of other legislation, despite that fact that hearings on the bill have been set tentatively for this month.

Three changes in the Berne Convention which Kilroe has indicated are necessary to American adherence are permission to change an author's work after it has been acquired for production; requirement that a record of an idea be in existence at the time a copyright is issued, as opposed to the present rule permitting the copyrighting of an oral idea, and designation of the person or organization which has the legal right to bring suit for copyright infringement as the author of the copyrighted material.

Film Men to Tour Europe

Film industry representatives are to be invited to make a trip to European capitals with the National Research Council's Division of Engineering and Industrial Research. About 100 men are expected to go. Laboratories in a number of countries will be visited. The trip will start May 14 on the *Champlain.*

Josephson in N. H. House

Gilbert Josephson, operator of the World on West 49th St., has taken over the Lincoln, New Haven. He will open it March 11 as an art theatre in conjunction with the foreign language department of Yale University.

Alert,
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Faithful
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the Industry
In All
Branches

MOTION PICTURE DAILY

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

VOL. 41. NO. 53 NEW YORK, FRIDAY, MARCH 5, 1937 TEN CENTS

Moss Pleads For an End of Chance Games

Tells Ampa Industry Has No Need for Stunts

Paul Moss, license commissioner, yesterday pleaded for the elimination of Bank Night and other games and added that "the time has come to stop cheap ballyhoo and circus stunts."

As guest speaker at the Ampa luncheon, Moss opened his prepared speech with the statement that "I am jealous of the prosperity of theatres in America." He then proceeded to quote figures from a newspaper advertisement which reported weekly attendance at 88,000,000 and gross receipts as $965,000,000.

"The worst calamity that can befall this industry is not to stand together. The industry doesn't need dishes or Bank Nights," he said and then painted a verbal picture of the financial outlays for new theatres, "magnificent houses," which never were built for Bank Nights.

Moss touched briefly on the history of games in the local area, the test cases in each borough and how the practice started with giving away $10 and built up to a weekly award of $3,500. He said he has been working on this subject for two years and was "happy that Loew's, Century and RKO circuits are dropping the games." He said he hoped the smaller houses would follow.

"There were many ways of getting

(*Continued on page* 4)

Blank Pact Extended 60 Days During Deal

A. H. Blank's present theatre operating agreement with Paramount was extended yesterday to May 6 to provide additional time for negotiation of a permanent operating arrangement between Blank and the company. The extension is for 60 days from tomorrow, the day on which the present agreement was to have expired.

Efforts are being made to consoli-

(*Continued on page* 4)

Sabath Probe Action Set Back by Illness

Washington, March 4.—The illness of Representative Sabath of Illinois today made necessary postponement by the House of consideration of the resolution extending the life of the bondholders' investigation.

The measure was laid aside and will be brought up upon Sabath's return to the capitol.

Duals Ruling Sustained in Phila. Again

Anti-Trust Charge vs. Six Majors Stands

Philadelphia, March 4.—Major companies defending conspiracy charges on double features here received another setback today when the U. S. Circuit Court of Appeals, sitting in Philadelphia, reaffirmed its decision of Jan. 16, 1936, that six defending companies were violating Federal anti-trust laws by their methods to stop exhibition of double feature programs. In addition to upholding the decision, Judges Joseph Buffington, J. J. Warren Davis and J. Whitaker Thompson dismissed a petition for a rehearing. In a brief opinion, the court reiterated its

(*Continued on page* 11)

Columbia Sues on Jean Arthur Pact

Los Angeles, March 4.—Columbia Pictures today filed suit against Jean Arthur and Paramount Pictures, Inc., Attorney Lester William Roth asserting that on Nov. 27 Miss Arthur notified Columbia that she would no

(*Continued on page* 11)

Hays Will Celebrate 15 Film Years Today

Will H. Hays celebrates the 15th anniversary of his association with the industry today by playing host to his office associates here at a buffet luncheon at 1 P. M. at M. P. P. D. A. headquarters. Hays became the head of the M. P. P. D. A. on March 5, 1922.

Aside from the midday luncheon, the day will be "business as usual" for the "General." By last night, he had already scheduled the usual working day's number of appointments for today. Congratulatory wires began pouring in on Hays yesterday.

Paul Muni, Luise Rainer and 'Ziegfeld' Academy Winners

Hollywood, March 4.—Paul Muni was declared the best actor, Luise Rainer the outstanding actress and "The Great Ziegfeld" the leading film achievement for 1936 in the ninth annual awards of the Academy of M. P. Arts and Sciences at the Biltmore Bowl tonight. Muni garnered the statuette for his performance in "The Story of Louis Pasteur," while Miss Rainer walked off with top honors in the actress' division for her role in "The Great Ziegfeld." There were no "write-in" ballots this year.

Tickets for the 1,150 seats in the Biltmore Bowl were sold out long before the doors were opened. A virtual "Who's Who" in Hollywood turned out for the occasion at which George Jessel acted as master of ceremonies. There were no speeches other than Frank Capra's institutional remarks. The event was broadcast locally as spot news.

Warners came out on top in a recapitulation of awards, tallying nine winners. M-G-M was second with five, Samuel Goldwyn took two, RKO and Columbia one each. Walt Disney and Hal Roach received statuettes in the short subject division.

Douglas Shearer was given a statuette and plaque for the most outstanding technical development since 1930. This boosts M-G-M to six mentions.

Capra took first in the directors' category for his work on "Mr. Deeds Goes to Town." Walter Brennan got a statuette for best performance by an actor in a supporting role. The picture in which he played was "Come and Get It." Gale Sondergaard, who played in "Anthony Adverse," ranked first in the division for the outstanding supporting actress.

"The Story of Louis Pasteur" by Sheridan Gibney and Pierre Collings was cited as the best original story. The same writers and picture captured

(*Continued on page* 11)

Today's Radio News—Pages 10-11

IATSE Drive On Exchanges To Be Pushed

Preliminary to Move for Theatrical Closed Shop

Current organizing activities among film exchange employes will be extended to all exchange centers by the I.A.T.S.E. as a preliminary move in the union's drive for a closed shop in the nation's theatres, it was learned yesterday.

Organizing of exchange employes is out in the open in both Detroit and Boston, while secret organizing activities are known to be under way in other exchange centers, as well, among bookers, shippers, inspectresses and other service classes of exchange employes. Unionizing of theatre employes from the front to the rear of the house and the extension of the I.A.T.S.E. to the thousands of non-union projection booths in small cities and towns throughout the country is to be pushed as fast as the exchange employes are organized.

Under the union's current strategy, any exhibitor or circuit which refuses to negotiate with representatives of the projectionists' or theatre service employes' organizations would find it difficult to obtain film service from unionized exchanges. Such theatres would be declared "unfair to organized labor" and union exchange employes would be asked to refuse to book, inspect or ship film or advertising material to such houses, it was learned.

Thus, every theatre in the country

(*Continued on page* 4)

Asks Extraordinary Meet of GB Holders

By **BRUCE ALLAN**

London, March 4.—Charles Nordon, representing a committee of Gaumont British ordinary shareholders, has requested an extraordinary general meeting of shareholders. It was indicated here that the company cannot refuse such a request.

G. B. distributors apparently were

(*Continued on page* 4)

North Dakota Senate Passes Allied's Bill

Minneapolis, March 4.—Allied's bill to force distributors to give up theatre circuit ownership has passed the North Dakota Senate, 37-9, according to word received here by Al Steffes, and a clincher motion has been passed making it impossible to

(*Continued on page* 4)

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Skouras Heads West For Product Talks

Spyros Skouras, vice-president of National Theatres; Edward Zabel, his assistant; William T. Powers, film buyer, and Milton Hossfield, assistant to Powers, left for the coast yesterday to confer with John D. Clark, general sales manager for 20th Century-Fox, and Herman Wobber, western division sales head, on a product deal for 1937-38.

The National Theatres' men will be away about two weeks. The circuit is a subsidiary of 20th Century-Fox with S. R. Kent as president. The negotiations will be the first to get under way on next season's output.

"Barrier" at Criterion

"The Great Barrier" has been booked into the Criterion beginning March 18. G. B. may have to change the title for American release because of possible conflict with the Rex Beach novel, "The Barrier."

Plans House at Resort

ATLANTIC CITY, March 4.—Harry A. Greenberg, Philadelphia's theatre operator, plans a $50,000 house in the Negro section here, it was revealed today by the city building inspector.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Maytime"

(M-G-M)

HOLLYWOOD, March 4.—Splendidly produced, embellished with a musical score and content seldom approached for quality, "Maytime" is film merchandise of superior merit. It is a triumph for all concerned in its production and it may be anticipated that the public will greet its release with enthusiasm. While essentially a class feature, it is not lacking in elements necessary to evoke popular attention. Giving promise principally because of its musical merit, quality production and worthy star names in supporting roles, it will become a box-office attraction of considerable importance.

Supplementing the music values, which vary from operatic and symphonic selections to melodious folksongs, rendered by Jeanette MacDonald and Nelson Eddy with chorus and orchestra, the film tells a human interest story of drama, romance and love. Intelligently directed by Robert Z. Leonard with a view to engaging maximum audience attention, his efforts not only enable Miss MacDonald and Eddy to sing in a manner surpassing their previous appearances, but also increase their statures as dramatic and romantic artists. Similarly, John Barrymore presents a worthy performance. The work of the supporting cast is also of high caliber.

So transcribing the play of Rida Johnson Young that an air of modernism is attained, Noel Langley's screenplay seeks to capture the fancy of those appreciating the finer things, but does not ignore the elements required to impress ordinary folks. Herbert Stothart's adaptation and direction of the original Sigmund Romberg music is masterful. The production technique is calculated always to emphasize the tone motivation and gives ample evidence that neither time nor money was spared to create an attraction which should add to the prestige of M-G-M.

Thematically, the film is a romantic drama with prologue and epilogue accompanying Miss MacDonald's narrating of her life story to Lynne Carver as a means of helping the girl to choose between love and a career. The price of Miss MacDonald's climb to operatic fame was her marriage to Barrymore. Acclaimed in the court of Napoleon as a great prima donna, the star is the idol of Europe. Then she meets and falls in love with Eddy, a student singer. Their romance, menaced by Barrymore's suspicion, nevertheless blossoms. Years pass and the lovers part. When finally Miss MacDonald comes to America, Eddy has been chosen to sing opposite her in opera. Under the spell of their music the story of their love is evident to Barrymore. He kills Eddy. In the epilogue, a disillusioned and motherly MacDonald joins Eddy in another world. Miss Carver forswears her career for the love of Tom Brown.

By any analysis this is a prestige film. Exploitation which takes for its key the intelligence, sincerity and effort which are evident throughout the production, and which further capitalizes on the strength of the name values and the quality of the music, should produce the desired financial results. Hunt Stromberg produced.

Previewed without production code seal. Running time, 130 minutes. "G."

Hold Burial Rites For J. J. McCarthy

Burial services for J. J. McCarthy, head of the Advertising Advisory Council of the M. P. P. D. A., who died Feb. 25, in Beverly Hills, Cal., were held yesterday afternoon at Gate of Heaven Cemetery, Mt. Pleasant, N. Y. Father Leo Madden of the Church of St. Augustine, Larchmont, McCarthy's parish church, officiated.

The body arrived from the coast yesterday morning accompanied by Mrs. McCarthy and E. W. Hammons, president of Educational Pictures, who was a brother-in-law of McCarthy's and was vacationing on the coast at the time of the latter's death, and Mrs. Hammons, a sister of Mrs. McCarthy.

Will H. Hays, Clayton Sheehan and Walter Moore were among those who met the body on its arrival at Grand Central Station.

Among the 75 or more persons who attended the services were Mrs. McCarthy, Mrs. Mary McCarthy Gilman, a sister; Florence Handy, a sister-in-law; E. W. Hammons and mother; Maurice McKenzie, Carl Milliken, C. C. and Mrs. Pettijohn, Roy Norr, Lester Thompson, Joel Swensen and Mary King, all of the M.P.P.D.A.; Jack and Mrs. Connolly, Wayne and Mrs. Pierson, Charles Christie, Saul E. Rogers, Jacob Wilk, Judge John Cahill, Fred Zweifel, John and Mrs. Powers, Jack Skirball, Mrs. Louis Weber, Mrs. Hattie Silverman, Sid and Mrs. Silverman, Joseph Pincus, William Ferguson, Phil De Angelis, Sam Fox, Pete Harrison, George and Mrs. Atwell, John and Mrs. Krimsky, George Cohan, Jr., Father Joseph A. Daley and Mrs. James F. Looram.

Marcella Arnold Killed

PASADENA, March 4.—Marcella Arnold, 26, a stunt player, was killed here today in an automobile collision during the filming of a scene for Warners' "The Hobo and the Princess."

Court May Approve New Plan for Roxy

Federal Judge Francis G. Caffey may approve the plan of reorganization for the Roxy as submitted by the first mortgage bondholders' committee which provides that the theatre be leased to 20th Century-Fox for a period of 20 years.

The motion on the calendar for this afternoon is for Judge Caffey to decide on the fairness and feasibility of the plan. A few objections are expected which might result in a slight alteration of the plan, dated Dec. 17, 1936, but with revised operating figures as of Jan. 7, 1937.

In the event 20th Century-Fox secures the theatre, Artco will continue to manage under a long term agreement. No pact has been signed, but this is understood to be a formality. Executives of 20th Century-Fox are satisfied to continue the present policy and are cognizant of the job done by Harry C. Arthur, Jack Partington and Irving Lesser since Artco entered into a deal with Howard S. Cullman, trustee, about four years ago.

When Artco took over the house, the average weekly take was $7,000. This average today runs better than $40,000. Repairs will be made shortly.

Continues Roxy Accountants

Federal Judge Francis G. Caffey signed an order yesterday authorizing Howard S. Cullman, trustee for the Roxy, to continue the employment of Barrow, Wade, Guthrie and Co. as accountants in the Roxy reorganization proceedings and allowed the accountants $2,000 as fees.

NSS to Use Unit Men For Trailer Service

HOLLYWOOD, March 4.—Unit men henceforth will cover the major studios for National Screen Service, under the direction of Herman Robbins, president, and Tom Bailey, newly appointed manager. Under the new policy, a trailer layout will be made on the picture script and home office ad campaign. When edited each picture will be cut to a 300 feet maximum on "A's" and 200 feet on "B's."

Staff additions include Gene Fox, Jim Marjorell and Walter Temple, working in the studios with Jim Steinheimer and Bill McGrath.

Daly Again Presents His Copyright Bill

WASHINGTON, March 4.—The Daly Copyright Bill, one of several which were considered last session during the hearings of Representative Sirovich's Patents Committee, has been re-introduced by the Pennsylvania Congressman, making three such measures which have been submitted to the House.

Representative Sirovich, however, has not yet filed his version of the proposed new copyright law and it is not expected any hearings will be called until he has done so.

Diamond Dinner Guest

BALTIMORE, March 4.—Sam Diamond, 20th Century-Fox salesman, was guest at a dinner given by 59 exhibitors and exchange men at the Hotel Emerson. He was presented a silver table service.

Diamond will be married Saturday in Philadelphia to Mae Segal.

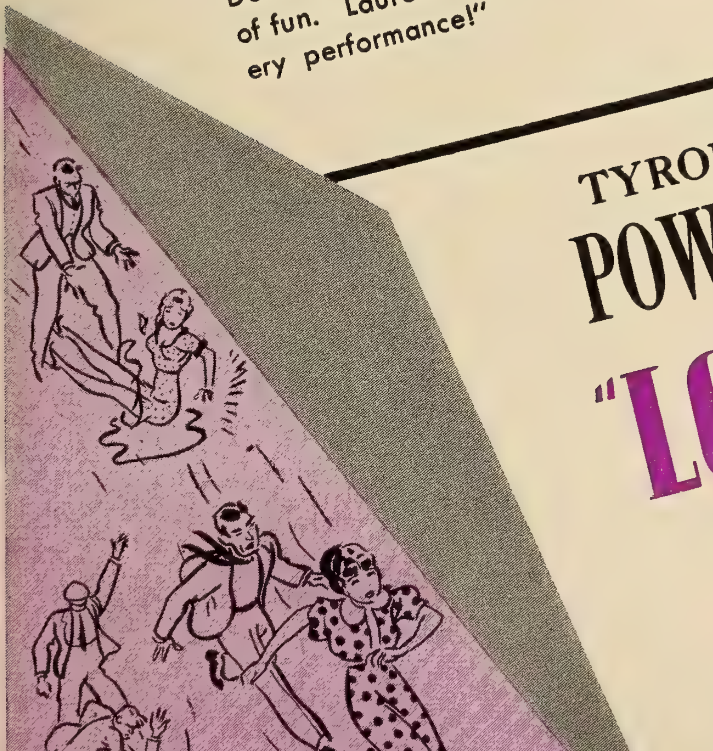
"LOVE IS NEWS" IS *holdover* NEWS IN WASHINGTON

Typical of the business you can expect is the way "Love Is News" is clicking in Washington. Typical, too, these capital reviews:

"'Love Is News' is movie news! Perfectly swell comedy. Tyrone Power is young, attractive and, what's better yet, an actor!" —*Daily News*

"An endless stream of gags. Giggling in the orchestra went along at a great rate. Loretta Young the most luscious heroine on the screen!" —*Evening Star*

"Deserving of headlines! Soars on a constant gale of fun. Laurels to Don Ameche for an exciting gingery performance!" —*Post*



TYRONE POWER · LORETTA YOUNG · DON AMECHE

in

"LOVE IS NEWS"

with

SLIM SUMMERVILLE · DUDLEY DIGGES
WALTER CATLETT · GEORGE SANDERS
JANE DARWELL · STEPIN FETCHIT
PAULINE MOORE

Directed by Tay Garnett

Associate Producers Earl Carroll and Harold Wilson · Screen play by Harry Tugend and Jack Yellen · Story by William R. Lippman and Frederick Stephani

Darryl F. Zanuck in Charge of Production

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Moss Pleads For an End of Chance Games

(*Continued from page* 1)

theatres to abandon games, but I did not want to harrass exhibitors," he said. "It is true that the policy has lifted many theatres out of the red in depression days, but with prosperity here again games have become a nuisance." He pointed out that with two features and shorts games are an annoyance to many patrons.

Moss stated he was sympathetic to exhibitors' problems and invited theatre men to call upon him and use his services when they are in trouble.

Gordon White, president, invited questions from the members and guests. Edward Goldstein, local agent for Bank Night, was grimly silent when one of the members asked the commissioner why games were not put to an end in churches. Moss' reply was that he did not license churches.

After the meeting, Moss' attention was called to the fact that the I.T.O.A. had failed to act Tuesday on abandoning games despite the decision of Loew's, RKO and other circuits. Moss said he believed the unit would do something about it soon.

Circuit Drops Games

New Orleans, March 4.—United Theatres, with 18 houses, is the first to drop Bank Night and other prize giveaways as a result of the decision of the Louisiana Supreme Court making them illegal. Attendance fell off slightly the first night of their absence.

Asks Extraordinary Meet of G.B. Holders

(*Continued from page* 1)

closing finally today, with books, charts, contracts and like material being carried across the street to the offices of C. M. Woolf, with whose General Film Distributors G. B. has just completed a distribution deal.

More than 300 of the G. B. distribution staff are completing their duties and leaving immediately, it is understood. The action is seen here in some quarters as irregular, in view of the fact that the debenture holders have not yet voted their consent to the Woolf distribution arrangement.

Trans-Lux in London

London, Feb. 26.—The first Trans-Lux theatre in England—and in Europe—will be opened on March 11 at Southampton by Capital and Provincial News Theatres, Ltd., controlled by Norman J. Hulbert, M. P.

Selznick Board Finishes

Hollywood, March 4.—Meetings by the Selznick International board were concluded today. Routine matters only were discussed with no formal announcement made. John Hay Whitney, chairman, will leave by plane for the east immediately.

Warner Player Injured

Hollywood, March 4.—Marie Wilson, Warner contract player, was critically injured in an auto accident today and rushed to a hospital.

IATSE Drive On Exchanges To Be Pushed

(*Continued from page* 1)

would appear to be affected by the I.A.'s current organizing drive in film exchanges. Despite the fact that there are estimated to be only 8,000 or 9,000 exchange employes who would be the objects of unionization, this personnel presumably could shut down any theatre, anywhere in the country, through a successful strike. Thus, they are viewed as the instrument through which 100,000 theatre employes may be unionized.

Organizing of the exchange employes was attempted last year in New York, Boston and Washington without success. The organizing drive is reported to have lost much of its force at that time through internal labor politics stemming from the clash between William Green and John L. Lewis. In addition, legal contests directed against the Wagner-Connery Act discouraged pressing the organizing move at that time.

An effort to organize theatre service employes unsupported by the I.A.T.S.E., however, was made here three years ago and collapsed within six months. The same employe classifications are involved in the current organizing move. They are ushers, cashiers, doormen, ticket takers, janitors, porters and scrubwomen.

So serious and so imminent is the drive believed to be that the M.P.T.O.A. is gathering information on its progress in all sections of the country and the subject will be one of the principal subjects of discussions at the exhibitor organization's national convention in Miami, March 16 to 18, it was learned. Reports will be made and discussion led by the convention committee on labor relations, which is headed by Fred Wehrenberg of St. Louis, chairman of the board of M.P.T.O.A.

Say I.A. Favors Court Reform

Washington, March 4. — The I.A.T.S.E. of the U. S. and Canada tonight was named by Labor's Non-Partisan League as one of 26 national and international unions which are joining in an active campaign on behalf of President Roosevelt's judiciary reform program.

The announcement was made by Major George L. Berry, president of the league, who is also the President's coordinator for industrial cooperation.

Albany In An Ad Row

Albany, March 4.—An advertising row has broken out here between theatres and newspapers. Theatres have stopped using space in the *Knickerbocker Press* and *Evening News*, Gannett papers, but are continuing to use Hearst's *Times-Union*.

Astor Closes Two Deals

Astor Pictures has closed deals with Savini Films of Atlanta and Selected Pictures of Cleveland for the distribution of the series of eight Tom Tyler pictures.

Para. Rentals Up

Paramount rentals for January and February ran 27 per cent over the same period for last year largely as a result of the Zukor Jubilee, according to Neil F. Agnew, vice-president in charge of sales.

Blank Pact Extended 60 Days During Deal

(*Continued from page* 1)

date Paramount's Tri-States Circuit of about 30 houses with Blank's own operations of 35 to 40 houses on a long term basis with Blank heading the unified operations. Indications are that the arrangement will be worked out within the next month or six weeks and will then be submitted to the Paramount board of directors for approval.

Blank's present agreement is the last of the Paramount theatre operating partnerships which includes an option whereby Paramount may repurchase the partner's 50 per cent interest in the circuit. This would be eliminated under the new agreement, according to present plans.

North Dakota Senate Passes Allied Bill

(*Continued from page* 1)

reconsider the measure at any future time.

A Minnesota House committee also has recommended the bill for passage.

Abram Myers Elated

Abram F. Myers, general counsel of Allied States, in a wire to Motion Picture Daily yesterday from his headquarters in Washington, declared the action of the North Dakota Senate in passing the theatre-production divorce bill, "marked a milestone in the struggle of independent theatre owners for economic freedom and of the public of community freedom in the selection of film entertainment."

The action "foreshadows success" in other states, he said. "Let exhibitors unite in congratulations and thanks to Al Steffes for his splendid work," the wire concluded.

Passes in Indiana House

Indianapolis, March 4.—The Indiana House today passed by a vote of 72-9 the Allied bill for divorcement of producer-distributors from circuit theatre ownership.

W. C. Carpenter of Associated Theatre Owners of Indiana led proponents of the bill. It now goes to the Senate.

Fighting Tax in Texas

Houston, March 4.—Houston theatre operators minimize chances for passage of the proposed tax on admissions of 25 cents and more reported in committee at Austin. However, it is known that leaders of the larger Texas circuits and independents are cooperating against the measure. No state tax is levied on admissions at present, but the state takes 20 per cent of all Bank Night drawings to add to the old age pension fund.

◀ *Purely Personal* ▶

"Deac" Aylesworth's retirement as chairman of the board of RKO to assume an executive post with the Scripps-Howard newspapers was signalized last night by an all-male party on the third floor of West 52nd St.'s most noted establishment—"21." About 55 RKO executives foregathered for the event and the merrymaking ran long and merrily what with good cheer flowing generously and much scurrying about of captains and waiters.

•

Harold Hendee, RKO research department head, spoke the other night before Hunter College students on "Authenticity in Motion Picture Production."

•

Carlton Hoagland, former play producer, is now a member of the eastern talent department at 20th Century-Fox under Joe Pincus.

•

Harry Bryman, former Trinidad head for M-G-M, is in New York previous to his sailing for England and a vacation there.

•

R. K. Hawkinson, Latin American manager for RKO, left this week on the *Oriente* for visits to Cuban and Mexican offices.

•

Fritz Lang left Wednesday for a sightseeing tour of the south, particularly Georgia. He plans to be back in a week.

•

William Wilson will be the manager of Gilbert Josephson's Lincoln, New Haven, which will be opened next week.

•

Helen Flint, who went to Hollywood to play in "Step Lively, Jeeves" for 20th Century-Fox, is back in town.

•

Neil F. Agnew and J. J. Unger will leave for Miami and the M.P.T.O.A. convention on March 16.

•

Rube Jackter of Columbia will be back on the job Monday after a three-week sojourn in Miami.

•

Nell and Lynn Farnol sail on the *Conte di Savoia* tomorrow for a short holiday abroad.

•

Leo Spitz, president of RKO, is due in New York from Hollywood shortly.

•

Mack Gordon and Harry Revel, songsmiths, are here from the coast.

•

George W. Weeks will attend the M. P. T. O. A. convention in Miami.

•

Si Fabian returned yesterday from a two-day trip to Albany.

•

Sam Krellberg has gone to Miami for a vacation.

•

Sylvia Sidney off on a southern vacation.

•

Margaret Lindsay is a Hollywood visitor.

•

Si Seadler left for the coast last night.

THE NEW
UNIVERSAL
GAVE YOU
"MY MAN GODFREY"
"3 SMART GIRLS"

AND NOW

TOP
THE T

Watch the Big National Release Date!
It's a Date with the New Universal!

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"On Avenue" Holdover Hit In Cleveland

CLEVELAND, March 4. — "On the Avenue," at the Allen for a second week after a big first week at Warners' Hippodrome, continued to lead in a week of big business. It grossed $9,500. This is just $500 under double average.

"Green Light" went 50 per cent over the Warner Hippodrome average to a take of $15,000. It was moved to the Allen for a second week. "Head Over Heels in Love" on the RKO Palace screen with a stage show headed by Al Trahan grossed $18,000. This was $3,000 over par.

"The Last of Mrs. Cheyney" with $17,000 on the week was $2,000 better than par and won a second week at Loew's Stillman.

Washington's Birthday was a big day at all downtown houses and was largely responsible for the increased take. The weather was spotty with heavy snow in the mid-week. The heaviest competition was the Al Sirrat Grotto Circus at the Public Auditorium.

Total first run business was $63,500 Average is $51,000.

Estimated takings for the week ending Feb. 26:

"ON THE AVENUE" (20th-Fox)

ALLEN—(3,300), 30c-35c-42c, 7 days, 2nd week downtown. **Gross:** $9,500. (Average, $5,000)

"THE LAST OF MRS. CHEYNEY" (M-G-M)

LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $17,000. (Average, $15,000)

"A DOCTOR'S DIARY" (Para.)

LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days. **Gross:** $4,000. (Average, $6,000)

"HEAD OVER HEELS IN LOVE (G.B.)

RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: Al Trahan and Park Ave. Revue. **Gross:** $18,000. (Average, $15,000)

"GREEN LIGHT" (F.N.)

WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $15,000. (Average, $10,000)

Grand National Men Ready for Big Drive

An eight-week billing drive for Grand National's sales force will get under way tomorrow, Edward Peskay, general sales manager, stated yesterday. From the results obtained four district managers will be appointed, he said. At the present time Sol Edwards is the eastern division head and James Winn, western sales manager.

Although the company was previously scheduled to take over the Educational studio in Hollywood on April 1, the transfer will take place next Wednesday. Edward Alperson, president, plans to put into work immediately eight new pictures.

The group of films to be released during the billing drive are: "23½ Hours Leave," "Girl Loves Boy," "Killers of the Sea," "Navy Spy," "Arizona Days," "$1,000 Bill," "Something to Sing About," "Dynamite" and "Grand Canyon." The last named picture will be Richard A. Rowland's first for the company. "Dynamite" is the title of the second James Cagney film. Schertzinger will produce "Something to Sing About" and Lowell Thomas will narrate the descriptive lines for "Killers of the Sea."

Franklin vs. Warner Action Is Settled

An action brought by the Franklin Theatrical Corp., Ltd., against Warner Bros. Pictures, First National Pictures, Vitagraph, Inc., and Vitaphone Distributing Corp. was settled by stipulation of the attorneys in Federal Court yesterday. The action was for $300,000 triple damages under the Sherman anti-trust law.

The plaintiffs operate theatres in Hawaii and signed a contract with Warners in 1934 for 19 pictures. They claim they spent $500,000 in preparing for the exhibition of the pictures, but Warners broke their contract by signing with Consolidated Amusement Co., a rival exhibitor, and as a result the plaintiff was compelled to use inferior pictures and suffered the loss of patronage.

Orders Cohn Testimony

Justice Charles B. McLaughlin in N. Y. Supreme Court granted by default yesterday the request of Jack Curtis and Charles Allen, theatrical agents, the appointment of a commission in Los Angeles to take the deposition of Harry Cohn, president of Columbia.

The plaintiffs are suing Fritz Kreisler, the violinist, and Charles Foley for $3,500, charging that they were to get 10 per cent of the $37,500 which the defendants got for the picture rights on the operetta "Cissy," which was sold to Columbia. Justice McLaughlin, when the defendants failed to answer the motion, appointed a Los Angeles attorney, Milton Black, to take Cohn's deposition.

Expunges Boston Met Claim

Federal Judge Alfred C. Coxe expunged the $2,500,000 claim of the Boston Metropolitan Playhouse, Inc, in the Paramount Publix reorganization proceedings. The claim was based upon alleged mismanagement by Paramount of the Metropolitan in Boston. The disallowance was made as a result of the settlement reached on July 6, 1936.

Schulberg Judgment Entered

SACRAMENTO, March 4. — Judgment today was entered in Superior Court here against B. P. Schulberg for $14,443 in back income taxes and $1,520 for interest.

Kalmenson Takes Albany

Ben Kalmenson, central district manager for Warners, has added Albany to the group of exchanges under his supervision. This branch was formerly a part of the eastern district which included New York, Boston and New Haven. The latter three exchanges are being operated out of the home office since Roy H. Haines was promoted from eastern district manager to eastern sales head.

Homer Hifey Quits G. N.

NEW ORLEANS, March 4.—Homer Hifey, Grand National branch manager, has resigned to rejoin the Warner sales force in Buffalo.

W. M. Richardson, former U. A. branch manager in Atlanta and up to now special representative for Grand National in the field, has been named New Orleans exchange head by Edward Peskay, general sales manager.

A. J. Balaban Due From Europe April 1

A. J. Balaban is due back from an extended vacation at Luzerne, Switzerland, on April 1, following which he is expected to confer with associates in Chicago on a purchase of a half interest in F. & M.'s holdings in St. Louis.

Preliminary negotiations were started about two months ago by Arthur Greene, I. B. Perlman, Jules Rubens and Sam Meyers, who are associated with Balaban, and Harry C. Arthur, head of F. & M. activities in St. Louis.

On March 28 the Ambassador, St. Louis, will drop vaudeville for the season.

Hunt for Kidnapper On in Coast Studios

LOS ANGELES, March 4.—Four U. S. Dept. of Justice operatives are working as extras here in a part of the nationwide move to track down the kidnapper of 10-year-old Charles Fletcher Mattson of Tacoma.

Cooperation of MOTION PICTURE DAILY and other trade publications has been asked by J. H. Hanson, special agent, who has requested publication of a drawing believed to be a likeness of the wanted man and made from measurements. A reward of $10,000 is out for information leading to the arrest of the kidnapper.

Would Up Lincoln Scale

LINCOLN, March 4.—Attempt to raise prices here for Sunday matinees and ultimately to raise prices throughout town is being undertaken by Bob Livingston, manager of the Capitol, and Milton Overman, city manager for Westland Theatres.

M-G-M Re-Signs Four

HOLLYWOOD, March 4.—M-G-M has signed new contracts with Edna May Oliver, Claudine West, who collaborated on "The Good Earth"; Clarence Russell, singer, and George Zucco, who played the psychiatrist in "After the Thin Man."

Third Quin Story Set

HOLLYWOOD, March 4.—A new story for the Dionne quintuplets has been prepared at 20th Century-Fox. The film, which will be the third for the quins, is expected to go into work in June.

Joins Franklin Circuit

SAN DIEGO, March 4.—Harry Hartman, who was southern California district manager of Fox West Coast in 1932, has left for Honolulu to take charge of three theatres of the J. J. Franklin circuit there.

Joins March of Time

Gunther von Fritsch, M-G-M shorts director, has been named a director on the March of Time staff. He will head the fourth production unit working in the domestic field.

Goldstein Goes to "U"

BOSTON, March 4.—Jack Goldstein, who set up an independent publicity office here following his resignation as exploitation manager for United Artists, has joined the publicity staff of Universal.

"Green Light" Boston Leader With $35,000

BOSTON, March 4.—"Green Light" showed the way here with a $35,000 gross at the Metropolitan. The Canova Family was on the stage. The take was over average by $13,000.

"Camille" at Loew's Orpheum and State followed close with high grosses. The Orpheum went $7,500 over average to $19,500. The State grossed $17,800, over par by $6,800. "Criminal Lawyer," with George White's "Scandals" on the stage featuring Willie and Eugene Howard, drew $27,000 at the RKO Boston. This was above the line by $6,000.

"On the Avenue" at the RKO Memorial drew $17,000 single feature.

"Lloyds of London," second run with first run "Clarence," at the Paramount drew $9,600, above par by $2,600. The same program drew $6,500 at the Fenway.

Hockey games and the Sunday snow trains and Lent have not affected theatres.

Total first run business was $116,300. Average is $88,500.

Estimated takings for the week ending Feb. 25:

"LLOYDS OF LONDON" (20th-Fox)
"CLARENCE" (Para.)

FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $6,500. (Average, $4,500)

"CAMILLE" (M-G-M)

LOEW'S ORPHEUM—(2,970), 25c-45c-65c, 7 days. **Gross:** $19,500. (Average, $12,000)

"CAMILLE" (M-G-M)

LOEW'S STATE—(3,537), 25c-45c-65c, 7 days. **Gross:** $17,800. (Average, $11,000)

"ON THE AVENUE" (20th-Fox)

RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $17,000. (Average, $12,000)

"GREEN LIGHT" (W. B.)

METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Canova Family. **Gross:** $35,000. (Average, $22,000)

"LLOYDS OF LONDON" (20th-Fox)
"CLARENCE" (Para.)

PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $9,600. (Average, $7,000)

"CRIMINAL LAWYER" (RKO)

RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: George White's "Scandals" with Willie and Eugene Howard. **Gross:** $27,000. (Average, $21,000)

Wall Street

Most on Board Have Losses

	High	Low	Close	Net Change
Columbia	39	36¼	36½	—1⅝
Columbia, pfd.	44¾	43¾	44¾	+ ¾
Consolidated	5⅛	5	5	.....
Consolidated, pfd.	17¼	16½	16½	— ⅜
Eastman Kodak	168½	168¼	168¼	+ ¾
Gen. T. Equip.	30¼	29½	30	— ⅞
Loew's, Inc.	80⅞	78⅜	78⅜	—2⅛
Paramount	25⅞	25¼	25¼	— ½
Paramount 1 pfd.	181	180	180	—5
Paramount 2 pfd.	23⅞	23⅝	23⅝	— ¼
Pathe Film	8⅞	8½	8⅝	— ⅛
RKO	9	8¾	8¾	— ¼
20th Century-Fox.	36	35⅝	35⅝	— ⅛
Warner Bros.	15½	15¼	15⅜	+ ⅛

Curb Drops Lightly

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3¼	— ⅛
Sonotone	2	2	2	.....
Technicolor	20	19⅝	19¾	— ¾
Trans-Lux	4⅞	4⅞	4⅞	.....

Paramount Only Bond Rise

	High	Low	Close	Net Change
Loew's 3½s '46	100	99½	99½	— ⅛
Paramount Pict. 6s '55	100¾	100⅜	100½	+ ⅛
Warner Bros. 6s '39 wd	98¾	98½	98½	— ¼

(Quotations at close of March 4)

◀ Radio Personals ▶

THE wives of NBC's press department's Tom Riley and Bill Neel presented them with a boy and girl, respectively this week . . . Rubinoff, it is understood, may sign a picture contract for one production with 20th Century-Fox . . . Ted Black of the NBC news desk, is a flu victim . . . "Red" Nichols and his orchestra leave for Chicago to open at the College Inn March 19. They will have a CBS wire . . . Benay Venuta, Glenn Hunter and George Rasely will be Ted Hammerstein's "Music Hall" guests next Tuesday . . .

✦

Margaret Daum, soprano, has been signed to a two-year contract by CBS Artists Bureau . . . Rudolf Friml, Jr., son of the composer, makes his network debut as an orchestra leader via NBC March 30 . . . Shirley Ross will be Ken Murray's vocalist on the latter's forthcoming CBS series . . . Bob Elson, WGN's sports commentator, leaves for California tomorrow to visit baseball training camps. He will broadcast from the coast . . . Sidney Lumit of "Eternal Road" and Tommy Gavin of "White Horse Inn" will be Frankie Basch's guests over WMCA this Sunday at 7:45 P. M. . . .

✦

Lee Kirby, WBT announcer, is in a Charlotte, N. C., hospital . . . Kenneth Collins, vice-president of Gimbel Bros. and William Robinson, advertising director of the New York *Herald-Tribune,* will address the members of the Boston Advertising Club Tuesday, March 9. The addresses will be broadcast over WMCA and Inter-City stations at 1:15 P. M. . . . Marla and Ray, song duo, will be heard over WHN Saturdays at 6:45 P. M., beginning tomorrow . . . "Cheerio" will celebrate his 10th anniversary on NBC next week . . . Fannie Hurst will guest appear on "We, the People" this Sunday at 5 P. M., E. S. T. . . .

✦

San Francisco Town Pump

SAN FRANCISCO, March 4.—NBC oldtimers are watching for the new CBS serial, "Pretty Kitty Kelly," with keen interest because Frank Dahm, scripter of the new air show, was formerly program director at KPO here . . .Mark Dunnigan has left KYA, local Hearst station, for NBC. He will be replaced as technician by F. L. Christman . . . Ernie Smith, KYA sports commentator, has left for Mexico, on his first vacation in 10 years . . . Jim Morgan, KSFO production manager, talked on "Radio Methods of Operation" before a local school . . . Joy Storm of Ralph Brunton's Northern California Broadcasting System has left for Hollywood. His successor as production manager of KWQ, San Jose, has not been named . . . Bill Fuller, another NCBS staff member, has just been married.

Louisiana Hearing Denied

NEW ORLEANS, March 4. — The State Supreme Court has refused a rehearing in the case of Hello World Broadcasting Co., Shreveport, against the International Broadcasting Co. in its suit for damages, recently before the court in this city on an appeal from the Shreveport District Court.

Seek Statements on Paid Indorsements

WASHINGTON, March 4.—A bill to require that personal endorsements of articles during broadcasting programs be accompanied by a statement that the endorsement is paid for, if such is the case, has been introduced in Congress by Representative Maloney of Louisiana. The measure has been referred to the Committee on Interstate and Foreign Commerce.

English Television Range Is 25 Miles

LONDON, Feb. 26.—Sir Walter Womersley, assistant Postmaster General, has declared in the House of Commons that the average range for good reception of television is 25 miles, although the actual maximum distance varied with direction.

Extension of the television service is planned for an early date by the Post Office and British Broadcasting Corp. Expenditure of £170,000 on new telephone cables in Middlesborough is partly inspired by television requirements, and may indicate this area as the next to have a transmitting station. The ultimate plan is for interlinked stations at London, Leeds, Manchester, Birmingham and Newcastle.

Burns, Allen in McGee Spot

When Burns and Allen switch over from Campbell Soups to Grape Nuts for General Foods Corp., they will be found in the NBC-Red 8 to 8:30 P. M., E. S. T., the period now occupied by "Fibber McGee and Molly," who broadcast for the S. C. Johnson Co. The time period for their new program was set yesterday by Young and Rubicam, agency handling the account.

"Fibber McGee and Molly," in turn, will take over the 9 to 9:30 P. M., E. S. T. NBC-Red period now occupied by Warden Lawes' program for Sloan's Liniment, which leaves the air shortly for the summer period.

A definite starting date for Burns and Allen will be set in a few days.

To Demonstrate Recording

Ralph C. Powell, sales promotion manager of the Presto Recording Corp., will demonstrate recording equipment to representatives of southern radio stations and advertising agencies in Charlotte, N. C., March 9-10; and at Atlanta, Ga., the following two days.

Stations WIBX, WAAT, WJJD and CHNS installed Presto equipment during the month of February.

Fisher Competition Soon

The 1937 competition of the Fisher Bodies Craftsmen Guild will be broadcast over CBS beginning March 10 from 7:30 to 7:45 P. M., E. S. T. Additional broadcasts will be aired March 12, 17, and 19. W. A. Fisher, president of the Fisher Body Co. and vice-president of the General Motors, will announce the details of the competition on the initial program.

Loan Firm Signs Series

The Madison Personal Loan Co. begins a Monday through Saturday series on WHN, effective Monday. The contract is for one year and the programs will be heard midnight to 12:15 A. M. The Alsop Radio Recording Co. is the agency.

Four Times Daily

Beginning March 10, "Vic and Sade" will be on the air four times daily for the one sponsor, Procter & Gamble. At present they are heard from 11:30 to 11:45 A. M., E.S.T., on the NBC-Blue; from 3:30 to 3:45 P. M., E.S.T., on the NBC-Red; from 10 to 10:15 P. M., E.S.T., on the NBC-Blue. Their new period will be heard from 7:45 to 8 P. M., E.S.T., on WEAF, New York, and WMAQ, Chicago. The Compton agency handled this account.

"Time" Series May Be Dropped Shortly

The "March of Time" air contract expires early in April, and apparently CBS has been notified that the program will not be renewed, for it has been learned that the network's time salesmen are now endeavoring to sell the period currently occupied by the dramatized news period.

Roy Larsen, *Time's* executive in charge of the program is away on business and could not be reached for a statement yesterday.

It is said the sponsor no longer feels it necessary to keep the program on the air, now that its latest publication, *Life,* and the screen "March of Time" are definitely launched.

French Protest on Propaganda by Air

PARIS, March 4.—The current radio policies of the Popular Front Government of Leon Blum are opposed by a majority of the radio listeners of France, it is indicated by the early results of a poll of listeners, the first of its kind to be held in a country where radio is a Government monopoly. Nearly 2,000,000 ballots have been cast.

The vote actually is for listeners' representatives on the management councils which supervise the preparation of programs. The management councils consist of 30 members, of which one-third are popularly elected and the remainder are appointed by the Government. The results are seen as a public protest against the extent to which the Popular Front Government has inserted political material into radio programs, even coloring news broadcasts. Two main parties are in the field, the Radio-Family, representing the Right parties, and the Radio-Liberty, a Left group.

YMCA to Sponsor Series

LOS ANGELES, March 4.—"Frontiers of 1937" is the title of a series of seven programs to be broadcast under the sponsorship of the Y. M. C. A. in cooperation with educational institutions, from KFI-KECA, beginning tomorrow at 9:30 P. M., P. S. T. The first broadcast, "Social Frontiers," will have Dr. Emery Bogardus as speaker.

Herman Melville on Air

LOS ANGELES, March 4.—"Men of Destiny" is the title of a dramatization to be broadcast by Herman Melville, author of sea books, from KHJ and other Don Lee-Mutual stations Sunday, 11:30 to 12, P.S.T.

Tastyeast on Again In Its Dizzy Whirl

No program of memory has had as many vicissitudes as the Tastyeast series. Originally it starred James J. Braddock; then the "Jesters"; back to Braddock; back to the "Jesters." An announcement that it had been signed for 52-weeks was followed almost immediately by an announcement that it was to be canceled as of last Tuesday, and now a contract renewal for 13 weeks, again with the "Jesters."

The present contract for the series is of March 2, on a one-time per week basis, each Tuesday from 7:15 to 7:30 P. M., E.S.T., on NBC-Blue. The Peck Advertising Co. is the agency.

College Band Goes on Air

OKLAHOMA CITY, March 4.—A series of weekly broadcasts of rehearsals of the 70-piece Oklahoma City University band to familiarize high school band members in Oklahoma, New Mexico and Texas with contest numbers for the coming National School Music Competition Festival has been inaugurated by WKY. The series will be continued for 13 weeks with the band rehearsing the numbers in the college auditorium under the direction of James Nielson at 3 P.M., M.S.T., Fridays.

WCPO Building Antenna

CINCINNATI, March 4.—A new transmitter, with an antenna 199 feet above the five-story Daylight Bldg. in suburban Mt. Adams, on top of which it will be located, is being built by WCPO, *Cincinnati Post* station.

Studios and offices will remain in the Hotel Sinton.

Renew on "Thatcher Colt"

The Packers Tar Soap Co., sponsor of "Thatcher Colt Mysteries" series, has renewed the program for another 26-week period, effective April 4. The program is heard Sundays from 2:30 to 3 P. M., ES.T., on NBC-basic red network stations.

KTUL to Have 2 New Shows

TULSA, March 4.—Two new commercial shows, featuring United Press news features, start on KTUL this week. "Women in the News Today," for S. G. Holmes & Sons, begins March 1; "Movie Pictorial," for the Froug Department store begins the following day.

Morris, Disney Lined Up

HOLLYWOOD, March 4. — Chester Morris will be interviewed by Elza Schallert over NBC on March 5.

Walt Disney has been lined up by Miss Schallert to tell all on the March 12 broadcast.

Iowa Newscasters Married

DES MOINES, March 4.—Two newscasters of KSO and KRNT were recently married. Wayne Varnum married Gladys Cox of Chicago and Benedick Hardman was married to Marian Tayzant of Dallas.

LEO SAYS:
No wonder every sports fan is a WHN listener —More sports are on WHN than any other N. Y. station.
WHN DIAL 1010
AFFILIATED with M-G-M • LOEW'S

Radio

FCC Sets New Hearing Dates For Stations

By CLARENCE LINZ

WASHINGTON, March 4.—Additional hearings were today scheduled by the F. C. C. as follows:

March 29: Before an examiner—contest of Continental Radio Co., Hearst Radio, Inc., and the U. S. Broadcasting Co. for a new 1,310-kilocycle station in Washington, D. C., to have 100 watts night power and 250 watts day; contest between West Texas Broadcasting Co., Faith Broadcasting Co., Inc., and Wichita Broadcasting Co., for a new station in Wichita Falls, Tex., on either 620 or 1,380 kilocycles, 1,000 watts; and application of Robert R. McCulla, Oak Park, Ill., for 1,500-kilocycle, 100-watt daytime station; station KRKO for change of frequency to 1,420 kilocycles and increase of power to 100 watts night, 250 watts day, and KFPL, Wichita Falls, Tex., for change of frequency to 1,500 kilocycles.

March 30: Before an examiner—applications of stations, WJBW, New Orleans, for renewal of license, and WMIN, St. Paul, for change of frequency to 1,360 kilocycles and increase of night power to 250 watts.

Carthage Power Increase Asked

March 31: Before an examiner—application of William W. Ottoway, Port Huron, Mich., for 1,370-kilocycle, 250-watt daytime station; Malcolm H. Clark, Amarillo, Tex., for 1,500-kilocycle, 100-watt station, and station WCAZ, Carthage, Ill., for increase of power to 250 watts.

April 1: Before the broadcast division—application of station KGGC, San Francisco, for increase of time; Smith, Keller and Cole, San Diego, for 1,200-kilocycle, 100-watt daytime station; John S. Allen and G. W. Covington, Jr., Montgomery, Ala., for 1,210-kilocycle, 100-watt daytime station, and Clarence C. Dill, Washington, D. C., for 1,390-kilocycle unlimited time station.

April 2: Before an examiner—applications of W. W. Hartman Co. (*Waterloo Daily Courier*), Waterloo, Ia., for 1,420-kilocycle, 100-watt station; Vancouver Radio Corp., Vancouver, Wash., for 880-kilocycle, 250-watt daytime station; Charles Porter and Edward T. Eversole, Festus, Mo., for 1,420-kilocycle, 100-watt daytime station; and stations WABY, Albany, N. Y., for increase of day power to 250 watts, and WSCC, Charlotte, N. C., for change of frequency to 600 kilocycles and increase of power to 250 watts, nights, 1,000 watts day.

WBRY Has Catholic Hour

NEW HAVEN, March 4.—WBRY is presenting a new Catholic hour Thursdays at 7:30 P.M., E.S.T., under the auspices of the Knights of Columbus and the Catholic parishes of the city. A tentative form is a question box, with eight priests participating.

Sign Mrs. Roosevelt For 13-week Series

Mrs. Franklin D. Roosevelt has been signed for a series of 15-minute programs by the Lamont Corliss Co., makers of Pond's cosmetics. The series will begin some time in April and will be heard over NBC, time and day to announced later.

Mrs. Roosevelt's talks will be informal discussions of interests close to her heart, and will include also comments on current subjects of news interest and stories about the domestic side of White House life.

The contract is for 13 weeks, and the compensation will go direct to the American Friends Service Committee of Philadelphia, Mrs. Roosevelt's favorite charity. The contract was placed through J. Walter Thompson.

Mrs. Roosevelt previously broadcast commercially in 1932 and 1933. Then she was reported to be receiving $4,500 per broadcast, of which $1,000 was retained by her agent, the balance to charities. It is believed that her present price is $2,000 per broadcast. The present contract was placed direct.

Lawyers to Attend Television Showing

Members of the Communications Committee of the New York County Lawyers' Ass'n will witness a television demonstration this afternoon at NBC.

A. L. Ashby, vice-president and chief counsel of NBC, will be in charge of the demonstration, which will take place in the board room on the sixth floor of Radio City. Charles Evans Hughes, Jr., president of the association; Robert C. Morros, past president, and 30 members of the committee will attend.

Col. Manton Davis, vice-president and general counsel of RCA, will be televised in a brief address. Jean Sablon and Jean O'Neill will entertain.

Prior to the demonstration O. B. Hanson, NBC chief engineer, will give a brief technical talk on sight and sound broadcasting.

Craven, Byington on "Hotel"

HOLLYWOOD, March 4. — Frank Craven and Spring Byington have been set for the March 12 broadcast of "Hollywood Hotel."

Ian Hunter will also be on the program in a preview of "Penrod and Sam."

KDYL Seeks More Power

SALT LAKE CITY, March 4.—KDYL has asked the F. C. C. for an increase in power from 1,000 watts to 5,000 watts daytime, with the night time continuing at 1,000 watts. Approval of a transmitter site south of the city also has been asked.

Kemp of CBS on Coast

HOLLYWOOD, March, 4.—Arthur J. Kemp, CBS sales representative, arrived from New York today for a week's conferences with western executives.

Academy Tops To "Ziegfeld" Muni, Rainer

(*Continued from page 1*)

another honor for the outstanding screen play. Jack Sullivan, assistant director on "The Charge of the Light Brigade," led his division. Shearer, who last year took leading honors for the sound recording in "Naughty Marietta," came through again for his work on "San Francisco."

Ralph Dawson of Warners is another repeater. Last year his film editing of "Midsummer Night's Dream" was signally honored and this year his efforts on "Anthony Adverse" won him similar recognition. Tony Gaudia, who garnered cinematography bouquets with "A Midsummer Night's Dream," scampered off with another statuette for the photography in "Anthony Adverse."

Leo Forbstein, who handled the musical scoring of "Anthony Adverse," was awarded the nod in that division. "The Way You Look Tonight," written by Jerome Kern and Dorothy Fields for RKO's "Swing Time," was declared the best song. Richard Day is another repeater for his art direction in "Dodsworth." Last year he took honors for "Dark Angel."

Dance direction went to Seymour Felix for "A Pretty Girl is Like a Melody" number in "The Great Ziegfeld." The short subject awards were as follows: Color, "Give Me Liberty," Vitaphone; 1,000-3,000 feet in black and white, "The Public Pays," M-G-M; cartoons, "Country Cousin," Walt Disney; 1,000 feet or less, "Bored of Education," Hal Roach. Disney and M-G-M also won awards in this field last year.

A complete listing of the awards follows:

Best Actor

Paul Muni in "The Story of Louis Pasteur."

Best Actress

Luise Rainer in "The Great Ziegfeld."

Best Production

"The Great Ziegfeld" (M-G-M), produced by Hunt Stromberg.

Best Direction

Frank Capra for "Mr. Deeds Goes to Town."

Best Actor, Support

Walter Brennan in "Come and Get It."

Best Actress, Support

Gale Sondergaard in "Anthony Adverse."

Best Original

Sheridan Gibney and Pierre Collings for "The Story of Louis Pasteur."

Best Adaptation

Sheridan Gibney and Pierre Collings for "The Story of Louis Pasteur."

Short Subjects

(Color)

"Give Me Liberty" (Vitaphone)

(Cartoons)

"Country Cousin" (Walt Disney-U. A.)

(1,000 *to* 3,000 *Feet*)

"The Public Pays" (M-G-M)

(1,000 *Feet or Less*)

"Bored of Education" (Hal Roach-M-G-M)

Assistant Director

Jack Sullivan for "The Charge of the Light Brigade."

Music

(Best Song)

"The Way You Look Tonight" in "Swing Time"—Music by Jerome Kern and lyrics by Dorothy Fields.

(Best Scoring)

"Anthony Adverse" (Warners) Leo Forbstein.

Film Editing

Ralph Dawson for "Anthony Adverse."

Dance Direction

Seymour Felix for "The Great Ziegfeld."

Technical Awards

(Art Direction)

"Dodsworth" (Goldwyn-U. A.) Richard Day.

(Cinematography)

Tony Gaudio for "Anthony Adverse" (Warners)

(Sound Recording)

"San Francisco" (M-G-M) Douglas Shearer.

Phila. Dual Ruling Is Again Sustained

(*Continued from page 1*)

conviction that Harry and Louis Perelman, original plaintiffs in the case which was launched before Judge George Welsh, in 1934, had proved the companies were in conspiracy. Judge Welsh originally handed down his conspiracy decision on Jan. 31, 1925, and was twice sustained by the Circuit Court on appeals by the defending companies.

Today's decision said in part:

"The question narrows down to one fact—whether the conspiracy was proved. We have made a careful examination of the record. Our conclusion is that there was sufficient evidence before the learned district judge (Welsh) to sustain his finding that the conspiracy charged in the bill was proved. We discover no grounds for departing from our views as set forth in the opinion of the court heretofore filed. The petition for rehearing is dismissed and the decree of the district court is affirmed."

The next step is not yet outlined by the majors, but it is believed the case will be carried farther because of possibilities that the decision might pave the way for both civil and criminal action against the defendants. During the original hearing of the case, theatre owners whose contracts were cancelled by the defendants because they double featured, claimed heavy financial losses and intimated they might sue for redress.

After the Welsh decision, B. M. Golder, counsel for the Perelmans, asked a Federal grand jury investigation of the activities of the major companies. Without granting the request, Judge Welsh made Golder an unofficial investigator to report on the situation. No such report has been publicly announced so far.

Companies affected by the ruling are Vitagraph, Inc., RKO Dist. Corp., Paramount Pictures Dist. Corp., Metro-Goldwyn-Mayer Dist. Corp., Fox Films Corp. and United Artists.

Columbia Sues on Jean Arthur Pact

(*Continued from page 1*)

longer work with the company despite the existence of a one-year contract and that simultaneously the actress signified her intention of working for Paramount.

Columbia asks that the court interpret the actress' contract and, if there be violation, enjoin her from working for any other studio for a year and further asks that Paramount be enjoined from employing her for a similar period.

"SWING HIGH, SWING LOW!"

Carole Lombard · Fred MacMurray in
"SWING HIGH, SWING LOW"
with Charles Butterworth, Jean Dixon, Dorothy Lamour
A Paramount Picture Directed by Mitchell Leisen

Carole Lombard **SINGS** for the first time in "Swing High, Swing Low."

Fred MacMurray **PLAYS THE HOT TRUMPET** in "Swing High, Swing Low."

Charles Butterworth **BANGS THE HOT PIANO** in "Swing High, Swing Low."

Dorothy Lamour, the Jungle Girl,
TEARS INTO THE SWING HIT "PANAMANIA."

Alert,
Intelligent
and
Faithful
Service to
the Industry
in All
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MOTION PICTURE DAILY

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

VOL. 41. NO. 54 NEW YORK, SATURDAY, MARCH 6, 1937 TEN CENTS

Appeal Court Revokes Phila. Duals Ruling

Memo Calls First Order An "Oversight"

Philadelphia, March 5.—The U. S. Circuit Court of Appeals today revoked its order of Thursday denying defendant distribution companies a rehearing of the Perelman case involving the use of contract clauses restricting double featuring. The court's memorandum, recalling its order of Thursday, ascribed the filing of the erroneous order to "an oversight." No further explanation of the incident was made or was obtainable.

As a result of the court's action today, the defendant distributors, petitions for a rehearing of the Perelman case will be given further consideration by the court and the status of the case becomes the same as though no order had been entered on Thursday.

The court's memorandum handed down today accompanied a copy of the order filed on Thursday and read: "The accompanying *per curiam* hav-

(*Continued on page 3*)

Douglas MacLean Is Out of Grand Nat'l

Hollywood, March 5.—Douglas MacLean has severed his connection with Grand National. MacLean stated today that he will make a new affiliation with one of the major companies in the near future and added that no ill feeling accompanied or caused his departure.

Edward L. Alperson stressed that he had urged MacLean to remain with the company, saying that his work had contributed to two of the company's chief box-office successes—"Great Guy" and "23½ Hours' Leave."

20th-Fox Planning Five New Branches

Five new branch offices will be constructed by 20th Century-Fox in the near future. Negotiations are under way for sites and are expected to be closed shortly. The cities involved are Buffalo, New Haven, Albany, New Orleans and Minneapolis.

The Denver exchange this week moved into a new two-story building. Ground has been broken in Soho Square, London for a new building to house the company's home office in England.

Momand Suit Is Dropped by Circuit Court

Way Left Open, However, For Filing New Suit

Denver, March 5.—The U. S. Circuit Court of Appeals yesterday issued an order that the case of A. B. Momand, suing film distributors and certain theatre companies doing business in Oklahoma, should be thrown out of the U. S. District Court, but has left the way open for Momand to file a similar suit, since the case was dismissed "without prejudice."

Momand, operating theatres in Oklahoma, charged that because of combinations and agreements between distributors and exhibitors he had been unable to secure films at an equitable price.

The court order is: "The order is reversed with instructions to vacate the order and enter an order dismissing the amended petition without prejudice. Each party will pay his own costs."

The circuit court did not consider the merits of the case, but concerned itself only with the order of the U. S. District Court, in which the case

(*Continued on page 3*)

Studios Are Active With 36 in Work

Hollywood, March 5.—Eleven features and three shorts were finished last week, while work was started on six features and two shorts. In work were 36 features and three shorts, with 20th Century-Fox and Warners tied in the lead with six each; M-G-M, Universal and Paramount followed with five each, Co-

(*Continued on page 3*)

All Smiles

It was a case of all smiles throughout the "March of Time" organization yesterday. That subject was accorded a special award at the Academy dinner in Hollywood Thursday night for "an outstanding and new contribution to the year's industry."

This was a special classification which first made its appearance four years ago when Walt Disney was so designated for having created the Mickey Mouse character.

Woolf Inquiry By U.K. Gov't Seen Possible

By BRUCE ALLAN

London, March 5.—The possibility of an inquiry by the British Government into the deal whereby C. M. Woolf's company, General Film Distributors, will handle Gaumont British distribution, and the latter will drop production at the Shepherd's Bush studio, is seen here.

The basis of the belief is a series of questions which Sir Arnold Wilson will put to Walter Runciman, president of the Board of Trade, in the House of Commons on Monday.

Sir Arnold will ask what action the Government proposes to take with regard to the agreement in view of the fact that the deal involves the closing of the G. B. studio and the consequent unemployment resulting as production and distribution forces of G. B. will be dropped.

He will also inquire of Runciman

(*Continued on page 3*)

Hays' 15th Year in Films Brings Flood of Tributes

Will H. Hays was swamped with congratulatory messages and floral tributes from industry and public figures throughout yesterday, his 15th anniversary as head of the M.P.P.D.A. He observed the day by arriving at his office at 8:30 A. M., coming up on the same elevator with Dave Palfreyman, who opens the office every morning.

Thereafter, Hays spent the day about as usual, pausing only at midday for a buffet luncheon with staff members in the board room at M.P.P.D.A. headquarters, which permitted him to dictate six letters to Julia Kelly, his secretary, between sandwiches and business conversation with his staff heads. The sole "outsider" who attended the luncheon was Cortlandt Smith of Pathe News, who was the first secretary of the organization and who, with Hays and Miss Kelly,

(*Continued on page 3*)

Brandt Suing On Loew Plan Of Split Week

Five Distributors Also Named in Complaint

A complaint charging conspiracy and breach of contract was filed against Loew's circuit and five New York exchanges yesterday in the N. Y. Supreme Court by Weisman, Quinn, Allen and Spett, attorneys, on behalf of 36 theatres in the Brandt circuit, in connection with recent action of Loew's in running better product on a five-day "weekend" in local houses. The previous customary split was four days and three days.

The action, in which the Brandt circuit is complainant, actually is an outgrowth of the strong objection voiced by independent theatre operators in New York recently to the Loew plan, through the I.T.O.A., of which Harry Brandt, head of the circuit, is president.

The complaint named, in addition to the Loew's circuit, M-G-M Pictures Corp., Paramount Prod., and Paramount Pictures Distributing Corp., Columbia Pictures, Universal

(*Continued on page 3*)

Herman Schoenstadt Is Dead in Chicago

Chicago, March 5. — Herman Schoenstadt, 86, film pioneer who started as an exhibitor 30 years ago, died here today following a long illness. Schoenstadt, who was prominent in civic and political affairs, built up a circuit of 20 theatres now operated by his sons, Henry and Arthur.

Funeral services will be held at Furth Funeral Parlors on Monday at 1:30 P. M.

Name Special Master To Hear Roxy Action

U. S. District Court Judge Francis G. Caffey yesterday appointed Addison S. Pratt as special master to hear the objections to the plan of reorganization proposed by the bondholders' protective committee in the Roxy Theatre reorganization. He also stated that he was considering making a special request to the S. E. C. to investigate the plan in order to protect the stockholders' rights. More than 200 Roxy investors were present in the

(*Continued on page 3*)

Radio News—Page 4

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WARSAW: Sienna 32; R. Sillei, Representative.

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"Love" Gets $72,000 2nd Music Hall Week

When You're in Love" tallied $72,000 in its second week at the Music Hall. "Fire Over England" opened there Thursday to mild business.

The second week of "Camille" at the Capitol ended with approximately $30,000. "Green Light" at the Strand in its third week garnered about $15,000. "The Great O'Malley" got off to a fair start yesterday. "Woman Alone" and a stage show at the Roxy grossed $36,000. "Love Is News" opened to good business there yesterday.

Lesser Seeks New Site

HOLLYWOOD, March 5.—An agent for Sol Lesser is seeking a site for a new $400,000 studio for Principal Prod. The Lesser executive personnel today moved to General Service Studios and the writing staff to the old Multicolor plant.

No Strike in Detroit

DETROIT, March 5.—The expected strike of film shippers, poster clerks and inspectresses here failed to materialize today. It is understood, however, that the matter is far from settled.

Comedy Starts Well, Sags; Margaret Perry Stands Out

By PLAYBOY

It is Margaret Perry, dipping into character work with a distinction that belies her years, who was the standout at Henry Miller's Theater last night. There a piece called "Now You've Done It," by Mary Coyle Chase opened, but failed to quite live up to the letter of its designation.

In a family circle that reminded of the harum-scarums in "You Can't Take It With You," Walter N. Greaza, platitudinous Rotarian, finds himself on the verge of a nomination for Congress. Evelyn Varden, his mother, and Jane Bancroft, his sister, are pleased. Barbara Robbins, his wife and slavey, is, as well, which the others might have discovered had they bothered to inquire. Miss Varden, in her amiable flutterings, that same day finds Miss Perry, fresh out of reform school and on probation, in the family circle as a newly acquired maid.

Miss Perry, it appears, was Madame Evelyn's Price and Waterhouse, was unashamed of sex and, in her plain and honest manner, knew a great deal about men. As a matter of fact, she remembered faces so well that she called by their intimate, nocturnal names the senator upon whom Greaza was depending for political support, and his henchman, to boot. On a platform of the sanctity of the American home and, the circumstances being what they turn out to be, the senator recognizes the embarrassing politics of the situation and Greaza seems safely on his way to Congress.

Love Enters, Edgewise

As a secondary theme, more or less dragged in by the ears, is love finding its way to Miss Robbins' side through the extraneous character of the state boss's son, on the scene to look Greaza over.

Off to a more sparkling and humorous start than its playwright was successful in maintaining, "Now You've Done It," meaninglessly named, begins to slip in the second act and well nigh spends itself completely in the third. But Miss Perry's surprisingly different performance as the little tough through whom more humanity and understanding coursed than her tonier companions is excellent. In variable measures and mostly on the side of the other performers, this also applies to the cast at large. Miss Varden and Miss Robbins were particularly good as was Greaza; Junior Eric Burtis, natural and appealing as the young grandson, and Jack Tyler as Muggsie, Miss Perry's boy friend.

The house of joy background upon which most of the laughs depend counts this off the boards as film material. This could be altered to make it something more acceptable for Hollywood and the code, but any rewrite would change the flavor and make of it something which it is not now.

Rogers Arrives Sunday

Charles R. Rogers, Universal vice-president in charge of production, will arrive tomorrow.

Surprise Party for Laub

Enoch G. Laub was given a surprise party in honor of his 70th birthday by 60 members of Universal's accounting department on Thursday.

And At Scarsdale

Scarsdale, N. Y., March 5.—"History Is Made at Night," shown here tonight at the Scarsdale Theatre, is a sophisticated story of a Parisian headwaiter's love for the wife of a neurotic American shipping magnate. It is beautifully produced and builds up to a climax in which an ocean liner, on its maiden voyage, crashes into an iceberg. The scenes on shipboard are reminiscent of the *Titanic* disaster and are impressive in the extreme.

Produced by Walter Wanger, the film features Charles Boyer and Jean Arthur in the principal roles.

Six Theatres Fined In Chicago for B. N.

CHICAGO, March 5.—Six theatres here, the Oakland, Cosmo, Highland, Grove, Capital and Halfield, today were fined $15, including costs, in Justice Sonsteby's court for operating chance games. The cases were appealed and will be heard May 3 together with 46 others.

Today's proceedings complete the planned prosecution of Bank Night here.

Omaha Subsequents Win

OMAHA, March 5.—Through the intervention of Mayor Dan B. Butler, smaller neighborhood houses in the cooperative Bank Night here won an argument from five of the larger houses and were allowed to continue holding Bank Night matinees.

Butler wrote Evert R. Cummings, Tri-States district manager and chairman of the Bank Night group, warning "drastic steps would be taken" to end Bank Night unless the smaller houses could hold matinees.

Change Minds on B. N.

NEW ORLEANS, March 5.—A change of front on the Bank Night situation manifested itself here today when several houses reversed their decisions to abandon the games.

A number of exhibitors here are planning a protest to Governor Leche and Mayor Maestri while others have suggested that admission prices be raised to the point where the increase will provide for the fines incurred by operation of the policy.

Bans Game Insurance

WHEELING, W. VA., March 5.—Branding Bank Night insurance a racket, Police Chief Albert Megale has banned operation of the scheme in Wheeling and threatened heavy fines and jail terms for its operation.

To Honor Wehrenberg

ST. LOUIS, March 5.—Stage acts from local theatres will feature the Variety Club's testimonial dinner party in be given in the Gold Room of Hotel Jefferson March 12 to Fred Wehrenberg, president of the M. P. T. O. of St. Louis, eastern Missouri and southern Illinois.

◂ Purely Personal ▸

E. C. GRAINGER is due today from a 10-day tour of Feiber & Shea houses. JACK SHEA returned earlier in the week from a visit to a number of the circuit's units.

•

JOE MCCONVILLE and LOUIS ASTOR, Columbia sales executives, left yesterday for Miami. They will be gone two weeks.

•

NORMAN H. MORAY is in Milwaukee today for conferences on Vitaphone short product.

•

OTTO KRUGER will be among the coast departures today.

•

HOWARD HUGHES flew to Miami yesterday.

•

MONTE BANKS is due from the coast today.

Quick Action Seen On Missouri 2% Tax

JEFFERSON CITY, Mo., March 5.—Passage of the two per cent sales tax bill is expected daily. The tax will have the same base as the present one per cent levy, but with the tax on advertising and transportation eliminated.

Metal tokens will be substituted for the present "milk bottle caps."

Date Kansas Adjournment

TOPEKA, March 5.—Final adjournment of the Kansas Legislature has been set tentatively for March 20, with March 17 as the final day for consideration of bills.

Senator McDonald's bill to legalize horse racing and pari mutuel betting has been killed.

Meet on SRO Ruling

CHICAGO, March 5. — Exhibitor leaders here, including John Balaban, Aaron Saperstein, Henry Schoenstadt, James Coston, Morris Leonard, Edward Silverman and others, conferred today with Herman H. Bundesen, city health commissioner, regarding the enforcement of the health ordinance which prohibits standees in theatres. The exhibitors submitted a plan which they say will permit standees without crowding.

Executives at Opening

Among those attending the premiere of Walter Wanger's "History Is Made at Night" at the Scarsdale Theatre, Scarsdale, last night were A. W. Smith, sales manager of United Artists; Harry Buckley, vice-president; Harry Gold, E. A. Silverstone, Walter Gould, John Wright, Rodney Bush, eastern representative of Wanger; Frank Shea of Feiber & Shea, and Matty Fox of the Skouras circuit.

Schaefer in Hollywood

HOLLYWOOD, March 5.—George J. Schaefer, arriving here today for the United Artists meeting tomorrow, stated that "America today is entertainment hungry as never before" and that "despite the fact that admission prices are below 1929 levels, gross receipts are advancing."

Anniversary Tributes Pour In Upon Hays

(*Continued from page 1*)

helped to open the M.P.P.D.A.'s first office on March 5, 1922, in the Guaranty Trust Bldg. at 520 Fifth Ave. Hays left the office around 6:30 P. M. with two brief cases filled with "homework" under his arm.

Among the messages received were those of Darryl F. Zanuck, Jesse L. Lasky, Academy of M. P. Arts & Sciences, by Frank Capra; Morgan Walsh, president, I.T.O. of Northern California; Frank C. Walker, Martin Quigley, Senator Henry F. Ashhurst of Arizona, Eugene Chrystal of Eastman Kodak, Ed Kuykendall, president, M.P.T.O.A.; William Le Baron, Major Edward Bowes, Albert D. Lasker, Amon Carter, George Young, publisher, *Los Angeles Examiner;* William C. de Mille, Leo Spitz, Adolph Zukor, Jack L. Warner, Ned E. Depinet, Harry Buckley, E. M. Fay, William Goetz; B. B. Kahane, Morris Loewenstein, president, M.P.T.O. of Oklahoma; Walter Wanger, Fred Wehrenberg, chairman, M.P.T.O.A.; Sidney R. Kent, Lenox R. Lohr, president, N.B.C.; Hal Roach, Winfield Sheehan, Rupert Hughes and Charles R. Rogers.

Also Nicholas M. Schenck, Sam Briskin, Spyros Skouras, Martin Mullin, Sam Pinanski, Sam Goldwyn, Robert Gillham, Charles L. O'Reilly, Chris Dunphy, Joseph H. Brennan, president, Allied T. O. of Massachusetts; Secretary of State Cordell Hull, J. Robert Rubin, R. H. Cochrane, M. A. Lightman, M. C. Moore, president, Southeastern T. O.; Secretary of Commerce Daniel C. Roper, Senator Frederick Van Nuys of Indiana, Irving C. Jacocks, Jr., president, M.P.T.O. of Connecticut; Admiral William D. Leahy, chief of naval operations; Robert X. Williams, Jr., president, Tri-States M.P.T.O., and Congressman Sol Bloom of New York.

Woolf Inquiry by Government Likely

(*Continued from page 1*)

if he is aware that three persons, through the ownership of 5,000 shares in Metropolis and Bradford Trust, G. B. holding company, control the £12,000,000 G. B. corporation. Sir Arnold further will ask if the Government will consider the dissolution of Metropolis and Bradford in order to restore control to British shareholders, "who are anxious to cooperate with American producers in making the film industry in this country efficient."

The questions are considered especially important in view of the fact that Sir Arnold is a member of the Moyne Committee and also of the Board of Trade's own Films Act Advisory Committee.

Ohio Bans "Promise"

CLEVELAND, March 5.—The Ohio censor board has banned the Amkino film, "A Greater Promise" as being "harmful." Local critics who saw it at a private screening expressed the opinion that there is nothing objectionable about the picture.

Brandt Suing On Loew Plan Of Split Week

(*Continued from page 1*)

Pictures and the Big U Film Exchange and United Artists.

It was explained at the office of the Brandt attorneys yesterday that the change in the week's split constituted a breach of contract, although a designation of the specific number of days which should make up a "weekend" is not noted in rental contracts. The contention was that it has always been understood that the split is four days and three days, and that pictures are sold to all theatres with that understanding.

The basis of the conspiracy charge, it was said, was the fact that the five distributors named had sold pictures to Loew's on a basis which permitted the circuit to play pictures on a five-day "weekend."

Charles C. Moskowitz, head of Loew's theatres in New York, declared late yesterday that he knew nothing about the action.

New Rochelle Kameo Acquired

Loew's yesterday acquired the Kameo, New Rochelle, from Rosenbloom and Fagin. This is the second unit for the circuit in the city, the other being Loew's, which is being operated with Proctor's, in a pooling arrangement between Loew's and RKO.

Loew's will take possession of the Kameo about Easter and will institute a dual feature policy. It is likely this house will be made part of the pool.

Studios Are Active With 36 in Work

(*Continued from page 1*)

lumbia had four and Goldwyn and Republic one each.

Being edited were 41 features and 15 shorts. In preparation are 41 and three. Pictures just started are: "One Hour of Romance," "War Lord," "Footloose Heiress," "The Story of Emile Zola" and "Paul Price" at Warners; "Oh, Doctor," at Universal, and "Big Business" at 20th Century-Fox.

Of the pictures just finished, Paramount had three; Republic and 20th Century-Fox, two each and Warners, Universal, Radio and Columbia, one each; in work were: Republic and Warners, three each; Columbia, Paramount, Radio, 20th Century-Fox and Universal, two each; being edited: Paramount and Warners, eight each; Columbia, seven; M-G-M, six; 20th Century-Fox, five; Republic, three; Hal Roach, two; Universal and Radio, one each.

In the shorts division, Columbia had one finished, one starting, one shooting, one in preparation, one editing; M. G. M., eight editing; Radio, one finished, one shooting, one preparing, one editing; Warners, one starting, one shooting.

Calvert on Coast

HOLLYWOOD, March 5.—Lowell V. Calvert, general sales manager, Selznick International, arrived here today for a week of conferences with David Selznick and Henry Ginsberg.

Name Special Master To Hear Roxy Action

(*Continued from page 1*)

courtroom where the hearing was held. Caffey said at the outset that he had been deluged with letters from stockholders.

He declared he knew very little of the standing of the actual facts and suggested than an S. E. C. recommendation might be of assistance to them. He said hearings would be held to determine whether the corporation was insolvent and what rights the stockholders had if insolvency were proved. Judge Caffey declared that he was sending the matter to special master for a full hearing because he expected the hearing to be lengthy and that he was too busy to hold it himself. He said he was instructing the special master to proceed with the delayed hearing and to report promptly. Any attempt to delay the hearings will be punished by an assessment of costs, Caffey said. Pratt was named because of his familiarity with the Roxy proceedings and Caffey felt that his knowledge would expedite a decision. Caffey expressed satisfaction with the appraisals which were filed and insisted that sworn testimony relating to the value of the assets be taken before the master. He praised the bondholders' committee which presented the plan for coming forward with the first concrete plan after five years of effort and said that their services had been of the "utmost assistance."

Object to Delay

Delay in the proceedings was protested by representatives of several groups. Samuel Kramer, representing 10,000 shares of Class A stock, was given permission to intervene on behalf of the stockholders. Caffey said his order will provide that one week's advertising in the *New York Post* precede the hearing. George Goodman, representing $200,000 of first mortgage bonds, was denied permission to intervene.

Caffey set March 12 for a hearing to determine certain technical questions relating to the deposit agreement with the protective committee. The note holders' protective committee requested permission to send a letter to note holders relating to their claim against Fox Theatres Corp. which had been allowed in the Fox Theatres receivership at $700,000.

Judge Caffey ordered all objections to the plan to be written and filed with the special master before hearings began.

Lina Asks Judgment

Lina Pictures filed a motion yesterday for a summary judgment in the N. Y. Supreme Court in its action against First Division Exchanges, Inc. The plaintiff claims that pursuant to an agreement made in September, 1933, Principal Distributing Corp. rented to the defendant a number of prints. Subsequently, Principal assigned its rights in the films to the plaintiff, but the defendant has refused to return the prints. The plaintiff demands the return of the prints and $5,000 damages.

Approves Motion for Bill

N. Y. Supreme Court Justice Lloyd Church yesterday granted a motion for a bill of particulars to be submitted in the action brought by Lina Pictures Corp. against the H. E. R. Laboratories, Garrison Film Distributors and Alladin Pictures Corp. The action is based on the alleged conversion of certain negatives which were delivered to the H. E. R. Laboratories, who were to strike off prints when requested to do so by the plaintiff. H. E. R. subsequently sold these negatives for money due them by the plaintiff, which was allegedly without authorization of the plaintiff.

Circuit Court Drops The Momand Action

(*Continued from page 1*)

was dismissed because of the refusal of Momand to amend his petition, or portions of it, as ordered by the court.

The case was transferred to Denver because of the death in Oklahoma City on the opening day of the hearing of U. S. Circuit Court Judge Tilman Johnson.

Momand's mother, Loretta L. Momand, has filed suit in Boston, her home, for triple damages, against film distributors, who have asked that the case be transferred to Oklahoma City for trial. Mrs. Momand sued in her home city because she could secure service on all defendants there. The distributors point out that excessive costs would be necessitated if trial were held in Boston. Mrs. Momand operated a theatre in Shawnee, Okla., and charges "unlawful combination and conspiracy to restrain and to monopolize interstate trade and commerce in motion picture films."

Appeal Court Kills Phila. Duals Ruling

(*Continued from page 1*)

ing been filed through an oversight, the same is now recalled and the case held for further consideration upon a reargument, which is now ordered."

The mistaken filing of an order of a court is unusual, but not unknown, in legal circles. Ordinarily, it is traceable to an error of a clerk.

The Thursday order reaffirmed the court's decision of Jan. 16, 1936, that the six defendant distributors violated the anti-trust laws in the use of the restrictive clauses against double featuring. In addition, the order denied the defendants' petition for a rehearing of the case, and affirmed the order of the district court.

The memorandum revoking the order came as defendants were considering the advisability of applying to the U. S. Supreme Court for a writ of *certiorari* for a review of the case.

Feher Files New Motion

Friedrich Feher filed a motion in N. Y. Supreme Court yesterday to strike out the evidence in a counter claim which was set up by the Fortune Film Corp. in Fehrer's action for $7,500. Feher claims that in November, 1936, he agreed to furnish a stage show to be used in conjunction with "The Robber Symphony" and was to get $2,500 for such performance. The performance was delayed from time to time and although Feher did receive $2,500 for his performance eventually, he is suing for $7,500 because of the delayed appearance. Fortune's counter claim alleges that the plaintiff attempted to induce Concordia Films, Inc., to terminate its contract with Fortune for the rights of exhibiting the picture, "The Robber Symphony" and asks for $125,000 damages.

◂ Radio Personals ▸

ARTHUR PRYOR, radio executive at Batten, Barton, Durstine & Osborn, is back at his desk after a two-week vacation and business trip . . . Ralph Kirberry yesterday cracked up his airship in a forced landing near Chester, N. Y. . . . Fred Astaire will offer the musical score from his new RKO picture, "Shall We Dance," on his March 9 broadcast over NBC . . . Will Oakland and his orchestra now set for an WHN wire . . . Mary Small leaves today for a vaudeville appearance at the Keith theatre in Boston . . .

CBS Has a Dividend Of 50 Cents a Share

The board of directors of CBS yesterday declared a quarterly cash dividend of 50 cents a share payable March 26 to holders of record March 17. The board will apply to the N. Y. Stock Exchange for the listing of its stock since there are now more than 5,000 CBS stockholders.

At a meeting on May 24, the directors will authorize an increase in the number of shares of the corporation's stock in order that it may be split two-for-one.

CBS officials who sat in at yesterday's board of directors' meeting refused to comment when queried, but it is understood one of the matters discussed at the meeting was whether CBS would purchase bonds for the New York World's Fair, or finance the cost of the erection of a CBS building and a display at the Fair.

Studio Air Program To Start March 15

HOLLYWOOD, March 5. — Following several postponements, General Mills' broadcasts over NBC from studio sound stages will start Monday, March 15, with a program emanating from the set of 20th Century-Fox's "Unchosen."

Donald DeWolf of NBC has designed a special portable studio built into a trailer to facilitate the studio broadcasts.

Cowan Entertaining

Rubey Cowan, NBC artist bureau executive, who recently announced his resignation to accept a position with Paramount, today will tender a farewell luncheon to his network colleagues at the Cafe Loyale. Those who will attend are George Engels, Dan Tuthill, Frank Jones, Sam Ross, L. J. Fitzgerald, Robert Smith, Chester Stratton, Raymond Porrier, Vance Babb, James Stirton, Ed Sickels, Tim Sullivan, John Potter, Ruby Bloom, Jack Von Tilzer, Ernest Cutting, Ed DeSalisbury, Fred Niblo, John Baxter, Alfred Cook, and the Misses Frances King, Ethel Gilbert, Rubey Smith, and Geraldine Fenrich.

Radio Dealers Return

Four hundred and fifty New York and New Jersey radio dealers returned last night from Bermuda, where they spent a week as guests of the General Electric Corp.

G. E. executives who accompanied the dealers are Ernest H. Vogel, C. M. Wilson, Earle Poorman and Lee Williams.

Hearst Asks FCC for 2 Booster Stations

By CLARENCE LINZ

WASHINGTON, March 5.—Plans of Hearst Radio for two booster stations outside of Washington, to operate with 250 watts power synchronously with the proposed new Hearst station in the capital, were revealed today by the F.C.C.

Applications filed by Hearst disclosed that the stations are desired in the event its application for a new station to operate on the 1,310 kilocycle channel is granted. The availability of the frequency now used by WOL will depend upon the commission's approval of WOL's application for a change to 1,230 kilocycles.

The commission also revealed that applications have been received from John Stewart Bryan, Petersburg, Va., for a new station to operate on 1,210 kilocycles with 100 watts power at night, 250 watts day, and from C. W. Moses, R. W. Workman and J. Allan Moses, Hobbs, N. M., for a station to operate on 1,500 kilocycles with 100 watts power.

Other applications received by the commission include requests from stations KMLB, Monroe, La., for a frequency change to 620 kilocycles and increase of power to 500 watts; WDSU, New Orleans, for power increase to 5,000 watts, and KGAR, Tucson, Ariz., for frequency change to 1,340 kilocycles and increase of night power to 250 watts.

Corliss Program Renewed

"Husbands and Wives," NBC-Blue series heard Tuesdays from 9:30 to 10 P. M., E.S.T., has been renewed for 26 weeks by Lamont Corliss Co., sponsors of the program.

Get Press Rights

Columbus, March 5. — Writers and special events men of radio stations within the state, upon application from their headquarters, now are accorded the same rights and privileges on the General Assembly floor during legislative sessions as are granted the press.

This is a new departure in Ohio, although previously the state allowed special broadcasts from the legislative sanctums. This, however, excluded writers of the air.

NBC Will Broadcast Sun Eclipse June 8

NBC, in arrangement with the National Geographic Society and the U. S. Navy, will broadcast exclusively a description of the total eclipse of the sun from Enderburg Island in the Pacific Ocean at 2:15 P. M., E.D.S.T., Tuesday, June 8.

Announcers, engineers, and four tons of equipment will leave for Honolulu early in May on board a navy minesweeper, and thence to the island aboard the cruiser *Quincy*.

Dr. Lyman J. Briggs, chairman of research for the Society, is in charge of the expedition. The NBC personnel for the trip will be announced later.

"Billy and Betty" Renewed

"Billy and Betty," Sheffield Farms five-a-week NBC-Red serial, has been renewed for another cycle on the air, beginning March 22.

New Shows on the Air

"Hollywood Hotel"

Last night's "Hollywood Hotel" measured up to its usual high standard. The regular "Hotel" standbys: Fred MacMurray, Frances Langford, Igor Gorin, et al, portioned out song and music during the first half of the proceedings; Victor McLaglen, Peter Lorre, Walter Connolly and June Lang occupied the latter half with scenes from their recently completed picture, "Nancy Steele Is Missing." Additionally, Louella Parsons unexpectedly brought to the mike Academy Winners Luise Rainer and Paul Muni, who expressed their pleasure and thanks for the honors.

"Nancy Steele Is Missing," as a picture, hasn't been seen by your reporter. Judging it by last night's episodes, however, it is a production packed with power and suspense. The story need not be told here, but we'll wager that a goodly percentage of those who listened in won't rest until they have seen what happened after McLaglen, Nancy's kidnapper, is shot by Lorre when the former attempts to burn the one bit of evidence that links Nancy to her father, Connolly. That's when the story ended last night.

Preceding the reenactment, Warden Lewis E. Lawes of Sing Sing Prison characterized the film, which he had previewed, as a "fine, honest and thrilling picture."

"Hollywood Hotel" is presented Fridays from 9 to 10 P. M., E.S.T., on CBS. Campbell's Soups sponsors.

BANNER

"Tell Us Your Story"

PHILADELPHIA, March 5.—Everyone is believed to have one good story in him. At least, that has been the contention of many pulp magazines. J. B. Ford & Son of Wyandotte, Mich., is now giving the listening public a chance to get its story off its chest all in the interests of Wyandotte Cleanser. The theme selected for the thrice weekly dramatization by the Wyandotte Players rates the sender $25, with no box covers or facsimile necessary for the entry.

When caught, the prize-winning synopsis concerned a paroled prisoner who fell in love with the judge's daughter, proving his worth when he saved the jurist from a gangster's gun.

As a dramatic interpolation it hardly deserved serious attention. The writing and acting rattle along at a slipshod pace that never hits a responsive chord, no worse probably than the average. Announcer Al Moore lauds the product with a dramatic fervor that makes the playing cast sound limp and languid.

The program is aired by WABC for a split CBS network on Tuesdays, Thursdays and Saturdays, 2-2:15 P. M., and appeal is undoubtedly for the rural listener rather than the urbanite who is used to better shows.

Interview Discloses Jack Benny's Plans

CHICAGO, March 5.—Jack Benny, in an interview with MOTION PICTURE DAILY here today, said that he will do two more pictures for Paramount after which he will sign a new pact with the same company for three years during which time he will make two pictures annually.

Benny will broadcast here following his return from New York.

"Barrier" Retitled To Avoid a Conflict

G. B. has changed "The Great Barrier" to "Silent Barriers" to avoid any conflict with Paramount's "The Barrier," a Rex Beach story.

Reports from Toronto yesterday were to the effect that a writ had been served upon Arthur Lee, vice-president of G. B., but this was denied both at G. B. and Paramount. At Paramount it was stated that the possibility of title conflict had been called to the attention of G. B. in the hope that the matter would be arranged.

"Silent Barriers" will go into the New Criterion on a two-a-day basis Thursday, March 18. It opened Feb. 26 in Montreal and will be released in 10 Canadian cities March 25.

To Film Abbey Ceremony

LONDON, March 5.—Permission has been granted by the British Government for the filming by the newsreels of the Coronation ceremonies in Westminster Abbey. Technical supervision of the Abbey takes will be in charge of Sir Gordon Craig, general manager of Fox Movietone News in England, and W. J. Gell of Pathe News.

Gordon Jennings Injured

HOLLYWOOD, March 5. — Gordon Jennings, head of Paramount's special effects department, is in the hospital with a broken back as a result of a plunge down the mountainside slide at Big Bear Lake while working on "High, Wide and Handsome."

Wall Street

Board Revives; Most Gain

	High	Low	Close	Net Change
Columbia	36½	36	36	— ½
Columbia, pfd. ...	45	45	45	+ ¼
Consolidated	5	4⅞	4⅞	— ⅛
Consolidated, pfd..	16⅝	16½	16½	.....
Eastman Kodak ..	171	169	171	+2¾
Eastman, pfd......	161¼	161	161	+1
Gen. T. Equip.....	30¼	30¼	30¼	+ ¼
Loew's, Inc.	81	79½	80¾	+2⅜
Paramount	25¾	25⅜	25⅝	+ ⅜
Paramount 1 pfd..	181	179	181	+1
Paramount 2 pfd..	23⅞	23¼	23⅞	+ ¼
Pathe Film	8¾	8½	8⅝	.....
RKO	9	8¾	8¾	.....
20th Century-Fox.	36	35¾	35¾	+ ⅛
Universal, pfd.....	100½	100½	100½	+ ½
Warner Bros.	15½	15¼	15¼	— ⅛

Curb Rises Fractionally

	High	Low	Close	Net Change
Grand National ...	3⅜	3¼	3¼	.....
Sentry Safety	¾	¾	¾	.....
Sonotone	2	2	2	.....
Technicolor	20⅛	19¾	20⅛	+ ⅜
Trans-Lux	5	4⅞	5	+ ⅛

Little Bond Change

	High	Low	Close	Net Change
Loew's 3½s '46 ...	99¾	99½	99⅝	.....
Paramount Pict. 6s '55	100½	100⅜	100⅜	— ⅛
RKO 6s '41 pp...	118	118	118	.....
Warner Bros. 6s '39 wd	98½	98⅜	98⅜	— ⅛

(Quotations at close of March 5)

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MOTION PICTURE DAILY

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of the
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Film Industry Drive Is Not C.I.O.s' Plan

Denial Follows Report Of Boston Union

By BERTRAM F. LINZ

WASHINGTON, March 7.—No drive against the film industry is contemplated by the Committee for Industrial Organization, headed by John L. Lewis, it was declared at C. I. O. headquarters here yesterday, following receipt of reports that a C. I. O. union was being sponsored among film employes in Boston.

Officials of the C. I. O. explained that they are being deluged with applications from new organizations for C. I. O. affiliation, and that, wherever such application is made, the new union is affiliated with some existing body wherever possible, as in the case of the Foundation pen workers in Detroit who temporarily have been taken over by the automobile union.

The C. I. O. is not sponsoring these developments from Washington, it is said, but is naturally not discouraging groups of workers who form

(*Continued on page 2*)

Cabinet Seeking to Save Australia Act

SYDNEY, Feb. 9.—(*By Air Mail Via London.*)—According to talk in the lobbies, the Cabinet is determined that the Quota Act shall not develop into a complete failure or that the local production industry should be allowed to languish. The chief secretary is making arrangements for a round table conference with producers and distributors and other interested parties and he has expressed confidence that constructive decisions will be reached.

Meanwhile distributors repeatedly

(*Continued on page 8*)

Legion Approves All Of 18 New Pictures

The National Legion of Decency in its list of new pictures for the current week approved 18 reviewed features. Of the total number 14 were called unobjectionable for general patronage and four unobjectionable for adults. The new films and their classification follows:

Class A-1, Unobjectionable for General Patronage—"Circus Girl," "Fair Warning," "Fire Over England," "Fury and the Woman," "Gambling Terror," "I Promise to Pay,"

(*Continued on page 3*)

Offered Nation GB Shares, Ostrer Claims in Rebuttal

By BRUCE ALLAN

LONDON, March 7.—The Ostrers' voting shares in Metropolis and Bradford Trust, holding company of Gaumont British, were offered to the nation in 1931, it was revealed yesterday by Isidore Ostrer at a press conference at his flat in Park St. here.

He declared it was necessary for him to reply to the concentrated attacks on his policies in the management of G. B. by the shareholders' committee representing what he called an unimportant minority, and by certain directors, questions in the House of Commons, and "ill-informed gossip concerning my nationality."

He hit at John Maxwell, who is opposing the Ostrers on the directorate, although he did not name him, in a reference to "frustrated ambitions" behind attacks at a time when the position of the company was enormously strengthened by a deal which would wipe out the overdraft and help theatres, he said.

He declared the deal was emphatically in the national interest, and in proof of that statement read a letter dated May, 1931, from Lawrence Messer, G. B. attorney, to the Board of Trade in which Messer said, "the danger of control prejudicial to the public weal could be permanently

(*Continued on page 8*)

Tax Advocates Cite Nebraska Giveaway

LINCOLN, March 7.—Legislators are using the prevalence of Bank Night and other prize giveaways as an argument for passage of pending tax bills. One calls for a 10 per cent tax on

(*Continued on page 3*)

He's Against

"So you've editorially come out against Bank Night and games of chance, have you?" remarked a sales executive yesterday.

"I'm opposed to giveaways, too. We've been giving our pictures away for years."

Circuits Plan Long Fight on Theatre Bills

Extended litigation reaching ultimately to the U. S. Supreme Court will be resorted to by affiliated circuit interests in resistance to the Allied States measures prohibiting theatre ownership or operation by any interest affiliated with a producer or distributor, it was revealed on Saturday through inquiries made among circuit executives.

Inasmuch as the Allied measures, if and when enacted by the various states, would not become effective un-

(*Continued on page 3*)

Pandro Berman Signs New Contract at RKO

HOLLYWOOD, March 7.—Bringing to an end speculation over his future association, Pandro S. Berman, the so-called "white-haired boy" of the RKO production roster, has signed a three-year contract with the studio.

Columbus Found America; O'Brien Locates Tuckahoe

By J. M. JERAULD

When a bus load of critics and fan magazine writers starts for Tuckahoe via the West Side Highway and Riverside Drive the bus turns off at the entrance to the Hendrik Hudson Drive. Buses are not allowed on New York and Westchester parkways, it seems.

Then what happens? The bus stops at Broadway and Dyckman St., which is just another place if the driver happens to come from New Jersey, as this one did. But this is no problem for Ken O'Brien of the United Artists publicity department. When Ken chaperones a party up to Tuckahoe for dinner and up to Scarsdale to see a preview of "History Is Made at Night," it's chaperoned and history is made.

"Turn right on Two hundredumpty umph street," said Ken, "and then go up Jerome Ave."

"Jerome Ave.?" queried the driver. About that instant a woman in the

(*Continued on page 11*)

Expect 1,000 At Convention Of M.P.T.O.A.

Para. Delegates Also to Attend Meeting

Registrations for the M.P.T.O.A. national convention which opens in Miami March 16 are expected to approximate 1,000, it was estimated by the exhibitor organization on Saturday on the basis of hotel reservations already made.

The total registration will be swelled by the meeting of Paramount theatre operators which opens immediately following the M.P.T.O.A. convention. Most of the delegates to the Paramount meeting will arrive in Miami in time to attend the exhibitor organization's meeting. All of the 21 display booths in the convention hall have been reserved.

The convention program is still incomplete in several details but present program plans call for a meeting of the executive committee of the organization following a registration period on the opening day. The board of directors will meet immediately after for the annual election, with the first business session being called to order in the afternoon by Mitchell Wolson, general chairman of the convention arrangements committee.

Addresses of welcome by Governor

(*Continued on page 3*)

Approves Extension Of Audubon Mortgage

Circuit Judge Martin T. Manton signed an order on Saturday authorizing Milton C. Weisman, receiver of Fox Theatres, to enter into an agreement with the Bank For Savings for an extension of the $655,000 first mortgage held by the bank on the Audubon in New York.

The mortgage is due May 1 and

(*Continued on page 3*)

Declares Mass. Dog Racing Run by Gangs

BOSTON, March 7.—Leland C. Bickford, radio news editor for the Yankee Network, charged that gangdom controls Massachusetts dog racing and demanded that the entire state Racing Commission be removed, at a hearing before the legislative committee on Legal Affairs. Bickford thus climaxed a campaign of several

(*Continued on page 11*)

More Radio—Pages 10-11

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Activities of Shea Continuing in Ohio

Cleveland, March 7.—The Shea circuit continues activity in this area. E. C. Grainger, general manager, conferred with Bill Skirboll, landlord of the Union, New Philadelphia, this week and arranged for renovation of the house, including installation of a cooling plant. Shea, meanwhile, will renovate the Bijou, its other house in that town.

The Strand, Fremont, is being renovated for reopening Easter Sunday. This is the circuit's second house in the town, the first being the Paramount. There and in New Philadelphia, Shea is a partner with the Paramount circuit. Operation of the Palace, Dennison, is the latest move in Shea activities in this area.

Ten New "King" Dates

Ten additional dates for "The King and the Chorus Girl" have increased Easter Week bookings to 99, according to Warners. The new theatres penciling in the film are the Earle, Washington; Warner, Milwaukee; Capitol, Madison; Sheboygan, Sheboygan; Warner, Memphis; Majestic, Beloit; Stanley, Baltimore; Boyd, Philadelphia; Victory, Dayton; Virginian, Charleston. The picture will open at the Strand March 27.

Insiders' Outlook

By RED KANN

Mr. G. A. Atkinson,
The Era, London.

Dear Mr. Atkinson,

Cutting through the set formalities of open correspondence, may we up to you and remark you were talking quite through your hat in your "Mr. Chamberlain Should Tax Hollywood" editorial on February 24.

You urge that Hollywood should pay for the privilege of trading in England, like British trade. You place America's gross in Great Britain at $70,000,000 annually. That bothers you and it persuades you to suggest to Mr. Chamberlain a new field for taxable purposes. You want Hollywood to subscribe its share to your nation's defense schemes and think "she can well afford to pay $25,000,000 for the safeguarding of her trade in Britain." Your general conclusion is that Hollywood should pay for it, if England is to be made safe for her films.

It is our reaction, in the first or second place—it doesn't matter which—that you indulge in an editorial subtlety, so-called, when you compute America's yearly gross at the $70,000,000 you cite.

You overlook, for instance and, of course, deliberately, the fact that this is bulk, if the figure indeed is correct. You slide not so neatly or so cleverly over the truth of the matter which is that millions of those dollars are paid out annually in British wages for British subjects.

You forget, not by accident naturally, that, in the aggregate, the American companies are compelled to spend millions of dollars every calendar year to make or to cause to have made British pictures to meet the Films Act.

You gloss over an indisputable observation in failing to note a basic truth which is that American pictures, despite the obstacles planted in their path, continue to furnish the backbone product, and thus the profit, of the rank and file of English exhibitors. Wherefore, it follows that without this flow of product, the British exhibition industry would fall upon sad, lean and hungry days.

You need not take our words for it. You might delve into the official hearings of the Moyne committee for substantiation. Or faster and better, perhaps, stop any exhibitor you like at the Trocadero.

You might even turn to the Ostrers and Gaumont British. Surely, you've heard of them. In the event that you have not, we should gladly undertake an introduction through the mails or by cable.

Yours, etc. . . .

▼ ▼

The Westbrook Pegler typewriter, for which we have a sizable respect, let the keys fly the other day on burlesque and the strip-tease, referring back to the actual Minsky burlesque before the Dickstein committee in Washington on the bill designed to curb alien actor importations. Since, in this day, motion pictures find themselves linked with the strip-tease by background and by contract anyway, lend eyes to Pegler:

> "Not even in Barcelona or Madrid, a little more than a year ago, was it possible to buy into a public performance as wantonly and defiantly foul as the common American strip-tease which is now presented openly in the so-called burlesque houses. And certainly no scabby gutter-bum performing in a tourists' brothel in a Mediterranean port could delve any lower for his humor than some of the comedians engaged in the burlesque business. . . . Burlesque has created a theatrical sewer in one New York street which formerly was a decent amusement center and made it a levee district which decent people have placed out of bounds.
>
> It is rapidly rotting Broadway—which is a hard trick for any conventional form of sin—and the respectable men and women of the stage have been compelled to stand by and accept as fellow-artists a corps of performers who in any other nation with a pretense of respectability would be segregated in a restricted district."

A Gypsy Rose Lee by another name, the G-string will still be there. . . .

▼ ▼

Motion Picture Daily, November 25, 1936:

> Stockholders of Loew's will approve a five year employment contract for Nicholas M. Schenck, the first he has held, at the home office on Dec. 8. The contract will begin Jan. 1 next.

Motion Picture Daily, Dec. 9, 1936:

> Stockholders of Loew's at their annual meeting yesterday approved a five-year personal contract for Nicholas M. Schenck, president. . . .

Now and as early as this, rumors that he will become chairman of the board and Al Lichtman, president in his stead. If Loew's properly can be alluded to in terms of one individual that man is Schenck. Untrammeled by banker interference, certainly Schenck, of all the executives in this industry, is qualified to talk about his company, its plans and his own future. He denies these rumors and his denial, therefore, finds us content, as it should you. . . .

▼ ▼

Paramount advertising in the New York dailies:

> "They're dancing in the aisles at the Paramount Theatre where Benny Goodman and 'The Maid of Salem' are breaking all attendance records!"

Designed, no doubt, to encourage further meritorious effort from the studio. . . .

Suit Charges 2 With Improper Deductions

Salem, Mass., March 7.—Ware Theatres, Inc., of Beverly, have filed a bill in equity in the Superior Court here against Glover Ware, treasurer, and Guy Richards, attorney, claiming improper deductions have been made without right from money of the corporation.

The company operates the Ware in Beverly, which is now leased by E. M. Loew. As a result of an attachment last April 6, it is charged the respondents caused funds of the corporation to be deposited in a Salem bank and have refused to make an accounting, the bill states. An accounting is requested.

Theatre Sued on Films

RKO Distributing Corp., Van Beuren Corp. and 20th Century-Fox Film Corp. filed a suit Saturday in U. S. District Court against the Amusement Parkway, Inc., Isidore Liebman and Edward Stiegal, who operate the Parkway in New York. The complaint alleges that in December and January the defendants exhibited without license four pictures, "Under Your Spell," "Bugles from Bluegrass," "Mollie Moo Cow" and "Robinson Crusoe." They demand $250 damages for each unauthorized showing.

Ramona Davies Seeks Appeal

Ramona Davies on Saturday filed notice of appeal to the Appellate Division from an order by Supreme Court Justice Joseph M. Callahan which denied her application for a temporary injunction against Paul Whiteman, Artists' Management Bureau, Inc. and Jack Levin. Miss Davies, a pianist and vocalist, claimed her March, 1934, contract with Whiteman was void and that the defendants were interfering with her efforts to obtain employment elsewhere. Whiteman answered that the plaintiff had no right to work for anyone other than himself. Justice Callahan denied the motion for a temporary injunction on Feb. 16.

Film Industry Drive Is Not C.I.O.'s Plan

(*Continued from page* 1)

organizations and seek C. I. O. affiliation. However, it was said, the film industry already is highly organized and it is not the policy of the C. I. O. to intrude itself in such industries. This also applies to the building trades, the railroads and other industries where existing unions take care of practically all workers.

◂ Purely Personal ▸

WALTER WANGER has purchased Clarence Budington Kelland's *Saturday Evening Post* serial, "Stand-In." He hopes to have Leslie Howard for the principal role.

•

Anna Weiss, secretary to Harry M. Warner, is recuperating at home after a short stay at the Post Graduate Hospital. She recently tore several ligaments while leaving the home office building.

•

Charles Armour, fashion designer, left by plane yesterday for the coast where he has been engaged as stylist for "Walter Wanger's Vogues of 1938."

•

Gracie Fields, who arrives today on the *Queen Mary,* will be tendered a cocktail party by 20th Century-Fox at the Waldorf tomorrow afternoon.

•

Bernard Waldman, Sidney Kaufman and Charles Armour, writers three, left for the U. A. studios yesterday via American Airlines.

•

Joe Weil, Universal's exploitation director, returns today from the coast and way stops made in connection with "Top of the Town."

•

Archie Mayer, general sales manager of Du World, has left on a tour of circuits in the middle Atlantic states.

•

Martin Gosch, in charge of radio publicity for Warners, has returned to Los Angeles.

•

Roy Haines has returned from a trip to the Warner branches in Buffalo and Boston.

•

Herb Ochs is back from a tour of the Warner west and midwest branches.

•

Vinton Freedley flew to Boston over the weekend on his new show, "Miss Quis."

•

Milt Kusell left via American Airlines for Memphis and Dallas yesterday.

•

Cyril and Mrs. Von Baumann are off to South America again this week.

•

Charles Koerner, RKO district manager, returned to Boston yesterday.

•

Sam Rinzler and Morris Kutinsky are back from Miami vacations.

•

Polly Moran has arrived in town and is stopping at the Edison.

•

Carl Leserman didn't go to the coast after all.

•

Monty Banks arrived from the coast Saturday.

•

Hal Wallis is due from the coast this week.

•

Leo Spitz is due from the coast tomorrow.

At This Point, a Speech

Considerably after the midnight hour, the farewell party arranged by RKO executives for M. H. Aylesworth, who resigned as chairman of the board to join the Scripps-Howard organization, was thriving. It was held at "21" where the atmosphere gets more rarefied the higher one goes, this function being given on the third floor of the establishment. Left to right: Rex Cole, Jules Levy, resting his chin on his hand; Major Leslie E. Thompson, slightly doleful; Malcolm Kingsburg, slightly happy; Aylesworth, slightly serious; Ned E. Depinet, slightly reminiscent; Nate Blumberg, slightly amused, and Courtland Smith, slightly reflective.

Expect Thousand at MPTOA Convention

(Continued from page 1)

Fred P. Cone and Mayor A. D. H. Fossey are scheduled, with a response by M. A. Lightman, past president of M.P.T.O.A. Annual reports of the president and other officers and announcement of committees will conclude the first session. A reception will be given in the Miami Biltmore in the evening by officers and directors.

Theatre technical subjects will be discussed at the morning session, March 17, which will be followed by the official convention luncheon and an afternoon session on theatre operating problems and policies, including new merchandising ideas and discussions of admission scales, giveaways and "B" pictures.

On the final day of the convention committee reports will be received on the music tax, the M.P.T.O.A. trade practice program, labor developments and legislation and taxation, among other subjects. The afternoon session will consist of addresses by prominent industry and public personalities and the installation of officers. It will be followed by the annual banquet.

New Haven, March 7.—Connecticut exhibitors who will attend the M.P.T.O.A. convention at Miami include Meyer Bailey, New Haven; Lucy Flack, Milford; Irving C. Jacocks, Jr., Branford; Adolph G. and Mrs. Johnson, Hamden; Edward G. and Mrs. Levy, New Haven; Arthur H. and Mrs. Lockwood, Middletown; Louise Markuna, Milford; Albert E. and Mrs. Robins, Hamden; Samuel H. and Mrs. Rosen, New Haven; Edward J. and Mrs. Stuart, Lakeville, and Max Tabackman, West Haven.

Adrian Rosley Dead

Hollywood, March 7.—Adrian Rosley, 47, screen actor and formerly on the New York stage, is dead here of a heart ailment. He was most recently in "The King and the Chorus Girl" and "The Garden of Allah." His widow survives.

Tax Advocates Cite Nebraska Giveaway

(Continued from page 1)

admissions and another for 10 per cent of film rentals.

"If an exhibitor sees fit to entice attendance at his theatre by offering to give away from $25 to $3,000 a night, I don't see why he should squawk about these bills," says Senator Tracy Frost.

While the bills are pending exhibitors are seeking injunctions in court to prevent interference by the Attorney General on enforcement of lottery laws.

Senator William F. Haycock, who owns the Star at Callaway, Neb., objects to these court actions.

"It seems to me," he says, "a very poor policy to go to court at this time. Here we are faced with more detrimental show business legislation than in any recent session. The business can hardly look to the general public to believe it is poverty stricken and would be put out of business by more taxes."

Giveaway Tax Is Passed

Little Rock, Ark., March 7.—Senate Bill 337, to regulate and tax as a medium of advertising the giving away of prizes or other things of value, has been passed by the Senate. The vote was 26 to 0.

Approves Extension Of Audubon Mortgage

(Continued from page 1)

Weisman said that if an extension were not agreed upon the theatre would be lost through foreclosure. The new agreement provides for an extension to May 14, 1942, upon payment of $15,000 on account of the principal and $5,000 annually thereafter. The present interest rate of 2 percent will continue for the first year but will be raised to 3 percent for the second year, 3½ percent for the third and fourth years and 4 percent for the fifth year.

Circuits Plan Long Fight on Theatre Bills

(Continued from page 1)

til "after 1939," which means Jan. 1, 1940, at the earliest, there is little possibility of a final determination of the legal status of the measures for another four or five years. Circuit executives cited this in answer to questions of what they were doing, or proposed to do, about the theatre divorce measure which has been passed by both houses of the North Dakota legislature and is in various stages of progress in four other states.

The substance of the answers was that all available legal defenses would be resorted to at the proper time and that, in the event the measures are decided ultimately to be valid and enforceable law, the situation would be met accordingly. The Allied measures will be a subject of discussion at both the M. P. T. O. A. and Paramount theatre operators' national meetings in Miami next week.

Passed Also in Indiana

In addition to having been passed by both houses of the North Dakota legislature, the Allied measure has been passed by the lower house in Indiana, has been reported out of committee and is awaiting a vote in Minnesota, and has been introduced in the Ohio and Wisconsin legislatures.

Paramount, which has about 12 of North Dakota's 80 theatres, is the only affiliated circuit affected in that state. There are estimated to be only seven or eight affiliated theatres out of Indiana's 250, and about 80 out of Ohio's 800 theatres. The proportion of affiliated theatres runs much higher in Wisconsin and Minnesota. Paramount has theatre interests in all five states. Queried on the company's attitude toward the legislation, particularly in North Dakota, where the measure now is virtually a law, Y. Frank Freeman, head of Paramount's theatre department, conceded that the legislation was of grave concern to the company and would be fully discussed at the Miami meeting. He said that no plan of opposition had been devised by the company and that he had not sought a legal opinion on the constitutionality of the measure.

Legion Approves All Of 18 New Pictures

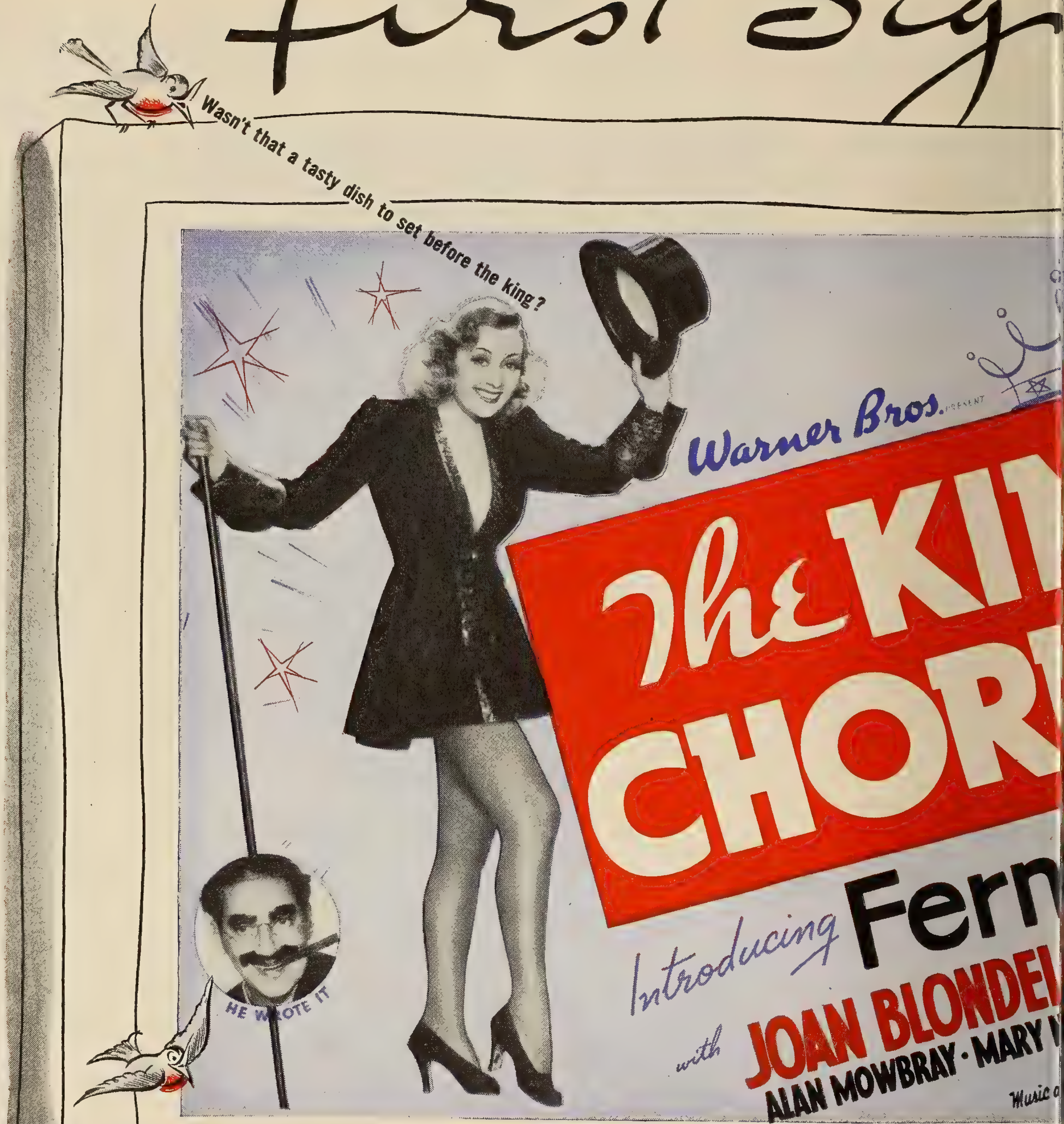
(Continued from page 1)

"Lost Horizon," "Puerto Nuevo" (Spanish), "Samvetsomna Adolf" (Swedish), "Silks and Saddles," "Szenacio" (Hungarian), "Wedding of Palo," "What Price Vengeance" and "When's Your Birthday." Class A-2, Unobjectionable for Adults—"The King and the Chorus Girl," "Michael Strogoff," "Murder Goes to College" and "Nancy Steel Is Missing."

Waxman on Rogers Drive

The A. P. Waxman Publicity Bureau has been retained to handle the forthcoming campaign for the Will Rogers Memorial Hospital, which is under the supervision of Major L. E. Thompson of RKO and Harold Rodner of Warners.

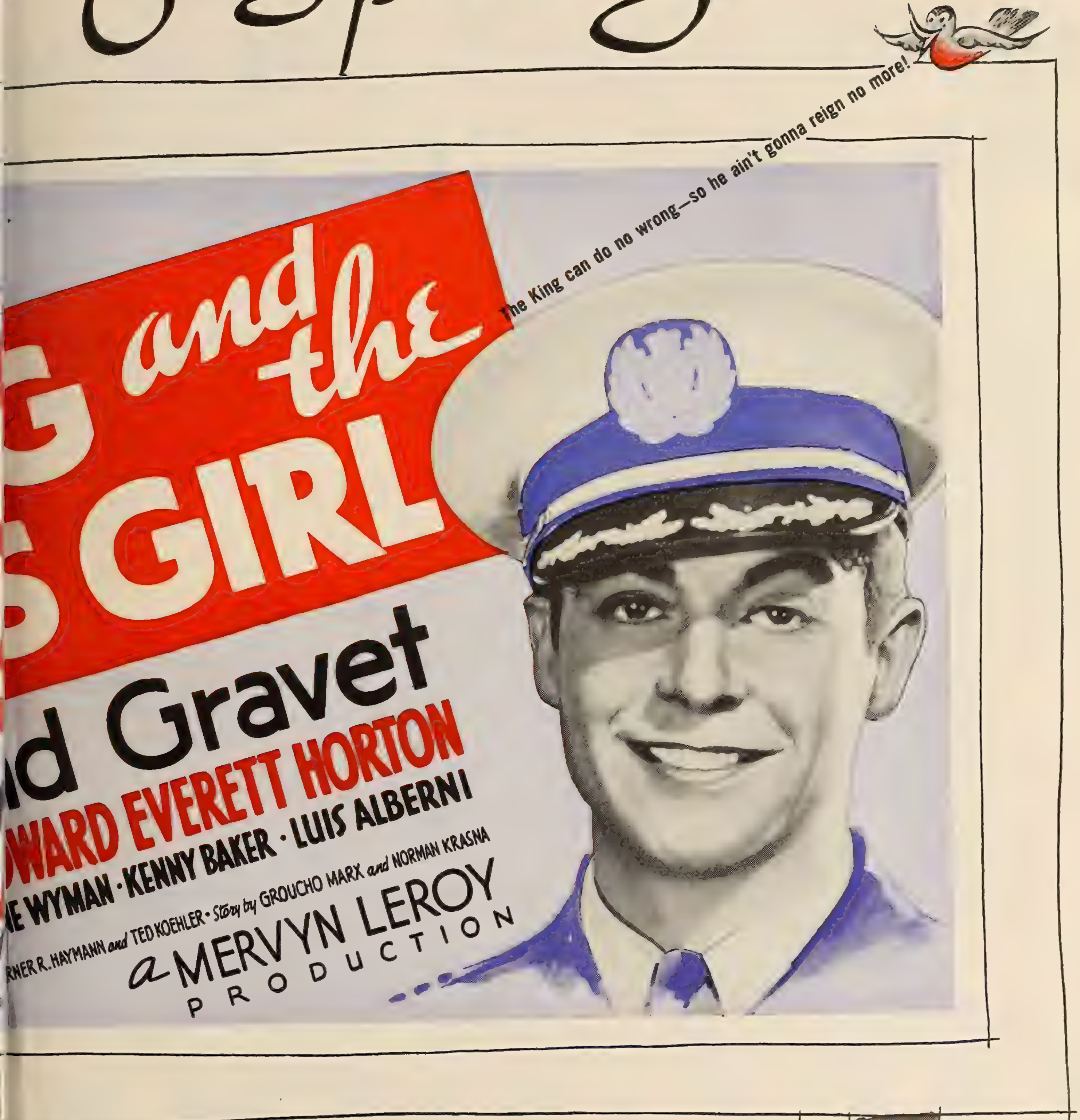
First Sig


Wasn't that a tasty dish to set before the king?
Warner Bros. PRESENT
The KI
CHOR
Introducing Fern
with JOAN BLONDE
ALAN MOWBRAY · MARY
Music a
HE WROTE IT

Making 24-Sheet History in 1200 Cities T

EXTRA! EXTRA!
Arrangements
can be made for
playdate snipes,
at your exchange!

# of Spring


The King can do no wrong—so he ain't gonna reign no more!
G and the
S GIRL
d Gravet
WARD EVERETT HORTON
E WYMAN · KENNY BAKER · LUIS ALBERNI
RNER R. HAYMANN and TED KOEHLER · Story by GROUCHO MARX and NORMAN KRASNA
a MERVYN LEROY PRODUCTION

Veek with an Unprecedented 30-Day Drive!

Another phase of the gigantic 8-week advance build-up for the Easter Week release of this "certain box-office champion"* from WARNER BROS.

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*Motion Picture Daily

THE N. Y. CROWDS SHOUT “
SHOUT “FIRE”! THE REV
HOT! THE MUSIC HALL E

DAILY NEWS RATES “FIRE OVER ENGLAND” AND “LOST HORIZON” AS HIT OPENINGS OF THE WEEK, ADDING: **Exciting picture . . . thrilling spectacle . . . William K. Howard did an excellent job with the historical pageantry and the spectacular battle scenes.** — *Kate Cameron, Daily News*

I URGE YOU TO SEE IT BECAUSE IT REPRESENTS ONE OF THE FINEST PICTURES THAT HAS COME OUT OF ENGLAND! . . . **A spectacular, beautifully acted and directed and eloquent film...skilled direction, magnificent photography, superb acting, and thrilling war effects . . .**

— *William Boehnel,*
N. Y. World Telegram

AS FINE A FILM AS ANY
“Fire Over England” thriller
vividly colorful canvas, pa
an American master, has
the screen . . . Lyrical love
. . . Yes, at the Music Ha
as well as adventure
drama...Tremendous, s
scenes of breath-tak
— *Regina Crew*

Erich Pommer's rich product
. . . It is dignified, sound, c
well played.

A handsome production, impressively cast, mounted, accented and costumed.
— *Rose Pelswick, N.Y. Evening Journal*

ALEXANDER KORDA *presents*

FIRE OVE

E”! THE N. Y. CRITICS, TOO,
VS AND EDITORIALS ARE
K OFFICE IS HOTTER YET!

AS SEEN . . .
A wide and
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e screen
mance
. . Epic
ality,
try.
an

THE FILM SHOULDN'T BE MISSED . . . Splendid cast . . . A colorful, sound and exciting melodrama . . . Knit compactly into a stunning melodrama, distinguished for direction, inspired acting, dazzling pictorial effect and lavish mounting . . . "Fire Over England" is a truly good picture which carries deep significance hinted by its lofty title . . . It is fine and exciting!

— Bland Johaneson, Daily Mirror

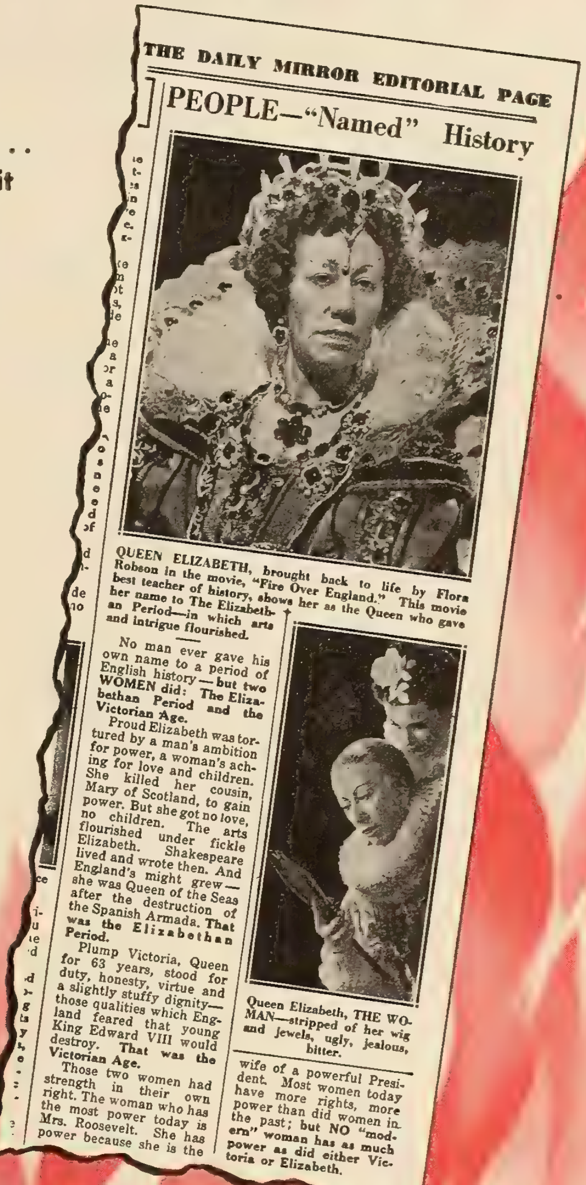
the solid virtues
ned, extremely
gent, N.Y. Times

Resplendent pageantry and skillful acting . . . A work of pictorial distinction . . . The direction of the work has been intrusted to William K. Howard, and he has done splendidly . . . He has concentrated on fashioning a lavish spectacle . . . A handsome show.

— Howard Barnes, N. Y. Her.-Trib.

magnificent production . . . The sweep of its background makes it well worth seeing!

— Eileen Creelman, N. Y. Sun



THE DAILY MIRROR EDITORIAL PAGE

PEOPLE—"Named" History

QUEEN ELIZABETH, brought back to life by Flora Robson in the movie, "Fire Over England." This movie best teacher of history, shows her as the Queen who gave her name to The Elizabethan Period—in which arts and intrigue flourished.

No man ever gave his own name to a period of English history—but two **WOMEN** did: The Elizabethan Period and the Victorian Age.

Proud Elizabeth was tortured by a man's ambition for power, a woman's aching for love and children. She killed her cousin, Mary of Scotland, to gain power. But she got no love, no children. The arts flourished under fickle Elizabeth. Shakespeare lived and wrote then. And England's might grew—she was Queen of the Seas after the destruction of the Spanish Armada. **That was the Elizabethan Period.**

Plump Victoria, Queen for 63 years, stood for duty, honesty, virtue and a slightly stuffy dignity—those qualities which England feared that young King Edward VIII would destroy. **That was the Victorian Age.**

Those two women had strength in their own right. The woman who has the most power today is Mrs. Roosevelt. She has power because she is the wife of a powerful President. Most women today have more rights, more power than did women in the past; but **NO "modern" woman has as much power as did either Victoria or Elizabeth.**

Queen Elizabeth, THE WOMAN—stripped of her wig and jewels, ugly, jealous, bitter.

ENGLAND

An **ERICH POMMER** Production • Directed by **WILLIAM K. HOWARD**

with **FLORA ROBSON • LAURENCE OLIVIER • VIVIEN LEIGH • LESLIE BANKS • RAYMOND MASSEY • TAMARA DESNI**

A London Film • RELEASED THRU UNITED ARTISTS

Offered G. B. To Country, Says Ostrer

(Continued from page 1)

avoided either by a gift to the nation of Ostrers' voting shares in Metropolis and Bradford, or the creation of a special voting trust. If the Government considers the matter of national importance, and legal advisers can frame a scheme, the Ostrers will make the shares available." The offer was not accepted by the Board of Trade, Ostrer said.

The allusions to Ostrer's nationality referred to a statement in the questions which Sir Arnold Wilson will ask in the House of Commons tomorrow, that one of the Ostrers is an unnaturalized alien.

The statements by Ostrer yesterday are taken in many quarters here to be a desperate effort to stave off Government action. Isidore Ostrer was obviously overstrained and nervous, which probably excuses the discourtesy which was shown to 30 members of the press, who were invited for 2:15 and were kept waiting in a public hall until 3 P. M. They were then told there would be no statement until 4 P. M. Following a protest, the group was admitted to the flat, Isidore read his statement at 3:45 and immediately left the room.

Reserve Decision on GB-Woolf Agreement

By BRUCE ALLAN

London, March 7.—The trustees for the debenture holders of Gaumont British have reserved their decision on the distribution deal completed between C. M. Woolf's General Film Distributors and G. B. Their approval is said to be necessary.

The Nordon committee, representing shareholders, is collecting evidence as a basis on which to ask an injunction against the payment of the preference dividend, which was voted by the directorate by a five to four vote. The Nordon group contends that the dividend was paid from borrowed money.

Cabinet Seeks to Save Australia Act

(Continued from page 1)

emphasize that it is economically wrong for them to be compelled to enter production on a wholesale scale. Distributors argue that because the market has been opened up to them, producers should be able to raise sufficient capital to provide enough films per year to enable the distributors' percentages to be fulfilled. If they can not, distributors say, the Quota Act is before its time.

Cohen Handling Stone

Hollywood, March 7.—Maury Cohen who recently disbanded Invincible to become a producer at Radio, has been assigned "Ballyhoo Artist" featuring Fred Stone.

Odeon Takes 10 Houses

London, March 5.—The Odeon circuit has completed the purchase of 10 theatres from the Singleton circuit in Scotland.

Short Subjects

"What Do You Think?"

(M-G-M)

The subject of this short should arouse comment. Whether it is mental telepathy or psychic broadcasting remains to be learned. It has happened to practically everyone.

The short scenario shows how, by the slightest delay, a film writer is saved from violent death. Following a party, the subject awakes and sets out for the studio. Before he leaves the house he imagines he hears his mother, in Chicago, calling him. He also sees a ghostly figure of a dead woman on his bed. There is delay when his ignition key fails to fit. He runs into the house for another. Driving to work, he sees a car in front of him get smashed up by a truck which rolls backward down a hill. The woman driver of the car, who is killed, is the same as the ghostly figure he saw at home. Later in the day he gets a phone call from his brother. It seems his mother awoke with a start that morning calling out his name. With a stop watch he traces his movements and learns that by the delay in getting the other ignition key he averted death. It is all rather strange. Production Code Seal No. 2,863. Running time, 10 mins. "G."

"Bar-Racs Night Out"

(M-G-M)

Pete Smith applies his talents to the struggle for existence, as Darwin would put it, of a raccoon. The animal in question has the knack of doing his stuff with thrilling escapes and comical adventures that make the short a pleasant diversion. There is menace, introduced by a bob-cat and a human touch that involves the "star's" home life. The Smith gags and lines are fresh. Production Code Seal No. 2,924. Running time, 10 mins. "G."

"It's On the Record"

(Mentone-Universal)

Harry Rose shows Barbara McDonald some of the wares in his record store. As the discs are played, the originals do their stuff, including Miss McDonald, tap dancer; Roy Smeck and his uke; Roy Campbell's Royalists, and particularly the original Dixieland Jazz Band, elderly men who are credited with having given birth to swing music 20 years ago in a New Orleans cafe. A fair set of variety turns.

Production Code Seal No. 01,487. Running time, 11 mins. "G."

"Cinema Circus"

(M-G-M)

Blending circus atmosphere with caricatured film personalities and with the audience composed of varied performers, this two-reel novelty, done in Technicolor, unreels as first rate entertainment. Lee Tracy is ring master. Throughout the doings there are glimpses of such former favorites as William S. Hart, Chester Conklin, Charles Murray and Ben Turpin, all lending a hand in the gaiety. It is a film that will please the complete age roster in all audiences. Production Code Seal No. 2,471. Running time, 19 mins. **"G."**

"Trees"

(Robert C. Bruce-Paramount)

The musical treatment of Joyce Kilmer's poem is familiar to everyone. In this short a new interpretation is offered. Synchronized with a vocal interpretation are scenes, in color, of magnificent landscapes of the west. The camera compositions catch the beauty of forests at various times of the day and through the seasons. Each frame offers eye-filling beauty. The coloring is excellent. It will draw applause. Production Code Seal No. 2,847. Running time, 9 minutes. "G."

"Gilding the Lily"

(M-G-M)

Making the lack-luster gals lustrous seems to be the chief point in this Pete Smith offering. No doubt it will be just the thing for the feminine division of the audience. In its clever way it gives the inside on the proper technique to be used in applying makeup about the various parts of the female countenance. There is also an amusing throwback to historic ideas in cosmetics and coiffeur. Production Code Seal No. 2,871. Running time, 8 mins. "G."

"Bargain Matinee"

(Mentone-Universal)

Van Irving is the occasionally amusing comedian who runs an elevator in a department store, affording opportunity, at successive stops, for a group of numbers including the Maple Leaf Trio, who harmonize nicely; The Five Flats, who are harmonically effective; the Whirling Walkers, amazing on roller skates, and Mary Kelly.

Production Code Seal No. 01,488. Running time, 10 mins. "G."

"On the Nose"

(Rice-Paramount)

Another beautifully done outdoor record of the prowess and training of hunting dogs. Framed against attractive settings in North Carolina, the dogs are shown in a thrilling fox hunt, scenting out quail and retrieving waterfowl. It should have appeal for dog-loving audiences and the general public. Production Code Seal No. 01,430. Running time, 10 mins. "G."

"Bunny-Mooning"

(Fleischer-Paramount)

The diverting courtship and wedding of a pair of rabbits is portrayed in this color item. It is done in the attractive Fleischer process and while its story is routine material it should be appreciated at children's performances. Production Code Seal No. 01,-209. Running time, 7 mins. "G."

"Reunion in Rhythm"

(Roach-M-G-M)

Entertaining doings by "Our Gang" at a school reunion which is attended by all the former film alumni. The famous kids of yesterday are seen, grown now, and a juvenile entertainment is offered under the aegis of "Spanky." Production Code Seal No. 2,943. Running time, 11 mins. "G."

M-G-M to Build Five Stages, New Offices

Hollywood, March 7.—Five new sound stages and a five-story administration building are to be constructed on the M-G-M lot. Application has been filed for permits to raze and remove old structures on the site between Grant St. and Culver Boulevard.

Steel has been ordered for the sound stages. Four will be 120x200 feet each and the fifth will measure 135x245 feet with a height of 80 feet. The latter is to be wired and arranged for elaborate sets.

The new administration building, for which Claude Bealman is the architect, will provide approximately 115,000 square feet of floor space for executives, writers and producers.

Offices Opened in London

London, Feb. 19.—M-G-M British Studios, Ltd., have opened offices here. Ben Goetz, managing director; Michael Balcon, producer in chief, and other executives have moved in.

Angus McPhail, scenario editor, is preparing final treatments for "Rage in Heaven," "The Wind and the Rain" and "A Yank at Oxford" with the cooperation of Leon Gordon, author of "White Cargo," who is on a honeymoon in London. A further addition to the story staff is expected shortly.

M-G-M states that no players will be engaged, and no announcement made as to the studio or studios to be used, until sufficient scripts have been completed to insure the continuous production of films for the world market. Once production starts it will be on a 52-weeks-a-year basis.

Disney Prize Shorts To Comprise Feature

United Artists plans to release "The Disney Revue," a feature length production consisting of a compilation of Walt Disney's Academy prize winners in the cartoon division for the past five years. The cartoons, with the year for which each was awarded first prize, follow:

"The Country Cousin," 1936; "Three Orphan Kittens," 1935; "The Tortoise and the Hare," 1934; "Three Little Pigs," 1933, and "Flowers and Trees," 1932.

Paramount Gets Two

Salt Lake City, March 7.—Paramount, and not National Theatres, has taken over the Orpheum and Studio here from Fox West Coast. The Paramount subsidiary now operating the two houses is Intermountain Theatres. National also has a subsidiary by the name of Intermountain and the similarity was responsible for Motion Picture Daily recording an error in the transfer.

Seeking State Control

Sydney, Feb. 2.—*(By Air-Mail Via London)*—It is reported from Wellington, N. Z., that the New Zealand Exhibitors' Ass'n is considering a proposal to seek some form of state control over film supplies and rentals.

Film Bridge—In Sound

Hollywood, March 7.—San Francisco's new bridge has been filmed in 16 mm. sound by Bell & Howell.

"I'm combining business and pleasure down here at the Exhibitors' Convention. It was a swell opportunity to get a bit of sunshine and rest. Important problems face us these days and at the daily meetings vital matters are decided that affect the welfare of every theatre man. Besides I find it valuable to learn what the fellows around the country are doing and there are experts here from every field of exhibition, production, distribution and equipment. Special hotel rates make it possible for a chap to stay at the Roney Plaza, Casa Loma or Miami Biltmore at savings of 50% and more. This is the most intelligent vacation I've ever taken. Will you join me at the dance tonight?"

See you at the

MPTOA NATIONAL CONVENTION MIAMI BILTMORE HOTEL, MARCH 16–17–18

For information and reservations address Convention Manager, Miami Biltmore Hotel, Coral Gables, Florida.

MOTION PICTURE
DAILY

◂ Radio Personals ▸

MARY BRIAN, Lee Tracy and Segovia, Spanish guitarist, will be featured guests on Bing Crosby's Kraft "Music Hall" broadcast March 11. . . . Josef Hofman will be the guest soloist on the General Motors concert program March 14. . . . Meredith Willson, west coast musical director for NBC, will air an all-request program for O. O. McIntyre tomorrow at 6 P. M., E. S. T., on the Blue. . . . "Professional Parade" guests this Wednesday will include Gonzales & Robaine, Jim Lyons, Gingersnap, Murray Wood and Maude Runyon. . . .

✚

"Morning Serenade," WOR program, has been revamped completely, and hereafter will feature Barry McKinley and a "name" band. Series is sponsored by Levitt Bros. . . . Duke Ellington will hold down the CBS "Swing Club" spot this Saturday. . . . Mildred Hunt, of the networks, will be heard today with Louis Katsman's orchestra on WINS. . . . WMCA will carry President Roosevelt's "Fireside Chat" tomorrow evening through the courtesy of NBC. . . . Jimmy Fidler starts his new series for Procter and Gamble March 16, from 10:30 to 10:45 P. M., E. S. T., on the Blue. . . .

✚

New Haven Town Pump

NEW HAVEN, March 7.—Lillian Kaye, contralto, will be featured on the Chamber of Commerce WBRY program Tuesday at 12:45 P. M., E.S.T. . . . WELI will put on a chorus of 12 Yale men next Sunday at 4 P. M., E.S.T. . . . A new commercial on WELI is "Time to Relax" at 2:30 P. M., E.S.T., Fridays. It is sponsored by Malley's and Matrix Shoe. Deyer, Cornell, Newell, Inc., is the agency . . . Eddie Weaver has a new spot on WICC, 15 minutes of straight organ music at 8:45 P. M., E.S.T., Fridays from the Taft Grill. Gerry Guidice, pianist, also will be used at times . . . Vera Cruse has returned to the Taft Grill with Eddie Weaver over WICC Tuesday and Friday nights at 11:20 to 11:50, E.S.T. . . . The Sentinels, male quartet, will return to WELI next month.

✚

Salt Lake Town Pump

SALT LAKE CITY, March 7.—KSL has closed a deal with F. W. Gray Co., distributors of Waverly Oil, for daily news broadcasts. . . . The Independent Coal & Coke Co. has renewed a twice-a-week schedule with KSL. . . . S. S. Fox, president and general manager of KDYL and John M. Baldwin, chief engineer, to the coast on business.

Civic leaders are participating in a discussion of community problems on a program called "Public Forum," which goes on the air at 7:45 P. M., M. S. T., Wednesday nights. . . . KDYL is installing new control room apparatus.

Complete Two Slide Films

Radio & Film Methods, Inc., have completed two slide film productions for Petroleum Heat & Power Co. The productions are a part of "Petro-Nekol's" promotion campaign. They are entitled "Industrial Installations" and "A Trip Thru the Factory."

CBS Concentrating Further On Hollywood for Programs

HOLLYWOOD, March 7.—CBS, in keeping with the general production trend, will concentrate further on Hollywood as a point of program origin under specific instructions of William S. Paley, head of the system. He is seen as the influence behind word from Donald W. Thornburgh, coast vice-president, that production shows will supplant the usual late evening dance bands and subordinate air fare in the expectation of attracting an augmented audience.

The program budget of KNX, therefore, will be stepped up, this permitting Charles Vanda, coast program director, to proceed at once with the introduction of new major programs in keeping with the policy. In further line with Paley's instructions, Hollywood is being combed for new talent. Lud Gluskin is holding "open house" for local audition seekers.

The first impact of the departure for CBS takes the form of word from KNX of three changes. "Fiesta" will be heard on Thursdays at 10 P. M., P. S. T. Formerly it was aired Saturday morning. "White Fires" has been shifted to Wednesdays at 10 P. M. and "On the Air with Lud Gluskin" is to be heard Tuesdays, 9-10 P. M., beginning next Tuesday. Another late-hour program will be a humorous feature to be called "The Insomnia Club," directed by Hal Raynor. A new daily news bulletin, 9:45-10 P. M. and designed to embrace the California area, will work into the new setup for which Vanda is preparing other novelties.

Renew Hawley Contract

Remington Rand, through Leeford Advertising Agency, has renewed Mark Hawley's Transradio news readings over WOR, beginning Wednesday, March 9.

Lux to Feature Dietrich

The "Lux Radio Theatre" March 15 will feature Marlene Dietrich in "Desire," film in which she appeared last season with Gary Cooper.

Downey Sets English Tour

Morton Downey sails for London early in April to make a series of personal appearances in England.

"Smelt" of Fish

Marinette, Wis., March 7.—It may sound fishy, but the City Council here has approved the request of Val Schneider, commercial manager of WHBY and WTAQ, Green Bay, to broadcast the Menominee-Marinette smelt carnival. No one knows exactly when the smelt will run, but experts predict they will be on their way the first week in April.

To Cooperate with Charities

Local stations and networks will cooperate with the Catholic Charities when the organization's drive sets in the first week of April. Among those who met with Catholic Charity heads at an informal luncheon last Friday to discuss radio plans were Paul White and Don Higgins of CBS; John Johnstone, WOR-Mutual; Clay Morgan, Wayne Randall and Vance Babb, NBC, and Larry Nixon and Dick Fishell, WMCA.

Martha Deane Adds Sponsor

Beginning March 16, Martha Deane will add the Atlantis Sales Corp. to her list of sponsors on WOR. She will broadcast Tuesdays and Thursdays from 2 to 2:45 P. M., and Saturdays from 11 A. M. to 12:30 P. M. J. Walter Thompson is the agency.

"Love" Replaces "Penrod"

"Hollywood Hotel's" scheduled vehicle for this Friday's broadcast, "Penrod," has been cancelled. The substitute production will be "Love Is News," with Tyrone Power and Loretta Young in the lead roles.

Set New WOR Series

"Romance and Rhythm" will be the title of a new weekly series starting tomorrow at 7:15 P. M. over WOR. The program will feature Nat Brusiloff's orchestra, Jack Arthur, Evelyn Case and two choral groups.

Store Customers on Air

PHILADELPHIA, March 7.—WDAS is doing a remote control for the Central Stores shows. A microphone is planted at the bargain counter, satisfied customers being called upon.

3 Networks Bill $5,562,187 In February: NBC Is Leader

Network billings for February on NBC, CBS, and Mutual totaled $5,562,187.36.

NBC time sales, totaling $3,295,782, are the highest booked for the month in the network's history. The Red network accounted for $2,273,973; the Blue gross was $1,021,809. The accumulative January and February gross, $6,837,781, represents a gain of 26.7 for the corresponding period last year.

CBS billings were $2,264,317, an increase of 18.6 percent over February, 1936. The combined January and February billings for the year aggregated $4,642,937, an increase of 21.9 per cent over the similar period last year.

Mutual's basic station total was $154,344.38. The supplementary station billings totaled $47,743.98, aggregating a total for the month of $202,088.36.

Coronet Air Series Will Start Tuesday

Coronet Magazine will be represented on the air with a new WOR program beginning Tuesday from 8 to 8:30 P. M., E.S.T. Within the next few weeks the program will be extended to include additional stations on the Mutual network.

The program will be entitled "Coronet on the Air," and will feature Deems Taylor as commentator and Robert Ambruster's orchestra. Dramatizations, largely of stories and articles appearing in *Coronet*, will be presented as well as other features. Batten, Barton, Durstine and Osborn is the agency.

Offer Film Set Blueprints

The Bigelow-Sanford Carpet Co.'s new transcribed series, aired as "Hollywood Room Recipes," is offering blueprints of ideally decorated rooms from current motion pictures. Columbia, M-G-M, Paramount, RKO, 20th Century-Fox, Universal and Warners are cooperating with the sponsor. The plan, according to all concerned, is an ideal example of joint exploitation, from which studios and sponsor profit equally.

WIBA Gets Two New Series

MADISON, Wis., March 7.—The Klinke Hatchery is the new sponsor of a half-hour program each Sunday at 12 noon, C. S. T., over WIBA, featuring Tony Salerno and his orchestra, which has been a station attraction for the past six years. "The Country Church," featuring Josiah Hopkins, is now also being heard over WIBA each Sunday at 4:30 P. M., C. S. T., under the sponsorship of Frautschi's, Inc. "A Sacred Musical," under the direction of the Rev. Bernard Rom, is a new sustaining program each Sunday at 10 P. M., C. S. T.

Program Breaks for News

PHILADELPHIA, March 7.—Breaks in programs to scoop the dailies on news flashes are the newest spots to be commercialized, following the trend in station breaks, weather reports and time signals. Bachman Chocolate Manufacturing Co., of New York, will sponsor two daily news flashes on WFIL. The news dispatch will be a 10 word headline followed by 20 words of commercial copy. The feature starts March 29, set for 26 weeks by the E. W. Hellwig Agency.

Ask Priority on Title

CINCINNATI, March 7.—William S. Hedges, vice-president and general manager of Crosley Radio, has asked KFWB, Hollywood, WWSW, Pittsburgh, and other stations to discontinue the title "For Men Only," which WLW has used for over a year on a sustaining program.

The Pittsburgh station has agreed to drop the title and similar action is expected from the coast station.

LEO SAYS:
Sponsoring the WHN Amateur Hour, Phillips received 72,900 requests for their product—from only *two* broadcasts!
WHN DIAL 1010
AFFILIATED with M-G-M • LOEW'S

Radio

Marconi to Address Meeting in Chicago

Senator Guglielmo Marconi will address the fourth annual *Chicago Tribune* Woman's Congress at Chicago in an international broadcast from Rome, March 11. His address, "Significance of Modern Communications," will be heard on the NBC-Blue from 4 to 4:15 P. M., E.S.T.

Senator Marconi's talk will highlight a series of addresses at the Congress. Other speakers who will be heard during the two-day meeting will be Newton D. Baker, former Secretary of War; Senator Gerald P. Nye of North Dakota; Mrs. Grace Morrison Poole, Dean of Stoneleigh College; Mrs. R. Campbell Lawson, president of the Federation of Women's Clubs, and Mrs. Stephen S. Wise, president of the Women's Division of the American Jewish Congress.

KDKA to Have Court Debate

PITTSBURGH, March 7.—B'Nai B'rith will sponsor a radio debate over KDKA on President Roosevelt's proposed court reforms. Nathan M. Katz will contend for the reform, M. Leon Tolocko will oppose. The debate will be aired Tuesday, March 9, at 10 P. M., E. S. T.

Foster May on Vacation

OMAHA, March 7.—Harry Burke, program director, and Announcer John K. Chapel are taking turns doing WOW's news broadcasts while News Editor Foster May vacations in Mexico with Mrs. May.

Burns, Allen to Lux

Burns and Allen have been set to appear on the Lux "Radio Theatre" presentation, March 29. They will offer "Dulcy."

Wall Street

Gains Hold on Board

	High	Low	Close	Net Change
Columbia	36¾	36	36¾	+ ¾
Columbia, pfd.	45	45	45	.....
Consolidated, pfd.	16⅝	16⅝	16⅝	+ ⅛
Eastman Kodak	173	172	172	+1
General Theatre Equipment	30¼	30¼	30¼	.....
Loew's, Inc.	80½	80	80	— ¾
Paramount	26½	25⅝	26½	+ ⅞
Paramount 1 pfd.	185	181¾	185	+4
Paramount 2 pfd.	24¼	23⅝	24¼	+ ⅜
Pathe Film	8¾	8½	8¾	+ ⅛
RKO	9	8¾	8⅞	+ ⅛
20th Century-Fox	36⅜	35¾	36⅜	+ ⅝
20th Century, pfd.	45	45	45	+ ½
Warner Bros.	16	15¼	16	+ ¾
Warner Bros, pfd.	64	64	64	+1

Curb Up Slightly

	High	Low	Close	Net Change
Grand National	3¼	3⅛	3¼	.....
Sentry Safety	⅞	¾	⅞	+ ⅛
Sonotone	2⅛	2	2	.....
Technicolor	20¼	19⅝	20¼	+ ⅛
Trans Lux	5	5	5	.....

Small Bond Changes

	High	Low	Close	Net Change
Loew's 3½s '46	99⅞	99½	99⅞	+ ¼
Paramount Pictures 6s '55	100⅝	100⅜	100⅝	+ ¼
RKO 6s '41 pp.	117½	117½	117½	— ½

(Quotations at close of March 6.)

Broadcast Lure

"Annie Oakleys" to broadcasts are a greater lure than similar offers to film houses, the *New York Mirror* has discovered.

With film passes as the bait in a crossword puzzle feature, the reader response averaged 1,200 solutions per week. Some weeks ago the offer was altered to tickets for broadcasts, and the returns have been averaging 2,000 per week.

Declares Mass. Dog Racing Run by Gangs

(Continued from page 1)

months against current dog interests in Massachusetts.

He introduced photostatic copies of criminal records, quoted from police journals, and submitted rogues gallery pictures of individuals who, he charged, were not only employed in important positions at Massachusetts tracks but were part owners and influential with the state Racing Commission. Dog racing profits have replaced dwindling prohibition incomes in many instances, the Yankee Network newsman declared. Gangsters are prominent in dog racing here and generally control the industry in this state, he said.

Florentine Donato Joins WDAS

PHILADELPHIA, March 7.—Florentino Donato, brother of Giussepi Donato, sculptor, has joined the WDAS staff as director of the station's Italian laguage programs. The post was relinquished by Charles Borelli.

WPG to Use Witte's "Static"

ATLANTIC CITY, March 7.—Lawrence E. Witte, radio columnist for a syndicate of South Jersey newspapers, is set to air his "Static" chatter over WPG on Saturdays. He has been doing it over WDEL, Wilmington.

Shirley Ross with Murray

HOLLYWOOD March 7.—Shirley Ross has been signed for the featured vocal spot on the Ken Murray show which will start April 1 for Campbell's soup. This program succeeds Burns and Allen.

Transcribe RCA Service Talks

CAMDEN, N. J., March 7.—A transcribed radio series to reach the service men is being arranged by Lord & Thomas for RCA distributors, according to F. B. Ostman, service manager. A test of this new method of holding service meetings was made recently in the Philadelphia area over WIP.

Rename Philco Securities

DOVER, Del., March 7.—Philco Securities Corp., Ltd., changed its name name here to Pecos Securities Corp. The Corporation Trust Company is agent for the concern.

Columbus Found America; O'Brien Locates Tuckahoe

(Continued from page 1)

dark remarked: "He sounds just like popeye, the Sailor." And he did.

"Sumbuddy tol' you to say that," growled Popeye.

Neon lights and fruit stands and baby carriages went by the windows. Stops were made for traffic lights. A United Artists tenor sang "Sweet Adeline." Music helps maintain the suspense when there is no dialogue.

On the 16th, or maybe it was the 18th, stop for a traffic light some window shopper who wasn't listening to the music spotted a Jerome Ave. sign under an elevated railroad and the bus driver turned left. More scenery went by. Apartment houses gave way to a big cemetery. Woods appeared. Jack Harrower spotted the Empire City Racetrack. He lives up that way and knows it when he sees it—even at night.

For a long stretch the street lights were amber colored. The only jarring note after several miles of fast riding was a red light. Charlie Leonard saw a Tuckahoe Road sign while the driver waited for the light to change.

After going down hills in second and up hills in first and stopping to ask pedestrians the best way to get to Murray's everybody was surprised—including Popeye—to find the surrounding gloom pierced by a red neon sign with these letters—MURRAY'S.

Those who ordered turkey got turkey. Those who ordered squab got turkey. Those who ordered ice cream got ice cream. Those who ordered apple pie got ice cream. It was a system.

In the course of time O'Brien stretched his left arm and squinted at his wrist watch. "We can just about make it if we leave now," he announced.

Outside, Popeye cleared up all worries about the route.

"I ast a guy the way," he explained. "It's all set."

Somebody in the back of the bus asked: "Did you have your spinach?"

Popeye ignored the question and turned right when told to do so by Monsieur O'Brien. He was an accommodating chap, that driver.

In no time at all the bus was going up hills—hills is the word.

"That guy didn't say nuthin' about no mountains," the driver remarked, as he shifted gears again.

After the bus had reached the substratosphere Ken decided to turn left and the bus returned to sea level. Then he got out and asked one of the natives about the local geography. The native was helpful.

The picture was very interesting. It finished at 10:30. The bus passengers filed out.

No bus—not even a taxi!

Ken toured the neighborhood on foot. When he came back he said: "I found the bus, but I can't find the driver."

The theatre ticket-taker is an observing chap. "Did he have a cap? And a sweater? And gray pants?" He did. "Well, he's inside."

Ken looked around with an usher's flashlight until he found the driver. When he saw all his passengers waiting on the sidewalk the driver hurried up in surprise and asked: "Didn't you guys know there was another feature?"

Good old double features.

Flash Preview

"A Family Affair"—A family problem story suggestive of "Ah! Wilderness," this is a tale of community politics.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Urges Dropping Censor

CLEVELAND, March 7.—Abolition of the Ohio state censor board is advocated by *The Press* in an editorial.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Quality Street"

(*Radio*)

HOLLYWOOD, March 7.—This production completely captures the delicacy of Barrie's novel of pre-Victorian coquetry. It lags at the start, but the situations build as the action progresses, finally culminating in a degree of hilarity that will surprise moderns with its humor of the past generation. Credit for the mirth is largely due to the direction of George Stevens who maintains the old lavender atmosphere while driving home the comedy that is as new as any modern farce.

Katharine Hepburn gives her finest performance since "Little Women" and the picture should be a factor in recapturing her dwindling following. Franchot Tone, as the object of Miss Hepburn's affections, gives a properly restrained performance, and Fay Bainter, Estelle Winwood, Florence Lake, Cora Witherspoon and Eric Blore, the main supporting players, charm with their winning characterizations.

The Pandro Berman production should do much to appease Sir James' admirers who have suffered through less sympathetic screen interpretations of his works. In this connection credit is due Allan Scott and Mortimer Offner for their screenplay.

Exhibitors will find the appeal of this film general and need not hesitate to go after the younger generation in their exploitation.

Production Code Seal No. 2,722. Running time, 81 minutes. "G."

IMPERIAL PICTURES
1937
BELONGS
to
IMPERIAL
The INDUSTRY'S
BLESSED EVENT
WITH PLEASURE Madame
BROKEN BLOSSOMS
HIGH HAT
SHE SHALL HAVE MUSIC
I DEMAND PAYMENT
RICH RELATIONS

Alert,
Intelligent
and
Faithful
Service to
the Industry
In All
Branches

MOTION PICTURE DAILY

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

VOL. 41. NO. 56 NEW YORK, TUESDAY, MARCH 9, 1937 TEN CENTS

Says Ostrers Are in Secret 20-Fox Deal

Nordon Pressing M. & B. Ownership Question

By **BRUCE ALLAN**

LONDON, March 8.—In a letter to the press C. L. Nordon, attorney representing a group of shareholders of Gaumont British who are protesting the current actions of the directorate, makes the accusation that there is a secret agreement between the Ostrers and 20th Century-Fox to defeat Article 89A of the company bylaws, which prohibits voting by foreign interests in shareholders' meetings.

Nordon, in the letter, continues to press the question of the real ownership of Metropolis and Bradford Trust, holding company which has a controlling interest in G. B. He declares that the public knowledge of these facts may make necessary the

(*Continued on page 6*)

Central States Plan For Expansion Gains

OMAHA, March 8.—Central States Broadcasting Co. plans for increasing its circuit to four stations brightened this week with Examiner Melvin H. Dalberg's recommendation to the F.C.C. that the company's application to construct a 100-watt, 500-kilocycle unlimited time station be granted.

C.S.B.C. was forced to seek this permit because of an unusual station setup. The company operates KOIL, which is licensed in Council Bluffs, and KFAB and KFOR, both licensed in Lincoln.

All of KOIL's programs and most of KFAB's originate in the Omaha studio, however. C.S.B.C. long has wanted to move KOIL's transmitter to Omaha, but this would leave Council Bluffs with no radio outlet. Hence the necessity for the small station.

Petrillo Orders New Chicago Music Rules

CHICAGO, March 8.—James C. Petrillo, president of the Chicago Federation of Musicians, today set new union rules for "canned music" in radio broadcasts and theatres. Since Feb. 1 no union musician in Chicago has been permitted to make a recording because of Petrillo's order.

Under the new regulations records

(*Continued on page 12*)

More Radio—Pp. 10-12

Para. Directors' Trial Off to Fall

Trials of two suits against former directors and officers of Paramount, which were instituted by the Paramount trustees during the company's reorganization proceedings which seek the recovery of millions of dollars for the company were postponed by Justice Isidore Wasservogel yesterday to next fall on the petition of attorneys for the defendants.

The first of the suits is based on Paramount's repurchase of its own stock which had been issued to various interests in the acquistion of theatres throughout the country from 1927 to 1931. When issued, the stock carried guaranteed redemption prices which, in most instances, was greater than the market value of Paramount stock at the redemption date. The action seeks to recover for Paramount several millions of dollars, primarily representing the difference between the market value of the stock and the greater amount at which it was actually redeemed. Trial of this action, which

(*Continued on page 6*)

J. P. Skelly of RKO Is Dead in St. Louis

Joseph P. Skelly, manager of exchange operations for RKO Radio, died suddenly yesterday in the company's St. Louis exchange following a heart attack, according to word received at the home office last night.

Skelly, who had been with RKO for the past 12 years, left New York last Thursday on a tour of the company's exchanges. He is survived by a wife and several children. The body is being returned to the family residence in Brooklyn, where funeral arrangements will be made today.

"Earth" Fifth Week Gross Hits $17,900

Approximately $17,900 was taken in during the fifth week of "The Good Earth" at the Astor on a two-a-day policy. The Globe, which opened last week with "Lost Horizon," is also doing capacity business.

"Maid of Salem" and Benny Goodman at the Paramount are doing a smash business. Saturday and Sunday saw the theatre packed at all

(*Continued on page 2*)

Universal Directors In Routine Meeting

The Universal board of directors held what was described as a routine meeting yesterday following the arrival from the coast of Charles R. Rogers, vice-president in charge of production.

Officials of the company stated that

(*Continued on page 2*)

Net Is $919,515

Consolidated Film Industries and subsidiaries yesterday reported net profit of $919,515 for the year 1936 after all charges, which compares with a net profit of $1,077,450 in 1935.

Monogram's Plans About Set—Golden

The distribution organization for Monogram Pictures is taking shape rapidly and may be completed during the next few weeks, Edward A. Golden, general sales manager, said yesterday on his return from the coast.

Golden further discussed Monogram's initial schedule while on the coast and reported that the company would have five pictures completed by June 1. Two productions have been completed now. Plans for the company's first sales meeting will be completed by the end of the week, with indications that it will be held some time in May.

The new distribution setup will be patterned after the original Monogram distributing organization, with probably 20 to 24 franchise holders. It was reported that the company will own its New York, Philadelphia and Washington exchanges outright.

W. Ray Johnston, Monogram president, conferred all day yesterday on final details of the company's financing program, the basis of which was set some time ago.

High Court Refuses Aleograph Petition

By **BERTRAM F. LINZ**

WASHINGTON, March 8.—The U. S. Supreme Court today refused to take any further interest in the patent controversy between the Aleograph Co. and Erpi, refusing the request of the former that it either grant a rehearing of the issue or order a writ of mandamus ordering the lower court to vacate the injunction obtained by Erpi against the bringing of further suits.

The case is one of several highly involved suits touching upon matter of interest to the film industry, and

(*Continued on page 6*)

Huffman Drops Auto Giveaway in Denver

DENVER, March 8.—With the dropping by Harry Huffman of the weekly Ford car giveaway, all major cooperative giveaways among Denver theatres are out.

Huffman has given away 148 Fords through his seven houses, with a

(*Continued on page 6*)

Seeks Repeal Of All Taxes Upon Tickets

Representative Peyser Introduces Bill

By **CLARENCE LINZ**

WASHINGTON, March 8.—The repeal of all admission taxes was sought today by Representative Peyser of New York in a bill filed in the House, as Representative Doughton of North Carolina, chairman of the House Ways and Means Committee, following a White House conference, said no new tax on undistributed profits, comes up istration this session.

Doughton indicated that if income tax collections, bolstered by the new tax on undistributed profits, come up to expectations, it may be possible to drop all of the nuisance taxes this summer.

Under the Peyser bill, the admission tax would be abolished 30 days after the enactment of the measure.

Robert Mochrie Made U. A. Sales Executive

Robert Mochrie, former eastern and Canadian sales head for Warners, yesterday joined United Artists sales force, as expected. Mochrie will have the southern district under his supervision.

Following his resignation from Warners about a month ago, Mochrie took a three and a half week vacation in Europe. He returned on the *Washington* last Friday. The post he has taken over has been open several months. He will work directly under A. W. Smith, Jr., general sales manager. Mochrie and Smith worked side by side at Warners until Smith resigned several months ago.

Dr. Giannini Meets With UA Executives

HOLLYWOOD, March 8.—George J. Schaefer, Arthur W. Kelly, Monroe Greenthal and Samuel Goldwyn conferred here today with Dr. A. H. Giannini in the first of a series of United Artists company meetings of stockholders, producers and distributors. Today's meeting treated the general realignment of casts and budgets for the coming season's product.

A meeting will be held tomorrow with producers' representatives. The main discussion will start on Wednesday.

Dr. Giannini tonight entertained at his residence, having as his guests

(*Continued on page 4*)

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MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
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VIENNA: Nuestiftgasse, 55; Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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To Hold Kennebeck Mass

OMAHA, March 8.—A requiem high mass for John E. Kennebeck, late managing director for Paramount in Australia, will be held at the Sacred Heart Church here Friday. Kennebeck died in Australia on Jan. 23 following an appendicitis operation. The body has arrived here.

Rites for Edward Horn

Funeral services for Edward Horn, cameraman and a partner in the former Tremont Film Laboratories, who died in Miami Saturday, will be held tomorrow at 11:30 A. M. at the Riverside Funeral Chapel.

MITCHELL MAY, Jr.
CO., INC.
•
INSURANCE
Specialists To
The Motion Picture
Industry
75 Maiden Lane, N. Y. City
510 W. 6th St., Los Angeles, Cal.

"Storm Over Patsy", Guild Latest, Entertaining Fare

By PLAYBOY

The inability of a somewhat down-at-heel Irish shopkeeper to pay the required license fee for her mongrel dog, and the ramifications of that failure on the political future of big-little politician in a small Scotch town, his marital status and the romance of a hot-headed reporter and the politician's young, attractive wife, form the meat of this rather entertaining, but unimportant fifth production of the 19th season of the Theatre Guild, unfolded at the Guild last night.

Adapted to English and a Scotch town by James Bridie from the original German play, "Sturm in Wasserglass" by Bruno Frank, "Storm Over Patsy" offers a handful of noteworthy performances, good staging and not a few laughs, albeit it requires approximately one and a half acts out of three to get itself well along.

Offers Hollywood Embryo

There is a possibility for the screen here, but it will require a measure of working over on the germ of a film idea. For the screen there is a lively opportunity for good comedy in the final act, a courtroom scene where Leo G. Carroll as the judge walks away with the honors. Highlighting the cast is Sara Allgood, old timer of the Abbey Theatre, once again demonstrating handsomely her ability to evoke laughter and sympathy at the same time, in her role of Patsy's owner, while Patsy, Colonel in real life, is quite an accomplished performer, caninely speaking. Claudia Morgan as the politician's wife, Roger Livesey as the young reporter, who cannot stand cruelty, either to animals or women; Ian McLean, as the dignity-cloaked petty politician, looking to Parliament, and Brenda Forbes, as the wife of the owner of the newspaper for which the reporter works, all contribute to making a fair comedy a great deal better than it might otherwise have been. McLean came from the London cast of the play, there called "Storm in a Teacup."

The shopkeeper's tearful appeal to spare her dog falls on entirely deaf ears when she speaks to the provost, but the reporter, there for an interview, gets sufficiently riled to write a story which blasts the provost out of an election, the woman into a small fortune in contributions, and the provost's wife squarely into the waiting arms of the reporter.

It is rather good fun, thanks to a neat plot idea and an excellent cast. Philip Moeller directed and the settings were designed by Aline Bernstein.

Hotel Sit-Down in D. C.

WASHINGTON, March 8.—Culinary employes and waiters of the Willard Hotel instituted a sit-down strike here at 6 P. M. in protest against the hotel's non-recognition of the union. Variety Club is unaffected by the move which is expected to spread to the Washington and Mayflower.

"Whirlpool" Ready Soon

"Whirlpool," the French film "Remous," will shortly be ready for national release. Arthur Mayer and Joseph Burstyn are the distributors.

Recommended

New Haven, March 8.—*Theatre News,* local weekly film movie guide, recommends that those studying films would do well to read "Decency in Motion Pictures," by Martin Quigley.

Universal Directors In Routine Meeting

(Continued from page 1)

the proposed increase in Universal's 1937-38 schedule, involving production of 52 to 60 features, was not discussed at the board meeting, but undoubtedly would be discussed among Rogers, J. Cheever Cowdin, R. H. Cochrane and James R. Grainger during the next few days. It was also stated that the indicated probability of Universal handling physical distribution of G. B. pictures in this country, as a result of the recent alliance of Gaumont British with C. M. Woolf, was not discussed at the board meeting.

Rogers, who was accompanied to New York by Mrs. Rogers and his executive secretary, William Pierce, plans a stay of 10 days or two weeks.

Churches Protest Bill

WILMINGTON, March 8.—A crusade in opposition to any legislation which would allow Sunday exhibition in this state is under way in many Protestant churches in the state, it was reported today as six Wilmington congregations joined the opposition to the Sunday shows. Seven more of the city's churches will take action next Sunday. Others, while strongly against the legislation, do not wish to bring such matters before their congregations.

The resolution protesting the Sunday film bill was submitted to all Protestant churches for action by the Anti-Saloon League, W.C.T.U. and Lord's Day Alliance. The action taken by the congregations and Sunday schools will be submitted to the State Legislature at Dover.

The bill, which seeks to permit Sunday exhibition in Delaware after 2 P. M., was introduced in the Assembly last week.

Not Hit by Fire

General Register's output of ticket machines will be unaffected by a stubborn fire which on Sunday raged through the nine-story factory building at 81 Prospect St., Brooklyn, which houses the company's plant. General Register's space was not touched by the fire, which blazed for five hours and killed one fireman.

Flash Preview

"Trouble in Texas"—A Tex Ritter vehicle telling the story of a struggle against racketeers who invade Texas rodeos.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

"Earth" Fifth Week Gross Hits $17,900

(Continued from page 1)

times, according to the management, which adds it is expected the current show will set new attendance records.

The second week of "The Last of Mrs. Cheyney," at the Capitol was good for $28,920. "Strangers on a Honeymoon" is the next attraction for the Criterion, following "Woman of Glamour," on Thursday. The second week of "Man of Affairs" at this theatre ended with about $5,000, which is approximately half of the first week's take. "The Man Who Could Work Miracles" in its second week at the Rivoli got $15,000. "History Is Made at Night" will open at this house March 27.

Story Buying Active

HOLLYWOOD, March 8.—Story buying is general among the major studios at present in preparation for the spring sales convention announcements.

Latest buys are: RKO—"Highway to Romance," unpublished novel by H. L. Gates; "The Seeing Eye," an original by William J. Cowan.

Paramount—"The Ascending Dragon," by Frederick Jackson, acquired by B. P. Schulberg.

M-G-M—"Blue Blood," by Myles Connolly," and "When the Devil Drives," by Wyndham Gittens.

Miss Marion Tells How

HOLLYWOOD, March 8.—"Writing and Selling Film Stories" is the title of a book just completed by Frances Marion, recently elevated to producership by Columbia. She obtained from Samuel Goldwyn permission to use the script of "The Adventures of Marco Polo," completed by Robert E. Sherwood, as the first Gary Cooper vehicle for Goldwyn. The script will be included in the volume, to be published next autumn by Covici.

Close Monogram Deal

KANSAS CITY, March 8.—Consolidated Film Distributors, headed by W. L. Norris and H. P. Humston, have contracted for distribution of Monogram pictures in western Missouri and Kansas beginning with the new season. Monogram will be the distributing company's chief lineup for the new season.

To Trade Show "History"

United Artists will hold a trade showing of "History Is Made at Night" tomorrow morning at the Astor Theatre. Invitations have been sent to the foreign and fan press, exhibitors and circuit heads in the local territory.

Heineman in Portland

PORTLAND, Ore., March 8.—William J. Heineman, western district manager for Universal, en route to Seattle and the east, stopped off here for conferences and golf with Gordon C. Craddock, local Universal manager.

Woit Leaves RKO

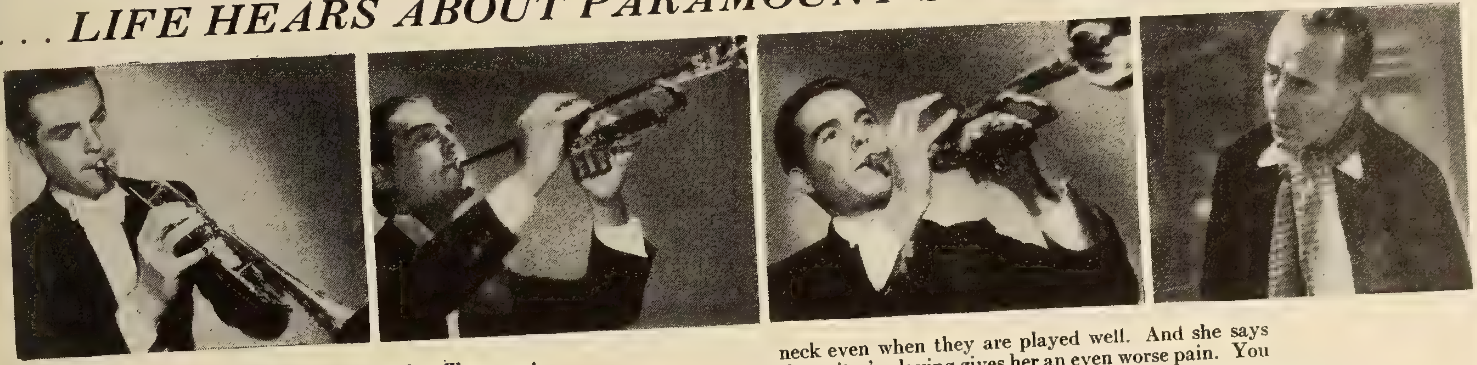
HOLLYWOOD, March 8.—Charles Woit, comptroller at RKO, has resigned his post and stated that he will take a lengthy vacation before considering a new association. No successor has been named.

LIFE

3,000,000 LIFE READERS SAW THIS AD

SPEAKING OF PICTURES . .

. . . LIFE HEARS ABOUT PARAMOUNT'S "*Swing High, Swing Low*"



Note From a Hot Trumpet

Sirs:

These pictures show the writer going to town on a hot trumpet. Said writer used to be quite a handy lad with the hot trumpet, also sax, but how would you like the job of concentrating on jam stuff with a gal like Carole Lombard around giving you the bird all the time?

She says hot trumpets give her a No. A1 pain in the neck even when they are played well. And she says the writer's playing gives her an even worse pain. You just can't please some women.

The good looking fellow in the picture to the right is a pal of mine, Charlie Butterworth. He plays hot piano. Carole says he's not so hot either.

FRED MacMURRAY
Hot Trumpet Player

Hollywood, California

Embarrassed Blonde

Sirs:

These pictures show you the kind of jam you get in hanging around with a hot trumpet player. It isn't enough he goes blowing the thing in your ear all the time in private. He has to go out on the public streets of Panama and blow it, which makes the natives sore. They think he is starting a revolution or something and before you can say, "Swing High, Swing Low," which is the name of our new picture (adv.), we are both parked in a Panama hoose-gow. And have you ever been in a Panama hoose-gow? Let me tell you the service is terrible and nobody can live on sliced manana!!

Honestly, I thought when he got me in all those jams in "Hands Across the Table" and "The Princess Comes Across", it was something. But now he goes and gets this hot trumpet, it is terrible. And the worst part of it all . . . he's such a nice guy.

CAROLE LOMBARD
Society for Prevention of Hot Trumpet Players

Hollywood, California

Director's Dilemma

Sirs:

The above picture shows Carole Lombard, Fred MacMurray and Charles Butterworth with me on the set of my latest picture for Paramount, "Swing High, Swing Low". Frankly, after seeing this picture, I'm in a real dilemma. I can't figure out which was funnier . . . the bunch of zanies I worked with to turn out "The Big Broadcast of 1937" or these three in "Swing High, Swing Low." At all events, I can tell you this: you're going to get a great laugh out of their goofy adventures in Panama. And wait till you see that newest Panamaniac Charlie Butterworth swing his hot piano.

MITCHELL LEISEN
Director

Hollywood, California

Note From a Hot Piano

Sirs:

The accompanying photograph speaks for itself. I am considered, by myself and several other leading authorities on the subject, a hot piano player. In fact, it is ofttimes said I fairly melt the ivories. Yet, as you see, Miss Lombard and Mr. MacMurray, my confreres in Paramount's "Swing High, Swing Low", have no appreciation for music. They do not understand the finer things. What is stretching an octave to those muggs. Yet, I suppose while there's Life there's hope.

CHARLES BUTTERWORTH

Hollywood, California

MOTION PICTURE
DAILY

Oklahoma City Spot Starts Vaude Policy

Oklahoma City, March 8.—The Warner here, which has been open only two days a week for the past year, has resumed full time operation, with vaudeville and films four days each week, and dual bills the remaining three. A 10-piece orchestra will be featured with the stage show. Prices will run from 20 cents to 35 cents.

The move coincided with the opening of T. B. Noble's new State. The Liberty price has been dropped from a 55-cent top to 35 cents, and has discontinued vaudeville during the first four days of alternate weeks. It will play duals following the permanent closing of the Capitol.

Western Vaudeville Gain

Lincoln, Neb., March 8.—L. J. Finske, division manager of the J. H. Cooper Enterprises of Nebraska and Colorado, says the Colorado houses have joined Wilbur Cushman's vaudeville circuit. Spots in Pueblo, Colorado Springs and Grand Junction are included.

Mrs. Rabwin Is Signed

Hollywood, March 8.—David O. Selznick, president of Selznick International, has appointed Marcella Bannett Rabwin his executive assistant. Mrs. Rabwin had been associated with Selznick for seven years before resigning six months ago to take a European vacation from which she has just returned.

Raise Albany Prices

Albany, March 8.—A rise in admission prices at the RKO Palace, a Fabian house, and at Warners' Strand, from 25 to 30 cents minimum adult and from 40 to 50 cents maximum, has been instituted.

Rebuilding Two

Kutcher & Cohen, operators of the Manor, Livingstone Manor, and Rialto, Monticello, are rebuilding the two theatres. Joe Hornstein has been awarded contracts for both jobs.

Lease New Haven House

New Haven, March 8.—The Crawford Clothing chain has leased the Globe Bldg. housing the theatre for 20 years. The theater will close April 1.

'Weather or No' Changed

Hollywood, March 8.—Columbia has chosen "Let's Get Married" as the title for the film previously called "Weather or No."

The Tavern
MEETING PLACE
of the INDUSTRY
●
MAKE THIS YOUR
LUNCHEON—
DINNER—SUPPER CLUB
158 W. 48th St. Toots Shor

Purely Personal

Victor Shapiro, publicity purveyor for Major Prod., planes to New York today from Hollywood on a two-week vacation. He will return to the coast to be on hand when Emanuel Cohen starts another cycle of three, individually starring Gary Cooper, Mae West and Bing Crosby.

●

Gradwell L. Sears, Carl Leserman and Hal Wallis are due to leave for the coast Thursday. Mrs. Leserman will accompany her husband, while Mrs. Sears will leave today from San Antonio, Tex.

●

J. Robert Rubin arrived yesterday on the coast from New York. He will meet Nicholas M. Schenck there. Al Lichtman is already there for the seasonal production conferences.

●

Charles Leonard is holding down the fort in the U. A. publicity, advertising and exploitation departments during Monroe Greenthal's absence on the coast.

●

Rube Jacter and Leonard Picker of Columbia returned yesterday from Miami vacations. Max A. Cohen, head of Cinema circuit, got back from Hollywood, Fla.

●

Elmer Hynes, exhibitor of Roanoke, Va., visited Roy Haines at Warners yesterday. Hynes is here for the Ohio State dinner.

●

Mrs. Max Minzesheimer, the former Mrs. Marcus Loew, is en route from one Hollywood to another—California to Florida.

●

Nate Manheim returned to his desk at Universal yesterday after an absence of several days spent nursing a cold.

●

Tom Murray will leave in 10 days for Terell, Tex., where he is operating a number of theatres for a bank.

●

Milton Blackstone is back on the job after an operation on his left arm at Park East Hospital last week.

●

Edward A. Golden, Monogram sales manager, has returned from the coast where he visited his family.

●

Joe Lee returned to his desk yesterday at the local 20th Century-Fox exchange after a Miami sojourn.

●

Norman H. Moray is due in Winnipeg tomorrow to confer on Vitaphone shorts and trailers.

●

Harry Shaw, New England district manager for Loew's, is in Atlantic City vacationing.

●

Arthur Gottlieb, president of DuArt Lab., will arrive in Hollywood today.

●

Joe Miller, Columbia Buffalo branch manager, is in town for a few days.

●

Lionel Houser's original, "World of Women," has been purchased by RKO.

●

Willard C. Paterson is off for a rest.

Gracie Fields, English comedienne for whom 20th Century-Fox will give a party at the Waldorf-Astoria this afternoon, was delayed in arrival from England. She had been expected yesterday on the *Queen Mary*, but the ship will not get in until this morning.

●

Max Richter, president of Consolidated Amusements, is back from a California vacation. The circuit will open the new 600-seat Esquire at 44th St. and 8th Ave. during Easter Week.

●

Roland Young, who was recently signed by Hal Roach for the leading role in "Toper," has left for Hollywood. Constance Bennett also will appear in the film.

●

Jack Fruchman, assistant to Joe Davis, cashier at the local Paramount exchange, is now chief accountant at the company's Washington branch.

●

Harold Hendee, director of research for RKO, will address Francis Taylor Patterson's film class at Columbia University tonight.

●

Leo Spitz will stop off in Chicago en route here from the coast, which may delay his scheduled arrival in New York by a day or two.

●

Sidney Lumet, now playing in "The Eternal Road," has signed an actor-manager contract with the William Morris Agency.

●

Herb Ochs, assistant to Gradwell L. Sears, will represent Warners at the forthcoming M. P. T. O. A. convention in Miami.

●

Ben Goetz and Benny Thau will arrive this morning on the *Queen Mary*, which will dock a day later than scheduled.

●

Otto Bolle, assistant to C. V. Hake, will leave tomorrow for South Africa to make a survey for the company.

●

Elizabeth Palmer, recently signed by 20th Century-Fox, will report at the studios on March 26.

●

Don Pallini, dance originator, is planning a two-reeler, production on which is to start shortly.

●

Lillian Worth and Edythe Zell have sold "Headline Huntress" to 20th Century-Fox.

●

S. R. Kent will celebrate his fifth year as president of the 20th Century-Fox on March 28.

●

Karl MacDonald of the Warner foreign department is in South America.

●

●

. . . Denver

Harry Golub, president of the Rocky Mountain Screen Club, has announced that the new club rooms in the Cosmopolitan Hotel will be opened March 13. The rooms are being redecorated.

Mike Gieseking's big smile these days is caused by a new son at his house. Mother and boy are doing well. Mike is an RCA engineer.

Gene Gerbase, manager of the Denver Sheffield-Republic exchange, is on a business trip in the western part of Colorado, and he may go on to Dallas.

●

. . . Indianapolis

R. R. Bair, circuit head; V. U. Young, head of Theatrical Managers, Inc., and Maurice Rubin of Michigan City, in Florida vacationing.

Harry and Mrs. Van Noy of Anderson off to Hollywood on a delayed honeymoon.

●

. . . Omaha

Dan B. Lederman, formerly with several Omaha exchanges here, but now associated with 20th Century-Fox in the Philippines, visiting old friends here.

J. D. Petty of the Fox at Beatrice, Neb., has been transferred to Springfield, Ill. Succeeding him at Beatrice is Jack Maes, formerly of Emporia, Kan.

Dr. Giannini Meets With UA Executives

(*Continued from page* 1)

Jack Schlaifer, Kelly, Greenthal and James P. Mulvey.

Budgets Boosted on U. A. Films

Hollywood, March 8. — Monroe Greenthal of United Artists, and Loew's, through the medium of long distance telephone today, doubled the advertising budget for "History Is Made at Night." Playdates for the film have reached a total of 182. A goal of 200 has been set.

Samuel Goldwyn today stated that he has increased to $1,500,000 his budget for "Hurricane."

Republic Men to Meet

Hollywood, March 8.—With the completion of production on "Hit Parade," Nat Levine's last film at Republic, Herbert Yates and Moe Siegel, studio production executive, are here for reorganization conferences.

Wall Street

Trading Uneven; Many Off

	High	Low	Close	Net Change
Columbia	36	35½	35¾	—1
Columbia, pfd......	45¼	45	45	.....
Consolidated	5	5	5	+ ⅛
Consolidated, pfd..	16½	16¼	16¼	— ⅜
Eastman Kodak ..	172	169	169	—3
Eastman, pfd.	160	160	160	—1
Gen. T. Equip. ..	30¼	29	29	—1¼
Loew's, Inc.	79¾	78¾	79½	— ½
Paramount	26⅞	25⅞	26⅜	— ⅛
Paramount 1 pfd..	186¼	185½	186¼	+1¼
Paramount 2 pfd..	24⅝	24	24	— ¼
Pathe Film	8⅞	8½	8½	— ¼
RKO	9	8¾	8¾	— ⅛
20th Century-Fox.	37⅛	35¾	36¾	+ ⅜
20th Century, pfd..	45½	45	45¼	+ ¼
Warner Bros.	16⅜	15½	15½	— ½

Little Movement on Curb

	High	Low	Close	Net Change
Grand National ...	3¼	3⅛	3⅛	.....
Sonotone	2⅛	2	2	.....
Technicolor	21⅛	20¼	21⅛	+ ⅝
Trans-Lux	5	4⅞	4⅞	— ⅛
Universal Pict. ...	14	14	14	— ½

Bonds Drop Slightly

	High	Low	Close	Net Change
Loew's 3½s '46....	99⅞	99⅝	99⅞	.....
Paramount B'way 3s '55	75	75	75	.....
Paramount Pict. 6s '55	100¾	100¼	100½	— ⅜
Warner Bros. 6s '39 wd	98	98	98	— ¼

(Quotations at close of March 8)

What are you crying about!

Pictures are good and getting better all the time... people have money and they're spending it for entertainment... and National Screen Service is always in the background with a seat-selling trailer for every picture you play. Its service organization (more than 900 strong) watches every booking... checks every playdate... making assurance doubly sure that a showmanship trailer is on your screen at the right time every time. That's why

NATIONAL SCREEN SERVICE

prize baby of the industry

Says Ostrers Are in Secret 20-Fox Deal

(*Continued from page* 1)

Nordon committee's planned legal action to restrain the G. B. board from payment of the preference dividend, voted last week.

It is understood that behind the Nordon accusation is the belief that if the Metropolis and Bradford setup is proved to be illegal, the Ostrers can be deposed from their position on the board of directors and their recent decisions thrown out. The two decisions which stirred G. B. shareholders to opposition were the voting of the preference dividend and the recent deal by which C. M. Woolf's General Film Distributors arranged to take over all G. B. distribution and G. B. has abandoned production at the Shepherd's Bush studio.

The series of questions concerning the G. B. situation which were to have been asked of Walter Runciman, president of the Board of Trade, by Sir Arnold Wilson in the House of Commons today, have been postponed until tomorrow.

English Talent Hits Foreign Importation

London, March 8.—The British Variety Artists Federation today protested to the Ministry of Labor against the importation of foreign talent competition, especially during the Coronation period. The protest was aimed directly at American talent.

The federation outlined three demands: that local talent get employment preference; that the split on entertainment programs should be 60 per cent British and 40 per cent foreign, and that every time two foreign acts get work in England, one British act should be hired in that foreign country. A survey indicates that there are at present about 2,000 foreign artists playing at British theatres.

Product of Germany Shows Sharp Decline

Berlin, March 8.—The output of German films has decreased seriously since the advent of National Socialism, the Hitler regime, four years ago, it was said in a sharp note of warning from Dr. Lehnick, president of the Reich Film Dep't.

He declared that German pictures have been produced with an aim at making them "nationally characteristic." The world at large has approved them, he said, but there has been too little production. The turning point has been reached, Lehnick said, declaring that Germany's cultural characteristics must be preserved but the output must not suffer.

Lift Duty on Some Films

Panama, March 8.—The Government of Guatemala has exempted from customs duties films of an educational nature or those concerning important international news events. The new regulations will permit the free entry of propaganda films from Germany and Italy.

Too Obvious

Rome, March 8.—The Italian Government has withdrawn the film, "The Liberation of Malaga," made by the Luce Institute, the semi-official newsreel company, because it showed too many Italian soldiers, officers and army trucks in Malaga, Spanish city recently taken by the Insurgents.

Production Census Planned in England

London, Feb. 28.—The Census of Production Dep't. of the Board of Trade has circulated to British film producers, "for information only," a form asking for statistical information about their activities in various departments.

It is emphasized that the form refers to the year 1937 and that it cannot be filled in immediately. The trade view is that, anticipating the adoption by the Government of the Moyne Committee's suggestion that a Census of Production be taken, the Board of Trade is issuing a warning in advance to producers of the facts and figures which will be required of them.

The form asks details of the number of employees under and over 18 years in the three departments of operatives, artists and administrative staff; a return of artists and operatives in 12 specific weeks of the year; a return of raw material used, year's output in number of films, length and cost, and other facts.

High Court Refuses Aleograph Petition

(*Continued from page* 1)

started when Aleograph sued Western Electric and Erpi for alleged infringement of patents, the suits being decided in favor of Erpi and the decision upheld on appeal. Thereafter Erpi sought and obtained a permanent injunction against the filing of similar "harrassing" suits by Aleograph.

Quigley Back Next Week

George Quigley, fiscal agent for European interests which hold an option to acquire controlling interest in Keller-Dorian Colorfilm Corp., is scheduled to return next Tuesday on the *Berengaria* following conferences with his principals on the lifting of the option. No official report of the result of the conferences abroad had been received at the Keller-Dorian offices here up to yesterday. The supposition, however, is that action may have been postponed and an extension of the option granted by Keller-Dorian's European representatives.

Open New K. C. Theatre

Kansas City, March 8.—More than 800 industry members and the public attended the opening here by W. D. Fulton and Stanley Schwartz of the new $100,000 Brookside here. The new theatre gives Mutual Theatres eight houses, seven of them in Greater Kansas City. Joseph Green has been named general supervisor for Mutual houses.

Para. Directors' Trial Off to Fall

(*Continued from page* 1)

had been scheduled to start yesterday in N. Y. Supreme Court here, was postponed to Sept. 27.

The second action seeks the recovery of "actual or potential" profits realized by the defendant directors and officers through participations in connection with a Paramount employes' stock purchase plan, and also seeks the return of compensation of some of the defendants for the years 1927 to 1930, inclusive, in excess of "reasonable compensation." Trial of this action was postponed to October, without date.

The suits are being prosecuted for the trustee by the law firm of Root, Clark, Buckner & Ballantine.

Grants Columbia Examination

Justice Aaron J. Levy in N. Y. Supreme Court yesterday granted Ferdinand Voteur, a writer, permission to examine before trial officers of Columbia Pictures. The plaintiff has sued Columbia for $1,000,000 damages, charging that they rejected his play "Resurrection Morning" and then produced a picture entitled "The Man Who Lived Twice" which was substantially similar in plot to the plaintiff's play. The plaintiff must advise the court within a reasonable time which officers of Columbia he wishes to examine.

Denies Barrymore Motion

Judge Robert T. Patterson in U. S. District Court yesterday denied the motion for a further bill of particulars in John Barrymore's action against Maurice Hotchner and John F. Finn, Jr. The action is for an accounting of $100,000 which Barrymore alleges he turned over to the defendants, his New York attorneys, who were to hold it in trust for him. The defendants answered that the money was used as directed by Barrymore and that a full accounting was given. They ask that they be authorized to use the $3,500 which still remains in their possession as payment for legal services.

Asks RKO Allowance

William J. Donovan, attorney for the trustee in the RKO reorganization proceedings, filed a petition yesterday for an allowance of $85,000 for legal services rendered to the estate from July 2, 1936, to March 4, 1937. The petition sets forth that he had previously received $140,000 and that in this period the office spent 3,680 hours in legal work. The petition also sets forth that claims aggregating $55,121,179 were filed against the estate.

Connecticut Group Going

New Haven, March 8.—Connecticut representatives at the Miami M. P.T.O.A. convention will include Meyer Bailey of the Whalley, Mrs. Lucy Flack and Louise Markune of the Capitol, Milford; Irving C. Jacocks; Edward G. and Mrs. Levy, Adolph G. and Mrs. Johnson, Albert and Mrs. Robins of the Strand, Hamden; Arthur and Mrs. Lockwood of Middletown; Samuel H. and Mrs. Rosen of Lakeville; Edward J. and Mrs. Stuart of Lakeville, and Max Tabackman of West Haven.

Huffman Drops Auto Giveaway in Detroit

(*Continued from page* 1)

weekly drawing for nearly three years. The Ford giveaway was in the courts during NRA days, and was dropped for a time, but was reinstated as soon as the NRA was discarded. The Huffman theatres are now left with only a grocery night at the neighborhood Bluebird.

Dave Cockrill of the Denham, who managed the cooperative Bank Night among his house, Fox and Paramount houses here, is rebuilding his cooperative Bank Night setup. He has taken over the Alpine, a neighborhood house, and will tie it in with his Denham drawing, on a twice-a-week basis. Fox and Paramount withdrew from the cooperative Bank Night a few weeks ago.

Fox houses will start a cooperative Bank Night drawing soon after Easter, using a new registration which will exclude tourists and persons outside the Denver trade area.

Hold Five in Game Quiz

Buffalo, March 8.—Five men are being held for the Grand Jury here in connection with a Bank Night swindle whereby theatre operators and patrons are said to have been defrauded of thousands of dollars in the past five months.

George Houston, booked for second degree grand larceny, is said by the police to have made a detailed confession, indicating that virtually every house in Buffalo and the surrounding area has been victimized by the gang. Information leading to the arrest was given the police by Albert J. Sargent, whose 17-year-old-son was approached by the gang. The questioning of other Bank Night winners and theatre managers led to the arrest of Houston and five other suspects.

Claim Need of Bank Night

New Orleans, March 8.—Operators of neighborhood houses in New Orleans claim that they require the use of Bank Night in order to attract patronage, because the downtown houses have taken all the potential profit out of the product before it reaches the subsequent runs.

Files Nebraska Test Case

Lincoln, March 8.—Attorney General Hunter of Nebraska today filed a test case on Bank Night against the Beatrice Theatre Corp., a F.W.C. subsidiary, and former manager Lewis B. Sponsler in the Gage County District Court. Involved are the Fox and Rivoli, which have been using Bank Night since February, 1936.

Hunter is seeking a temporary injunction against the theatres and has asked the court to set a hearing date. He declared the state may undertake individual prosecutions but the multiplicity of the suits would permit the game to go on indefinitely. Hunter recently ruled that Bank Night is a violation of the state lottery laws.

Tax on Game Awards Passed

Little Rock, Ark., March 8.—The House here has passed the Dillon bill, which imposes a tax of 15 per cent on Bank Night awards. The measure now goes to Gov. Carl E. Bailey.

Your Customers!

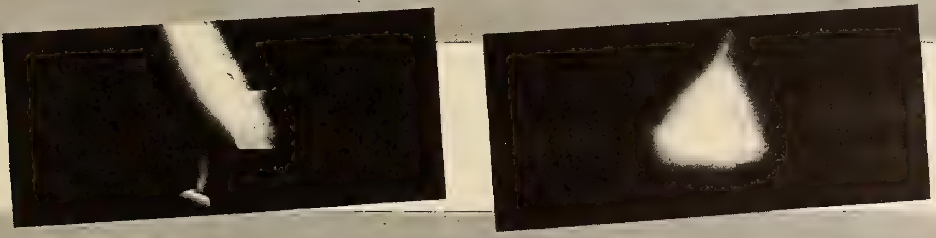
ARE YOU GIVING THEM THE LIGHT THEY MERIT?

The response of theatre patrons is ample justification for securing the best feature pictures obtainable. It proves that the theatre-going public seeks out the best. But the theatre patron is critical and is not satisfied with a good picture, poorly screened. Expensive features merit the best light.

The best projection is provided by a steady, snow-white light of sufficient intensity on the screen for clear definition in the presence of a comfortable level of supplementary illumination. This means *High Intensity Projection.*

Give your expensive feature the advantage of the best possible lighting,

HIGH INTENSITY LIGHT



It costs little but adds much to the satisfaction of your patrons

FROM NATIONAL H.I. PROJECTOR and NATIONAL SUPREX CARBONS

NATIONAL CARBON COMPANY, INC.
Unit of Union Carbide UCC and Carbon Corporation
CARBON SALES DIVISION, CLEVELAND, OHIO
General Offices: 30 East 42nd St., New York, N. Y.
Branch Sales Offices: New York Pittsburgh Chicago San Francisco

Holdovers Do Top Business On the Loop

Chicago, March 8.—Holdover pictures did the best business in the Loop last week when "Good Earth," "Green Light" and "On The Avenue" proved to be the biggest money-getters in a dull week.

"The Good Earth" on a two-a-day basis at advanced prices showed a profit at the Apollo. "Green Light" continued to pull after being shifted from the Chicago to the Garrick. "On The Avenue" was good at the Roosevelt.

Extra publicity on the stage show helped the Oriental some to bring "The Great O'Malley" above average. Other houses, except the State-Lake which was over the line, found business much worse than expected. The Palace took a nosedive with "Head Over Heels in Love."

Total first run business was $112,900. Average is $120,500.

Estimated takings:

Week Ending March 4:

"THE GOOD EARTH" (M-G-M)
APOLLO—(1,400), 50c-$1.50, 2 shows daily, 2nd week, 7 days. **Gross:** $11,600. (Average, $9,000)

"MAID OF SALEM" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: "Casino Parisien" Revue. **Gross:** $29,000. (Average, $32,000)

"THE GREAT O'MALLEY" (W. B.)
ORIENTAL—(3,490), 35c-55c, 7 days. Stage: "King's Scandals" Revue. **Gross:** $15,500. (Average, $15,000)

"HEAD OVER HEELS IN LOVE" (G.B.)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $13,500. (Average, $19,000)

Week Ending March 5:

"GREEN LIGHT" (W. B.)
GARRICK—(900), 35c-55c-75c, 7 days, 2nd Loop week. **Gross:** $7,000. (Average, $6,500)

"ON THE AVENUE" (20th-Fox)
ROOSEVELT—(1,591), 35c-55c-75c,, 7 days, 2nd week. **Gross:** $12,600. (Average, $11,000)

"WOMAN ALONE" (G. B.)
STATE-LAKE — (2,776), 20c-35c-40c, 7 days. Stage: Vaudeville Revue. **Gross:** $13,900. (Average, $13,000)

"BELOVED ENEMY" (U. A.)
UNITED ARTISTS—35c-55c-75c, 7 days, 2nd week. **Gross:** $9,800. (Average, $15.-000)

Revise Assessments

Omaha, March 8.—The Douglas County Board of Equalization has allowed appeals on assessed valuations of the Brandeis and Orpheum here. The Brandeis, assessed at $383,340 in 1935 and $333,500 in 1936, was adjusted to $357,900; the Orpheum, assessed at $402,255 in 1935 and $481,030 in 1936, was adjusted to $402,255.

Al Somerby Celebrates

Boston, March 8.—Al Somerby is celebrating the 45th anniversary of the Bowdoin Square. Several employes at the theatre have worked there nearly as long as Somerby. Civic and theatrical personages have sent congratulatory wires.

Imperial Closes Deal

Cleveland, March 8.—Imperial Pictures of Northern Ohio yesterday signed the first contract in the territory, for the entire season's lineup, with Ray Wallace, head of the Tri-Theatres, Inc., Alliance, O., circuit.

"Miracles" Up In Dull Week On the Coast

Los Angeles, March 8.—Only three attractions stood up in the face of the Santa Anita Handicap competition, and of the three "The Man Who Could Work Miracles" made the best comparative showing. It grossed $5,250 at the 4-Star, over normal by $2,000.

"Love Is News" and "The Holy Terror" pulled $15,692, up by $1,692, at Loew's State, but was weak at the Chinese on a take of $11,942. "Son of Mongolia," Russian film, was $1,100 to the good on a take of $2,300 at the Grand International.

Total first run business was $96,684. Average is $107,950.

Estimated takings for the week ending March 3:

"THE GOOD EARTH" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 5th week. **Gross:** $14,400. (Average. $17,000)

"LOVE IS NEWS" (20th-Fox)
"THE HOLY TERROR" (20th-Fox)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $11,942. (Average. $12,500)

"THE MAN WHO COULD WORK MIRACLES" (U.A.)
4 STAR—(900), 30c-55c, 7 days. **Gross:** $5,250. (Average. $3,250)

"SON OF MONGOLIA" (Amkino)
GRAND INTERNAT'L—(750), 35c-40c, 7 days. **Gross:** $2,300. (Average. $1,200)

"WHEN'S YOUR BIRTHDAY?" (RKO)
"BREEZING HOME" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $7,000. (Average. $8,000)

"LOVE IS NEWS" (20th-Fox)
"THE HOLY TERROR" (20th-Fox)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $15,692. (Average. $14,000)

"WHEN'S YOUR BIRTHDAY?" (RKO)
"BREEZING HOME" (Univ.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $6,200. (Average. $8,000)

"MAID OF SALEM" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days, 2nd week. Stage: Rube Wolf and his orchestra, F. & M. revue. **Gross:** $12,400. (Average. $18,000)

"STOLEN HOLIDAY" (F.N.)
"A MAN BETRAYED" (Republic)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days. **Gross:** $11,000. (Average. $14,000)

"STOLEN HOLIDAY" (F.N.)
"A MAN BETRAYED" (Republic)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days. **Gross:** $10,500. (Average, $12,000)

WCTU Assails Block Booking at Meeting

Springfield, Mass., March 8.—Block booking and blind selling of pictures came in for their share of critical attention from the W.C.T.U. at its annual winter conference here recently, Mrs. Alice Ropes, president, declared, "Every follower of Frances Willard should be interested in block booking and blind selling of films, by which local managers are forced to take the good and the bad together. Letters must be sent to Washington urging the repeal of block selling."

The W.C.T.U. also assailed liquor and lotteries, and even cigarettes were the target of considerable verbal criticism in the meeting.

Berman in Accident

Detroit, March 8.—Harry Berman, Republic salesman, escaped injury, but his automobile was demolished when it was struck by another car on the highway near Mt. Pleasant.

Conn in Exclusive Deal

Hollywood, March 8.—Thirty-six exchanges will handle exclusively the product of Ambassador, Melody and Conn pictures under a new deal.

Pinky Tomlin, Darro-Richmond and Kermit Maynard series will be among the releases and the producer is now in search of name players and directors for several specials designed to meet re-arranged schedules.

New M-G-M, Roach Pacts

Hollywood, March 8. — M-G-M has signed new contracts with Virginia Bruce, Robert Montgomery, Betty Furness and Lynne Carver. Miss Carver was formerly known as Virginia Reid. Hal Roach has signed Roland Young to a long-term pact. Young is due from the east shortly.

Eastern Allied to Meet

New Haven, March 8.—Allied's eastern regional conference will be held at the Hotel Garde March 29. About 20 visitors from eastern units, including Nathan Yamins and Abram F. Myers, general counsel, are expected to attend. A luncheon will precede the conference.

Moss Plans Shape Up

Philadelphia, March 8.—Plans for the testimonial dinner in observance of Edgar Moss's 20th year in the local industry are shaping up. The event will be signalized by a dinner at the Warwick Hotel here April 19. Moss, of course, is district manager for 20th Century-Fox.

Clark Quits Photophone

Hollywood, March 8.—L. E. Clark has resigned as manager of recording for RCA Photophone, effective March 15. He will join the Dunning Process Co., color firm, for research and development work. E. Deacon and J. A. Milling, RCA sales representatives, are here for a short visit.

"Eternal Mask" Booked

"The Eternal Mask," prize-winning Swiss film, distributed in this country by Arthur Mayer and Joseph Burstyn, has been booked into theatres in 11 cities, including Boston, Pittsburgh, San Francisco, Los Angeles, Seattle, Philadelphia and Detroit. It is scheduled for Easter Week openings.

May Do "Think" Series

Following the showing of "What Do You Think?" at the Capitol, M-G-M, which produced the short, is considering a series along the same line. Carey Wilson, who produced the subject, is said to be looking for material for the proposed series.

Mayor Renames Trendle

Detroit, March 8.—Mayor Frank Couzens has reappointed George W. Trendle to the Detroit Fire Commission. Trendle has just completed his 12th year in that capacity and is president of the commission.

Jack Graham Recovered

Pittsburgh, March 8.—Jack Graham, city salesman for RKO here, has resumed his duties after a three-week bout with pneumonia in Johnston, Pa. Graham went there early in February on business and was stricken.

"When You're" 2nd Week Hit, Seattle, Held

Seattle, March 8.—"When You're in Love" continued as the top attraction among first runs here in its second week at the Liberty, getting $5,900, up by $900. It was held for another week.

"Maid of Salem," on a dual with "Off to the Races," grossed $6,850 at the Paramount. This was $850 to the good. The only other bill to get into the profit column was "Green Light" and "Clarence" at the Fifth Avenue, which grossed $7,100.

Total first run business was $42,900. Average is $32,500.

Estimated takings for the week ending March 5:

"GOD'S COUNTRY AND THE WOMAN" (W. B.)
"DANGEROUS NUMBER" (M-G-M)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $3,200. (Average, $4,000)

"GREEN LIGHT" (F. N.)
"CLARENCE" (Para.)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $7,100. (Average, $7,000)

"WHEN YOU'RE IN LOVE" (Col.)
LIBERTY—(1,800), 15c-25c-40c-55c, 7 days, 2nd week. **Gross:** $5,900. (Average, $5,000)

"ONE IN A MILLION" (20th-Fox)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 9th week, extended run from Orpheum. **Gross:** $3,450. (Average, $4,000)

"ON THE AVENUE" (20th-Fox)
"CRACK-UP" (20th-Fox)
MUSIC HALL—(2,275), 25c-40c-55c, 7 days, 3rd week. **Gross:** $4,900. (Average, $6,000)

"WHEN'S YOUR BIRTHDAY?" (F. N.)
ORPHEUM—(2,450), 25c-40c-55c, 7 days. Vaudeville and stage band. **Gross:** $6,400. (Average, $6,000)

"BEWARE OF LADIES" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Vaudeville headed by Borne Lawrence. **Gross:** $4,300. (Average, $4,500)

"MAID OF SALEM" (Para.)
"OFF TO THE RACES" (20th-Fox)
PARAMOUNT—(3,050), 25c-40c-55c, 7 days. **Gross:** $6,850. (Average, $6,000)

"O'Malley" Omaha High Gross $9,100

Omaha, March 8.—Three double bills at local houses resulted in good grosses.

"The Great O'Malley," aided by a police lobby display, and paired with "Mama Steps Out" grossed $9,100, or $1,900 over average for the Orpheum.

"Maid of Salem" and "Woman Wise" took $7,200, $1,700 over the Omaha's average. The Brandeis did $5,600, or $1,600 on the profit side, for "When You're in Love" and "Woman in Distress."

Mild weather, spring market week which set a 20-year record for attendance and another large convention helped tilt the take despite Lent, which usually is a serious obstacle here.

Total first run business was $21,900. Average is $16,700.

Estimated takings:

Week Ending March 2:

"MAID OF SALEM" (Para.)
"WOMAN WISE" (20th-Fox)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $7,200. (Average, $5,500)

Week Ending March 3:

"WHEN YOU'RE IN LOVE" (Col.)
"WOMAN IN DISTRESS" (Col.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $5,600. (Average, $4,000)

Week Ending March 4:

"THE GREAT O'MALLEY" (W.B.)
"MAMA STEPS OUT" (M-G-M)
ORPHEUM — (3,000), 25c-40c, 7 days. **Gross:** $9,100. (Average, $7,200)

"Green Light" At $9,000 Top In Pittsburgh

PITTSBURGH, March 8.—With Lent failing to exert any influence, business continued good here, two holdovers setting the pace. At the Fulton, "On the Avenue" in its third week went over par by $3,000 to $7,500, while at the Warner "Green Light," after its sensational week at the Stanley, drew $9,000, over by $4,000. Both of these pictures stay another week and the Fulton has hopes of running "On the Avenue" right through until Easter.

There was only one disappointment, "The Great O'Malley," which did a slim $9,000 at the Stanley. "Maid of Salem" did $3,000 above average at $14,000.

Weather conditions were perfect for business except for one day of rain.

Total first run business was $44,000. Average is $37,500.

Estimated takings for the week ending March 4:

"MAN OF AFFAIRS" (G.B.)
"HOLY TERROR" (20th-Fox)
ALVIN—(2,000), 25c-40c, 6 days. **Gross:** $4,750. (Average, for 7 days, $5,500)

"ON THE AVENUE" (20th-Fox)
FULTON—(1,750), 25c-40c, 3rd week. **Gross:** $7,500. (Average, $4,500)

"MAID OF SALEM" (Para.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $14,000. (Average, $11,000)

"THE GREAT O'MALLEY" (W.B.)
STANLEY — (3,600), 25c-50c, 7 days. **Gross:** $9,000. (Average, $11,500)

"GREEN LIGHT" (W.B.)
WARNER—(2,000), 25c-50c, 7 days, 2nd week. **Gross:** $9,000. (Average, $5,000)

"Outcast" Dualled Leads Providence

PROVIDENCE, March 8.—Every house in town equalled or exceeded its average gross, which is unusual for this time of year. The best take was garnered by the Strand, where "Outcast" and "Clarence" pulled in $7,200, which is over by $700. Both Loew's and the Majestic had par weeks. The former, with "When You're in Love" and "Sinner Take All," hit $12,000, and the Fay house was up to its $7,000 average with "On the Avenue" and "Off to the Races."

The RKO Albee was $200 over with "We're on the Jury" and a revue, "World's Fairest on Parade," which did $7,200, and Fay's did the same, featuring "Penrod and Sam" and a Major Bowes unit.

Total first run business was $40,600. Average is $39,500.

Estimated takings for the week ending March 4:

"PENROD AND SAM" (F.N.)
FAY'S—(1,600), 15c-40c, 7 days. On stage: Major Bowes unit. **Gross:** $7,200. (Average, $7,000)

"ON THE AVENUE" (20th-Fox)
"OFF TO THE RACES" (20th-Fox)
MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"OUTCAST" (Para.)
"CLARENCE" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $7,200. (Average, $6,500)

"WE'RE ON THE JURY" (RKO)
RKO ALBEE—(2,300), 15c-40c, 7 days. On stage: "World's Fairest on Parade," revue. **Gross:** $7,200. (Average, $7,000)

"WHEN YOU'RE IN LOVE" (Col.)
"SINNER TAKE ALL" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $12,000. (Average, $12,000)

Looking 'Em Over

"History Is Made at Night"

(Wanger-United Artists)

"History Is Made at Night," previewed here, is a sophisticated story with Paris and New York backgrounds directed with the polish and eye for artistic detail that distinguishes most of Frank Borzage's efforts. Its appeal is directed to adults and the best box-office results probably will be obtained in large cities.

The story is about an unhappy wife who decides upon divorce from her neurotic shipowner husband, played by Colin Clive. He tries to frame her with his chauffeur, but Charles Boyer, a headwaiter masquerading as a burglar, steps through a window from a balcony and "kidnaps" the wife and her jewels. The wife is Jean Arthur.

The chauffeur is found dead. To protect Boyer from a murder charge, Miss Arthur returns to America with her husband and is followed by Boyer. The story builds up to a big scene in which an ocean liner crashes into an iceberg. The story of the *Titanic* disaster obviously furnished the basis for the detail. Crowds mill about the lifeboats. Calmer passenger sing "Nearer My God to Thee." The emotional effects built up in this way are stirring.

One of the best characterizations in the film is the work of Leo Carrillo as a chef and friend of Boyer. His comedy relief is a delight.

The picture is a Walter Wanger production from an original by Gene Towne and Graham Baker. Gregg Toland did the camera work. It is high-class entertainment with plenty of name value to make the selling easy. If the story content were as strong as the talent that has been lavished upon it, the film would be a sensation. As it is, it ought to turn in satisfactory grosses.

Running time, 97 minutes. "A."

"The Wedding of Palo"

(Palladium-J. H. Hoffberg)

Following a vein somewhat similar to "Eskimo," this picture, which was filmed in Greenland by Knud Rasmussen, the late Arctic explorer, should be an interesting novelty. It has the dual qualities of being entertaining and educational.

It is a light, ethnological study of Eskimos. The influence of the scientist-producer in the portrayal of racial customs, celebrations and the general struggle for life contrasts with the natural comedy of the imitative talents of children and the elemental love story that forms the base of the scenario. There is a particularly interesting sequence when a shaman, or devil-doctor is called in to attend the wounded hero Palos. There are scenes, fine evidence of clever camera work, of hunting, kayak handling in heavy seas and tribal feasts.

The dominant story thread weaves the romance of Navarana and Palo, which is threatened by Samo. The two youths have it out in a ridiculing contest after which Palo is wounded when he bests Samo. The girl and her family go off to their winter camp. They are followed by Samo, who establishes himself with the family. Later, Palo recovers and reappears after a rough sea voyage and claims Navarana. They set out and are pursued by Samo, whose kayak capsizes as he is about to upset the lovers' craft.

The film is cast with native talent and their indifference to the camera makes for commendable acting. There is also native dialogue which is interpreted by panels, after the fashion of the silent films.

Reviewed without production code seal. Running time, 82 minutes. "G."

St. Louis Building Set

ST. LOUIS, March 8.—Construction will start shortly in this territory on the New Warner exchange building at 3302 Olive St., and on Harry Blount's new theatre to be erected in Potosi.

Bids will be taken in the near future for alterations and an addition to the house recently taken over by Nash-Halloway Theatres. The same circuit has contracted for a new house in University City.

May Abandon Houses

CATLETTSBURG, KY., March 8.—Bruce Hall, operator of the Gates City and Reel, both badly damaged by the recent flood, is reported planning to abandon both houses, and retire from the business.

Doster to Wilby-Kincey

MONTGOMERY, ALA., March 8.—W. A. Doster, veteran exhibitor, has joined Wilby-Kincey as manager of the Tivoli here, succeeding Ellsworth Dye, who has been promoted to assistant manager of the Paramount, succeeding James Howell, who becomes manager of the Strand in Knoxville, Tenn.

Oxford, Miss., Men Fined

OXFORD, MISS., March 8.—S. T. Lyles, Jr., and H. W. Roberts, manager of the Ritz, have been indicted a second time for sponsoring Bank Night programs, and have been fined $20 each for allegedly violating the state lottery law. They appealed.

Coming
THE HIT PARADE
REPUBLIC PICTURES CORP.

FCC Sets New Hearing List During April

WASHINGTON, March 8.—The F.C.C. today made public a tentative calendar of hearings for the first half of April, as follows:

April 1.—Before an examiner, application of Pacific Acceptance Corp., San Diego, for a 1,200-kilocycle, 100-watt, daytime station.

April 5.—Before an examiner, applications of KROY, Sacramento, for a change of frequency to 1,340 kilocycles and increase of power to 250 watts, night, and 1,000 watts, day; KABR, Aberdeen, S. D., for change of frequency to 1,390 kilocycles and increase of power to 500 watts, night, and 1,000 watts, day; WSAU, Warsau, Wis., for increase of time; Louisville Times Co., Louisville, for a new 1,210-kilocycle, unlimited time station on 100 watts, and Dr. William States Jacobs Broadcasting Co., Houston, for a 1,220-kilocycle, 1,000-watt, unlimited time station.

To Hear Oklahoma Group

April 6.—Before an examiner, contest of Okmulgee Broadcasting Corp., Times Publishing Co. and Record Publishing Co. for a new 1,200-kilocycle, 100-watt, daytime station at Okmulgee, Okla.; applications of WEAU, Eau Claire, Wis., for an increase of day power to 1,000 watts, and KGA, Spokane, for a change of frequency to 950 kilocycles; also the application of Beaumont Broadcasting Ass'n, Beaumont, Tex., for a 1,420-kilocycle, 100-watt station.

April 7.—Before an examiner, applications of stations WBCM, Bay City, Mich., for an increase of day power to 1,000 watts; KADA, Ada, Okla., for an increase of time; KFVD, Los Angeles, for a change of frequency to 900 kilocycles, and KDB, Santa Barbara, for a change of frequency to 1,220 kilocycles and a power increase to 500 watts.

WGB1 Power Increase Asked

April 8.—Before the broadcast division, arguments on applications of Port Hurón Broadcasting Co., Port Huron, Mich., for a 1,370-kilocycle, 250-watt, daytime station; Dallas Broadcasting Co., Dallas, for a 1,500-kilocycle, 100-watt daytime station; WMAS, Springfield, Mass., for a 560-kilocycle, 1,000-watt, unlimited time station, and WGBI, Scranton, for an increase of day power to 1,000 watts.

April 12.—Before an examiner, applications of stations WSAY, Rochester, for an increase of time and of day power to 250 watts; KYOS, Merced, Cal., for a change of frequency to 1,260 kilocycles and an increase of time, and WBNY, Buffalo, seeking the facilities of WSVS, Buffalo; Fields, McCarthy Co., Poplar Bluff, Mo., for a 1,310-kilocycle, 100-watt, daytime station, and contest of Schuylkill Broadcasting Co. and the Pottsville News and Radio Corp., for a 580-kilocycle, 250-watt, daytime station at Pottsville, Pa.

April 13.—Before an examiner, applications of Anne J. Levine, Palm Springs, Cal., for a 1,200-kilocycle station, with 100 watts night, and 250 watts day power; Springfield Newspapers, Inc., Springfield, O., for a 1,120-kilocycle, 250-watt, daytime station; station KIEM, Eureka, Cal., for an increase of power to 1,000 watts; WHIS, Bluefield, W. Va., for an increase of night power to 1,000 watts; WCHS, Charleston, W. Va., for an increase of night power to 1,000 watts, and KFXM, San Bernardino, Cal., for an increase of day power to 250 watts.

LEO SAYS:
A jungle isn't the only place a lion has power —WHN is the most powerful independent station in New York.
WHN DIAL 1010
AFFILIATED with M-G-M • LOEW'S

Ten Stations in Southwest Join Mutual System Network

Ten more stations, comprising the eight stations of the Oklahoma network and two Texas units, will be added to the Mutual coast-to-coast chain within the next five weeks. The additions, brought into the Mutual fold by Fred Weber, general manager of the web, will bring the number of stations on the Mutual chain to 51.

The Oklahoma network will link with Mutual beginning April 1. The stations include KGFG, Oklahoma City; KCRC, Enid; KGFF, Shawnee; KBIX, Muskogee; KADA, Ada; KVSO, Ardmore; WBBZ, Ponca City; KASA, Elk City. The Oklahoma network was represented in the negotiations by its president, R. U. Porter, and its managing director, Glenn Condon.

Beginning April 15, the two Texas stations, KTAT, Fort Worth, and WRR, Dallas, will be added for permanent Mutual service. KTAT is operated by the Tarrant Broadcasting Co., Raymond E. Buck, president. WRR is a municipal station, owned and operated by the city of Dallas. John Thornwald is managing director.

Network dedicatory programs will be broadcast on the nights that the joinings are effected.

The addition of the Oklahoma network marks the fifth regional chain to become part of the nationwide Mutual network. The other regional chains are the Colonial network in New England; the Iowa and Central States Broadcasting Corp. in the middle west, and the Don Lee web on the Pacific coast.

Hearst Radio Group To Observe Birthday

New York State Broadcasting System, the Hearst regional air chain, will celebrate the first anniversary of its formation April 28 with a two-hour program, it was learned yesterday. Bert Squires, head of the organization, is now working on the program details.

The stations comprising the web are WINS, New York; WABY, Albany; WIBX, Utica; WMBO, Auburn; WSAY, Rochester; and WBNY, Buffalo.

Eugene Boissevain Joins NBC

Eugene Boissevain, husband of Edna St. Vincent Millay, has been signed for a series of sustaining programs on NBC, to begin tomorrow. The program will be entitled "Micrologue," and will consist of comment on current topics in the news. It will be carried over the Red network at 4:15 P. M., E.S.T.

"Poe's Tales" Mutual Feature

"Poe's Tales," a series of mysteries based on Edgar Allen Poe's works, will bow in as a sustainer on Mutual beginning Tuesday, March 16, from 10:30 to 11 P.M., E.S.T.

The series will originate in the studios of WFIL, Mutual's Philadelphia outlet. John Clark, WFIL's program director, is doing the adaptations.

Station Prices Too High—Patterson

"The exorbitant prices being asked for broadcasting stations make the establishment of a new network next to impossible."

That was the comment made yesterday by Richard C. Patterson, former executive vice-president of NBC, when questioned concerning reports that a group headed by him had virtually completed plans for the formation of a new network. Patterson confirmed his interest in the establishment of a new network, but stated frankly that no material progress on such a project had been made to date.

"I've been trying to buy stations ever since I left NBC," Patterson said, "but have made no definite progress primarily because of the high prices placed on stations. My offer to WOR was rejected. WMCA wanted what we consider to be far too much. If you can tell us how we can get stations at a reasonable price you'll be doing us a favor."

Asked whether the reports linking the names of Dr. Stanley High, head of the Good Neighbor League, and various financial figures, including a partner of Goldman, Sachs, with his activities were correct, Patterson said, "Yes, I've talked with them and with perhaps 15 or 20 others, as well. If I ever get a network established, I'd like to have High with me. He was formerly with NBC, you know."

"I have been trying and will continue trying to get a new network started," he concluded, "but while the present prices continue to be quoted for stations very little of a definite nature can be accomplished. Up to now, I haven't even an option on a single station."

Bill Lundell in New Post

Bill Lundell, former NBC announcer and head of special events, is now in charge of sales promotion for WINS.

Nellie Revell Back on Air

Nellie Revell returns to the air today on the NBC-Red after an absence of a few months. Miss Revell will be heard tonight at 5 P. M. on a 15-minute spot.

WFIL Does Air Study in Philadelphia

PHILADELPHIA, March 8.—In an attempt to establish its listening preference in relation to its network affiliations, WFIL conducted a survey on the listening habits of radio owners in Philadelphia and surrounding cities in the coverage area. The work was done by Ross Federal investigators, 25 making a telephone check for seven consecutive days, continuously from 7 A.M. to 10 P.M. Towns outside of Philadelphia covered in the survey included Camden, Trenton and Wilmington, Del. WFIL is the local outlet for both the NBC blue and Mutual networks.

Almost 20,000 Calls

The study is considered the most comprehensive ever made by Ross in the local radio field, 18,840 telephone calls having been completed by the operators during the seven days. A breakdown shows that of 14,426 calls completed in Philadelphia proper, 5,551 listeners had their radio sets tuned in at the time of calling, 1,840 to WCAU (CBS outlet); 1,335 to WFIL; 1,267 to KYW (NBC red outlet); 486 to WJZ; 169 to WIP (Intercity outlet); 118 to WOR; WRAX, WPEN, WDAS (local independent stations) and WLW (Cincinnati) grouped together had 146 listeners; 28 to WEAF; 26 to WABC; 35 to all other stations grouped together; 72 did not know the name of the station to which they were listening; and 41 refused to give the information.

Suburbs Also Included

In the cities outside of Philadelphia, the tabulation showed that of 4,414 calls completed, 1,631 had their sets tuned in at the time of calling, 367 to WFIL; 344 to WCAU; 236 to KYW; 292 to WJZ; 94 to WOR; 58 to WEAF; 44 to WIP; 42 to WDEL (Wilmington); 37 to WTNJ (Trenton); WABC, WPEN and WDAS grouped together had 33 listeners; nine to WCAM (part-time station in Camden); eight to all other stations grouped together; 58 did not know the name of the station to which they were listening; and 25 refused to give the information.

For the radio industry in general, the most significant figures in the study are those dealing with the number of homes having radio sets. In Philadelphia proper, of the 14,426 completed calls, 14,032 had a radio in the home. Outside of Philadelphia, of the 4,414 completed calls, 4,207 had a radio in the home.

Don Withycomb, WFIL general manager, announced that a printed presentation will be made of the survey for distribution among the trade. He also pointed out that the study indicates that where the network mother stations were once the top rank in listener preference, local listeners are now supporting the Philadelphia outlets of the various networks.

More Radio—Page 12

Radio Acceptance

KNICKERBOCKER BROADCASTING COMPANY INC.

OFFICE OF THE PRESIDENT
DONALD FLAMM

WMCA BUILDING
BROADWAY AT 53RD STREET
NEW YORK

March 1, 1937.

Mr. M. D. Kann,
Motion Picture Daily,
Rockefeller Center,
New York City.

My Dear Mr. Kann:

Here at WMCA we watch your publication rather closely—news every day helps us keep in closer touch with this rapidly growing and changing radio industry.

I am glad to see that you have expanded the space devoted to radio. I'd suggest a further expansion of space—except that you seem to do a rather thorough job of coverage of the industry, proving the ability of your staff. It's much harder to condense than it is to expand.

Keep up the good work.

Sincerely yours,

Donald Flamm.

MOTION PICTURE DAILY

ROCKEFELLER CENTER, NEW YORK

Five Applications Are Listed by FCC

WASHINGTON, March 8.—Receipt of an amended application from Arlington Radio Service, Inc., Arlington, Va., for a new broadcasting station to operate on 1,510 kilocycles, unlimited time, with 250 watts power, was revealed today by the F.C.C. The Virginia company originally sought to operate daytime only on 850 kilocycles.

Other applications received by the commission included requests of the Key City Broadcasting Co. for a new station at Kankakee, Ill., to operate unlimited time on 1,500 kilocycles with 100 watts power; also stations WKEU, Griffin, Ga., for increased time and change of frequency to 1,310 kilocycles; KIUL, Garden City, Kan., for assignment of license from Garden City Broadcasting Co. to KIUL, Inc., and WBAA, W. Lafayette, Ind., for authority to install a new transmitter and increase power to 5,000 watts.

Ry-Krisp Reengages Talley and Koestner

HOLLYWOOD, March 8.—Ry-Krisp has exercised its options on Marion Talley and Joseph Koestner for an additional 13-weeks period, carrying them over until June. The deal was negotiated by the NBC Artists' Bureau. Donald Danford and Evan Marschutz, president of Gardner Advertising Co., were here for the signing of the papers. They left tonight.

Miss Talley and Koestner will leave the air for the summer, returning in the fall for an additional year of broadcasting.

Night Editor of U. P. Contracted by CBS

Alberto Zelameo, for the past 12 years night editor of foreign service at United Press, yesterday was signed by CBS as a special commentator for Latin-American broadcasts. Zelameo will broadcast daily, effective immediately.

In an attempt to improve reception in Latin-American countries, CBS is now changing its short wave frequency.

NBC Starts Coast Expansion

HOLLYWOOD, March 8.—The expansion program of NBC is now in full swing here. Current facilities on the property now occupied by the company will eventually be doubled. This move, according to Lenox R. Lohr, president, reverses the organization's former plans and indicates the purchases of more property and holdings here. Larry White is due here tomorrow to succeed Pete DeLima as head of the NBC Artists' Bureau.

Large space in the NBC Bldg. is now occupied by the local office of J. Walter Thompson advertising agency.

WHN Adds Two Series

The Eastern Nu-Enamel Co., through Neff-Rogow, has contracted for 54 100-word announcements on WHN, beginning tomorrow. The contract is for six months.

Additionally on WHN, the transcribed Chevrolet series starring Rubinoff will be aired three times weekly at 6:15 P. M., beginning today. Campbell-Ewald is the agency.

Radio Personals

JO RANSON, radio editor of the *Brooklyn Eagle,* now completing the manuscript for a book entitled "Crime On the Air," for publication in the Spring . . . And while on the subject of tomes, Joe Keely, of N. W. Ayer & Son's publicity staff, in collaboration with Howard Stephenson, has authored "They Sold Themselves," now in the bookstalls . . . Larry Menkin, of WMCA's production staff, yesterday tendered his resignation . . . Dick Fischell, of the same station, leaves for a Florida vacation next week . . .

✚

Lester Gottlieb, Mutual's publicity coordinator, back at his desk after a swing around the Mutual circuit . . . Polly Moran set for the Sealtest "Saturday Night Party" March 13 . . . Dave Casem, formerly head of WOR's publicity department yesterday joined the press staff at NBC . . . Ted Church, NBC scribe, back in harness after a siege of grip . . . Martin Rackin, formerly with Meyer Davis, has been added to the WHN press staff. Rackin will handle special features for out-of-town newspapers . . .

✚

Josef Cherniovsky, former Universal picture music head, has written a musical satire now being considered by his old studio . . . Walter B. Pitkin will be the guest speaker on the Philadelphia Orchestra program next Friday night . . . James E. Sauter, of Air Features, back from Washington . . . Richard Himber has been signed for pictures . . . Jack Holt and Anne Shirley were heard on Jackie Cooper's Mutual program last night and again Wednesday. . . . Fannie Hurst will speak over WOR this Thursday at 3:45 P. M. . . .

Hollywood Town Pump

HOLLYWOOD, March 8. — CBS's "Western Homes," with Tom Breneman master of ceremonies, moves to Hollywood from San Francisco Monday. This is the first definite date. . . . Val and Ernie Stanton were on the Gilmore Circus over NBC Pacific Coast red Saturday night. . . . Dougles Fairbanks, Jr., will be interviewed by Elza Schallert over NBC on March 19. . . . Harry Elliott, head of the CBS western news bureau, in Hollywood for a couple of days to look around.

✚

New Haven Town Pump

NEW HAVEN, March 8.—Gordon Bootery has renewed its WBRY contract after a few weeks' absence from the air. It's a Sunday Kiddie Revue. . . . WBRY's 12:30-1:30 amateur hour has been switched to a professional variety show. Perelmutter-Doran are sponsors. . . . "Are Consumers' Cooperatives Democratic?" is the subject of a debate to be given on WELI Sunday at 4 P. M., E. S. T., the Teachers' Forum broadcast. . . . James Milne, WELI director, is organizing a light opera company for the station.

Dr. Vittorio Racca, research associate of the Institute of Human Relations, Yale, will be guest of the Italian Civic Project on WICC Monday night from 8:15 to 8:30, E. S. T.

Broadcasters Incorporate

DOVER, Del., March 8.—Metropolitan Radio Service, Inc., has been incorporated here to engage in radio broadcasting. A capital of $100,000 has been listed. Incorporators are A. L. I. Lofland, Rebecca Dunn and Marian L. Chipman of Dover.

CKY, CKX Manitoba Report Net Profit

WINNIPEG, March 8.—Net profit for Manitoba government-owned stations CKY, Winnipeg, and CKX, Brandon, for the last year was $13,857.52, according to a report tabled in the Manitoba Legislature now in session. The stations are operated by the Manitoba telephone system.

Profits for CKY, the Winnipeg 15,000-watter, was $16,437.76, including commercial time sold and remuneration from the Canadian Broadcasting Corp. for network shows carried. CKX, Brandon, working on a limited schedule with no commercials, suffered a loss of $2,580.24.

Previous to last December, CKX, was on the air daily from 7 to 11 P. M. carrying all CBC features as sustainers, and for an hour at noon with no commercials. In December power was upped from 100 to 1,000 watts, new equipment installed, staff increased, and the schedule increased to 15 hours daily. Commercials are now beginning to trickle in.

CKY, most powerful in Canada, at the same time increased its schedule from 11 to approximately 16 hours daily. New modern studios are under construction in the telephone building, although work was delayed recently by a $30,000 fire.

Commercials for both stations, individually or as a two-station net, are handled by Taylor, Pearson & Carson, Calgary, Alta.

Petrillo Orders New Chicago Music Rules

(*Continued from page 1*)

may be made by local musicians but may not be used by any radio station unless the station, in its broadcast of the recorded music, retains the same number of musicians standing by as were used in making the record. Petrillo also hopes to enforce the rule forbidding theatres which charge more than 25 cents from using any sound film made here unless the theatre employs the same number of musicians as were used in making the recording. Theatres charging less than 25 cents would be required to hire an organist or pianist.

Since there are very few sound films made here, Petrillo hopes to extend his campaign to include union musicians in coast studios, so that no sound film could be shown unless the theatres met the union's terms. The action is seen as a move to stop broadcasts of recordings in local stations. If players are actually used in these broadcasts it is expected the union head will approve the use of transcriptions for commercials and the like.

As stations are now operating under annual contract with the union, no programs have been halted as yet. It is expected, however, that with the expiration of contracts the fight will come out into the open. Local officials are understood to feel the situation can be worked out with little difficulty.

New Shows On the Air

"Pretty Kitty Kelly"

"Pretty Kitty Kelly" is the title of the sobby serial which last night replaced the adventure strip, "Renfrew of the Mounted" for the Wonder Bread Co. on CBS.

Capsule criticism: Preposterous as to story, but capably presented.

The story opens on board a tramp steamer bound for America out of Dublin. Patrick Conway, traveling steerage, no longer can stand the groans of the pretty girl locked in the cabin adjoining his, and sends for the ship's doctor. After a battle with a Mrs. Meekham, an old harridan in whose cabin Kitty is held prisoner, they find our heroine in a stupor, apparently drugged.

Revived, Kitty, a "fair-haired, blue-eyed colleen," cannot tell them who she is. Amnesia, says the doctor. An orphan, says harridan Meekham. A kidnapped heiress, says Patrick Conway. Bosh, says we.

"Pretty Kitty Kelly" is offered Mondays through Fridays at 6:45 P. M., E.S.T. on CBS.

"Prof. Quiz"

The past Saturday marked the first of the "Prof. Quiz" airings as a commercial. Previously the series had been offered by CBS as a sustainer.

These "quiz" programs are great fun. Tricky questions are asked of members of the studio audiences, and the sillier the answer the greater the chuckle. Not only for those in the studio, but for the listener-in as well.

The reason for the appeal of "quiz" and "spelling bee" programs is elemental. Most folks have a perverted sense of humor; therefore we laugh when a man slips on a banana peel, or when a person is smacked in the face with a custard pie. Remember the old screen comedies?

It tickles most people, too, when a foolish answer is publicly given to a problem that at first hearing seems so simple as to call for snap answers. The answers are positively uproarious on occasion.

Prof. Quiz is an anonymous gentleman who conducts the program. For the contest value, listeners are asked to send their favorite posers for a cash prize.

Nash-Kelvinator sponsors. The series is offered Saturdays at 8 P. M., E.S.T. BANNER

"Northern Lights"

CLEVELAND, March 8.—"Northern Lights," sustaining program over WTAM, Thursday 11:30 to midnight, E. S. T., featured Wally Pooler in the role of Joe Peno, Canadian trapper, in a 10-20-30-cent melodrama of other days, with a modern musical interlude by the Earl Rohlfs Quartet and Stubby Gordon's orchestra.

The program was dramatically produced in French Canadian dialect. This week's episode told how old Joe exposed the villain who almost won the village belle because he held her father's notes and reunited her with her sweetheart. The drama closed with Marion Nadea singing "Waiting at the Church."

The program is alright for those who indulge in cheap melodrama, but holds no interest for critical dialers.

Alert, Intelligent and Faithful Service to the Industry in All Branches

MOTION PICTURE DAILY

The Leading Daily Newspaper of the Motion Picture Industry

VOL. 41. NO. 57 NEW YORK, WEDNESDAY, MARCH 10, 1937 TEN CENTS

Figure Seven Million Para. Debentures in

Yesterday the Last Day; May Sell New Notes

An estimated $7,000,000 of Paramount's six per cent debentures were exchanged for an equal amount of the company's new three and one-half per cent convertible debentures up to yesterday afternoon, the final day of the exchange period.

A total of $15,000,000 of the new three and one-half per cent convertible debentures has been authorized and indications are that the balance of the new debentures will be sold privately and the proceeds used for calling in an equal amount of the outstanding six per cent debentures at par plus accrued interest.

Paramount's annual report, which is expected to show a net of $5,500,000 to $6,000,000 for 1936, is expected late this month or early in April. Net for the year reflects the benefit of a

(*Continued on page* 4)

Sunday Bill Causes Fight in Delaware

DOVER, Del., March 9.—Theatre interests from all parts of the state are rallying to the support of a bill in the legislature here which would permit Sunday films, while protests are pouring in from churches against passage of the bill.

A. Joseph Defiore of Wilmington, president of the M.P.T.O. of Delaware and the Eastern Shore of Maryland declared today that the experience of other states does not show any decrease in church attendance, but that films have a good influence, on children particularly, in keeping them off the streets. In all 17 churches in various communities of the state have entered protests.

Divorce Effective Year After Signing

Distribution companies will be required to divorce their theatre interests in North Dakota within a year after Governor William H. Langer signs the bill as passed by the House and the Senate, if it is signed, it was stated yesterday by Bennie Berger, former president of the Independent Theatre Owners of Minnesota.

The Senate late last week passed the bill by a vote of 39 to seven after the House had voted 76 to 30 in favor of it.

Violations will be punishable by

(*Continued on page* 4)

Key Grosses Strong Despite Lent; Total is $1,849,622

Lent has failed to put the usual dent in first run grosses. All during February totals for the 29 key cities reporting to MOTION PICTURE DAILY were better than during the closing weeks of January.

For the week ending Feb. 26-27 the total was $1,849,622, the best showing, with the exception of the two rush weeks following New Year's, since last September. One hundred and sixty-eight first runs were open.

For the previous week, ending Feb. 19-20, the total was $1,621,495. That was the opening week of Lent.

The gains for the closing week of February were fairly uniform throughout the country, being registered in 21 of the 29 keys from which reports were received. They were: Boston, Chicago, Cincinnati, Cleveland, Denver, Detroit, Houston, Indianapolis, Kansas City, Louisville, Milwaukee, Montreal, New Haven, New York, Omaha, Philadelphia, Pittsburgh, Portland, Providence, San Francisco and Seattle.

[*Comparative tabulation on page* 12]

British Gov't Has No Power In Woolf Deal

By BRUCE ALLAN

LONDON, March 9.—The British Government "has no power to interfere in the internal affairs of these companies," declared Walter Runciman, president of the Board of Trade, in the House of Commons today, replying to questions by Sir Arnold Wilson relative to the Gaumont British distribution deal with C. M. Woolf's General Film Distributors.

Referring to the control of G. B. through alleged foreign domination of Metropolis and Bradford Trust, holding company controlling the majority of the stock interest in G.B., Runciman declared in answer to a query from Sir Arnold that official data indicated that there are 12 directors, of which 10 are British and two are American. Three individuals, all British, held the controlling interest in Metropolis and Bradford, Runciman said.

"The Government has no power to

(*Continued on page* 8)

M-G-M's European Plan Up for Talks

M-G-M's production plans in England will be announced on the coast within the next week or so, following conferences in Hollywood among production and home office executives.

Ben Goetz arrived yesterday on the *Queen Mary* to discuss the British setup. He will leave by plane either

(*Continued on page* 8)

French Unions Urge National Film Industry

By PIERRE AUTRE

PARIS, March 1.—The creation of a French national film industry, virtually controlled by the Government, is advocated by the daily newspaper, *Le Peuple*, which is the official organ of the Confederation Generale du Travail, the French trade unions.

The whole French industry has been stirred to vigorous protest by the publication of the plan, having been aroused particularly by the statement published in connection with the plan that, "It is by taking the film industry from the hands of its present masters that it will be saved."

Highlighting the plan is the nationalization of production, calling for the Government purchase by annuities of all studios and laboratories, and the construction of a new plant for the manufacture of raw stock. Production also would be nationalized under Government subsidy annually,

(*Continued on page* 8)

Ontario Will Drop All Ticket Levies

TORONTO, March 9.—Amusement taxes in Ontario, including those on theatres, will be totally abolished, Premier M. F. Hepburn stated today in his budget speech before the Ontario legislature. The elimination of the nuisance levies, which had brought $1,800,000 to the treasury during the past year, will be effective June 1. At that time Ontario will be Can-

(*Continued on page* 12)

Asserts Radio Controls Most Music Talent

Charge Made at Hearing On Dickstein Bill

By BERTRAM F. LINZ

WASHINGTON, March 9.—Allegations of monopoly of musical talent by the NBC and Columbia artists' bureaus, the indicated disapproval of the State Dept., and the asserted fear of reprisals by producers against actors appearing in favor of the legislation were the high spots today of the final hearing before the House Immigration Committee on the Dickstein Alien Actor Bill.

Disappointed by the absence of the screen and stage stars whom he promised last week would be present, Representative Dickstein called only John Farr Simmons, chief of the visa office of the State Dept., and gave additional time to Charles H. Freeman, New York concert manager.

Although a number of others, including Gabriel Hess, counsel for the Hays organization, sought to be heard on the amendments which he wrote into the bill after last week's hearings, Dickstein refused to call any further witnesses, but said that the committee

(*Continued on page* 11)

Additional developments in the radio field on pages 10 and 11.

Fox Theatres Loss Placed at $435,880

Fox Theatres Corp. showed a loss of $435,880 during the three and one-half-year receivership period from June 22, 1932, to Dec. 31, last, resulting in a deficit at present of $35,298,413, according to the financial report of Milton C. Weisman, receiver, filed with the U. S. District Court here yesterday.

Weisman placed a valuation of $9,596,699 on the company's assets.

(*Continued on page* 4)

Three New Speakers For MPTOA Meeting

Three additional speakers may be added to the M. P. T. O. A. convention program, which is now virtually complete, it was stated yesterday at M. P. T. O. A. headquarters here.

Invitations have gone out to Senator James J. Davis of Pennsylvania,

(*Continued on page* 8)

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LONDON: 4 Golden Square, W. 1; Bruce Allan, Representative. Cable address, Quigpubco, London.
MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
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SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Nuestiftgasse, 55; Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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Roosevelt Sets Kennedy

WASHINGTON, March 9.—President Roosevelt today nominated Joseph P. Kennedy, whose most recent film activity was as adviser to Paramount, as chairman of the new United States Maritime Commission. The group would exercise a jurisdiction over shipping similar to that of the Interstate Commerce Commission over railroads.

Two Plays Closing

"Fulton of Oak Falls," which opened at the Morosco Feb. 10, closes Saturday night.

"Red Hot and Blue," which opened at the Alvin Oct. 29, is now slated to close its New York run April 10.

"Patsy" Is Screened

"Storm Over Patsy," which opened at the Guild Monday night, has just been completed in an English film version by Victor Saville for Alexander Korda, under the play's title as played in London, "Storm in a Teacup." Heading the cast is Vivian Leigh and Sara Allgood, the latter featured in the cast of the Guild's production here. MOTION PICTURE DAILY'S review, written before word of the film arrived, suggested there was a potentially entertaining film in the play.

Insiders' Outlook

By RED KANN

HARRY M. WARNER, now on the high seas, Italy-bound, left this behind him for the April issue of *American Magazine*:

> Courage to fight against convention and ascend above life's ordinary limitations is always bubbling to the surface of the human race. But the usual impulse is toward security, and the innovator is often distrusted. The great poets, the great playwrights, the magnificent artists of the Renaissance, all underwent a period of condemnation—the condemnation which so frequently comes to the new and untried. But scorn and even downright hostility have never been able to still the pens and brushes that have something important to tell the world. There are no chains which can shackle genius and initiative for long, and surely it is better so. For genius and iniative, whether in individual cases sound or unsound, are the stimulants which keep our minds from retrogression. Ideas cradled in public disrepute have time and time again combined to change the face of the earth, to man's ultimate gain.
>
> Today initiative is as essential on the lower levels as in the stratosphere where genius lives, and, in the business world, men with novel ideas are no longer regarded as suspect. An employee who waits to be told what to do is, in the long run, merely waiting for dismissal. When we hire a worker in our business, whether a great actor or the humblest laborer, we set a market price on the least that we expect from him. If he exceeds our expectations, our enthusiasm is boundless.
>
> Sound ideas and the energy to execute those ideas are the escalators on which an employee rises automatically to success. No employer refuses to pay liberally for initiative. It is the one irreplaceable ingredient of progress. Without it the doors of any business would be closed in a few short months.
>
> Sometimes a definite pattern of life, whatever its apparent advantages, can be a potent danger to a man's advancement. The maintenance of the status quo in industry or politics or in a nation is as impossible of achievement as the prolongation of an April day. The sun will not wait, nor will the world. Empires, religions, and great industrial establishments alike have toppled into oblivion for lack of elasticity to move with changing times. And a man who holds to a set pattern, who fails to realize that a blend of initiative and tenacity is indispensable, wakes one morning to find himself out of step with an era which long since passed him by. Hardening of the intellectual arteries is a dangerous ailment, both to its possessor and to humanity at large. Petrified trees maintain the status quo, but they build no houses.

From the head of the company daring to produce "The Story of Louis Pasteur," "A Midsummer Night's Dream" and "Green Pastures," this commands respect . . .

▼ ▼

Minsky decorating the *Congressional Record* with the pronouncement that "stripping is definitely an American art," you might have thought, represented the epitome of something not quite clear. Now along comes Fern Andra, a Continental importation who cut no swath during her Hollywood period of employment. It appears she went to England in '30 to make a picture and thereafter was "harassed" by her home office for reasons not divulged. Her over-all conclusion before the Dickstein committee was that "America would be just as great if there were no Europe to send pictures to." Even if you grant the point, would the film industry be as great or as prosperous? Fewer pictures are exported than is generally believed, was another of her gems of loose talk, leading to the conclusion obvious that Miss Andra might better confine her activities to acting. Others will take care of the international situation . . .

▼ ▼

A rapidly-narrowing world, we are afraid, wherein freedom of action and speech are forever more challenged. The Spanish Insurgent government has banned all pictures acted or directed by names now included in General Franco's proscribed list. For instance, Paul Muni, Luise Rainer, Lewis Milestone, Frank Tuttle, Upton Sinclair, Clifford Odets, Liam O'Flaherty, Dudley Nichols, Humphrey Cobb, who had a thing or two to say about reactionary militarism in France during the World War, and Kenneth MacGowan. No official reason was announced, the assumption being an expressed approval or a sympathy for the Spanish Government. Whether you agree or not, the right of individual opinion should continue to be an inalienable one. Fascism and Hitlerism, however, have their own ideas . . .

▼

While the typewriter finds itself dealing with despotism in government, cabled word from Berlin on the serious decline in German production impresses as ironic and not a bit unfunny. Dr. Lehnick, president of the Reich Film Department, is doing the complaining. Almost naively, he states German studios have been gearing themselves to an output "nationally characteristic," a step which he says the world has approved. All very well for consumption within German, which

(*Continued on page 5*)

English Trade Was Affected By Abdication

LONDON, March 1.—The Abdication of King Edward VIII "emptied theatres until the close of the year," says the annual report of the Cinematograph Exhibitors' Ass'n just issued. When public events of any kind absorb the public's attention, it is added, "it is almost impossible to persuade them to maintain their regular attendances."

The report records an increase in the number of theatres in membership of the association of 197, this year's total standing at 4,145 as against 3,948.

The association admits that a solution has still to be found to the problem of overbuilding and, after a reference to the Moyne Committee's suggestion of a films commission to handle trade problems hints that the problem of "redundant" theatres may "prove to be only capable of solution by legislation or by the trade as a whole."

Cooperation with the British Broadcasting Corp. and with newsreel companies, to prevent television becoming a menace to the trade, is advocated.

"Legislation dealing with British films is likely to be the main concern of this trade for at least the coming year," says the report in another passage dealing with the association's representations to the Moyne Committee. The Moyne recommendations, it says, "showed that a substantial amount of the evidence submitted by the General Council had been accepted," but nervousness is expressed lest the boom in British production "might so suddenly exhaust itself that the numbers of British pictures . . . would be reduced." This factor, suggests the report, should have an important bearing on future quota legislation.

Friars to Give Frolic

The Friars' Club will hold a frolic at the Alvin on March 28 at 8:30 P. M. Talent already promised includes: James Barton, Reginald Gordon, Bob Hope, George M. Cohan, Bert Lahr, Jimmy Durante, Harry Hershfield, J. C. Flippen, Buster West, Rudy Vallee, The Three Swifts, Mels, Kirk and Howard, Vincent Lopez, Benny Fields, Eddie Davis, Gil Gary, Ken Kling, Harry Fisher, Jan Peerce, Paul Draper, Cross and Dunn, Smith and Dale.

Skelly Services Friday

Funeral services for Joseph P. Skelly, manager of exchange operations for RKO, who died suddenly in St. Louis on Monday, will be held Friday from his parish church at Rockaway Ave. and Eastern Parkway, Brooklyn, at 10 A.M. The body is now at the funeral parlors of Feeney & Son, Brooklyn.

MacLean May Join G. N.

HOLLYWOOD, March 9.—Douglas MacLean is negotiating a deal with Edward L. Alperson for the production of four Grand National pictures annually. The final signing is expected before the weekend.

M·G·M AGAIN!

"Maytime" means Extended Playtime!

JEANETTE MacDONALD, NELSON EDDY in "MAYTIME" with JOHN BARRYMORE • Herman BING • Tom BROWN • A Robert Z. Leonard Production • Produced by Hunt Stromberg
A Metro-Goldwyn-Mayer Picture

Figure Seven Million Para. Debentures in

(Continued from page 1)

$2,500,000 special inventory reserve set up out of 1935 earnings and applied in its entirety to 1936 operations.

Indications are that the company's common stock will be placed on a dividend basis in the near future to make conversion of the new debentures and the outstanding preferred stock attractive. The new debentures are convertible into common at $33 1/3 up to 1942 and at $40 a share thereafter.

Paramount B'way's 1936 Loss $326,991

The balance sheet of the Paramount Broadway Corp. for the year ending Dec. 31, 1936, shows a net loss of $326,991.81. Income from operations during 1936 was $923,500.40. Operating expenses, insurance, taxes, interest, leasing, depreciation and amortization totaled to $1,250,492.21.

The deficit of 1936 compares with a net loss of $166,536.22 for 1935 and brings the company's total deficit, after the deduction of $39,213.75 for discount on bonds purchased and retired, to $454,314.28.

W. E. Declares 60c Dividend

The board of directors of Western Electric at its meeting yesterday declared a dividend of 60 cents per share on its common stock. The dividend is payable March 31 to holders of record at the close of business March 25.

Skouras Promotes Fuchs

Harry Fuchs, formerly manager of Skouras' two theatres in Port Chester, has been promoted to supervisor of the circuit's Westchester houses. The territory includes the Scarsdale and Bronxville theatres recently taken over from Nick Paley and Jack Rosenthal.

George Skouras has returned from a short vacation in Miami.

Giant New Flagships

TO CALIFORNIA OVERNIGHT

To Los Angeles or San Francisco; in NEW 14-berth Flagship Sleepers, on the all-year Southern Transcontinental Route. Sleep in a comfortable berth.

Phone VAnderbilt 3-2580
or your travel agent
Ticket Office—45 Vanderbilt Ave.

AMERICAN
AIRLINES INC.

Purely Personal

BENNY BERGER, Bemidji, Minn., exhibitor and prominent in the affairs of Allied of the Northwest, is in town and sails for Europe today. Rube Jackter and Max Weisfeldt of Columbia had him in tow at The Tavern for lunch yesterday.

•

Bob Gillham will leave for Miami on Sunday. After attending the M. P. T. O. A. sessions and a meeting of Paramount partners, he will go to Key West for a fishing vacation.

•

Jack Ellis, local RKO salesman and editor of the *Reel*, house organ of the M. P. Associates, is vacationing at Miami. The first issue of the *Reel* is now out.

•

William A. Johnston is in New York from Hollywood in connection with *Hollywood Now*, a new monthly publication which marks his latest enterprise.

•

Wadsworth Camp's magazine story, "West Coast Limited," has been purchased by Universal. The company has also bought William Rankin's "Washington Correspondent."

•

Lee Newbury, president of Allied of New Jersey, is sojourning in the south. The unit will hold a meeting next Tuesday, its first in months.

•

Roy E. Larsen, vice-president of Time, Inc., has returned from Hollywood, where he received the Academy award presented for the "March of Time."

•

Hal B. Wallis gets in from the coast today and will head west tomorrow in company of Gradwell Sears and Carl Leserman.

•

Thomas Doods, chairman of Atlantic Films of London, sails on the *Queen Mary* today. Harry M. Goetz will be another passenger.

•

Helen O'Toole, the M. P. T. O. A. secretariat complete in New York, has left for Miami and the impending convention.

•

Lillian Fischer, fashion adviser for "Walter Wanger's Vogues of 1938," left yesterday on the Century for the coast.

•

Leo Spitz will arrive from the coast today. He was due yesterday, but stopped over at Chicago to visit his family.

•

Helen Flint has arrived in New York to attend the opening at the Rialto of "Sea Devils," in which she appears.

•

Ed DePar, Warner cameraman, is in from the coast to take some special local color shots.

•

Glenda Farrell and Dorothy Mackaill sail today on the *Queen Mary*.

•

William Gedris of Ideal Seating, Grand Rapids, is visiting local dealers.

•

Arthur Loew has returned from a cross-country automobile trip.

•

Eugene Picker will return today from Miami.

MEYER SCHINE who returned Monday from a five-week vacation, at Miami, left yesterday afternoon for Gloversville. John May and George Lynch came down to meet him. May accompanied Schine back to the upstate city while Lynch will leave for the circuit's headquarters today. Louis Schine is now in Miami and on Sunday, Meyer will again head for the M. P. T. O. A. convention by plane.

•

William Honeywell (Bill) Murphy, Erpi's eastern sales representative, returned to his duties at the home office yesterday after four weeks of the grippe and subsequent injuries when he sprained both ankles.

•

Edward A. Golden, general sales manager of Monogram, will address the M. P. Institute of Grover Cleveland High School today.

•

Oscar Doob, director of advertising and publicity for Loew's, is back from a three-week sojourn in Florida.

•

E. C. Mills, Ascap general manager, is expected back here next week from a trip to the south and far west.

•

Isidore Rappaport left for Baltimore yesterday after a short stay in town on bookings for the Hippodrome.

•

William J. Kupper, 20th Century-Fox sales executive, left via American Airlines for Dallas yesterday.

•

George MacDonald, husband of Jean Parker, left for the coast yesterday via plane.

•

S. R. Kent has returned from his Florida vacation.

•

Dave Palfreyman left last night for Miami.

Hospital Drive Set For Start April 30

The annual drive to raise funds for the Will Rogers Memorial Hospital, Saranac, will be held during the week beginning April 30, according to Major L. E. Thompson.

The following committees have been named by Major Thompson:

Advisory—Will H. Hays, E. L. Alperson, R. H. Cochrane, Jack Cohn, S. R. Kent, George J. Schaefer, Nicholas Schenck, Leo Spitz, H. M. Warner, H. J. Yates and Adolph Zukor.

Distribution—Neil F. Agnew, John D. Clark, James R. Grainger, Jules Levy, J. J. Milstein, Abe Montague, Edward J. Peskay, William F. Rodgers, Gradwell L. Sears, A. W. Smith, Jr., and George W. Weeks.

Exhibitors — Joseph Bernhard, Harry Brandt, Y. Frank Freeman, Ed Kuykendall, Abram F. Myers, C. C. Moskowitz, George P. Skouras, Spyros Skouras, W. G. Van Schmus and Walter Vincent.

Executive—J. Henry Walters, E. V. Rickenbacker and Harold Rodner.

Munro May Visit U. S.

Sydney, Feb. 9 (*By Air Mail Via London*)—It is reported that Charles E. Munro, managing director of Hoyts and joint managing director of General Theatres Corp., will visit New York about the middle of the year.

Consolidated Net at 23 Cents Per Share

The 1936 net profit of Consolidated Film Industries, Inc., amounting to $919,515, as reported yesterday, is equal after all charges, including taxes and annual dividend requirements on the $2 cumulative participating preferred stock, to 23 cents per share on 524,973 shares of common stock outstanding. This compares with a net profit of $1,077,450, equal to 53 cents per share, for 1935.

Current assets Dec. 31, 1936, including $163,284 cash, amounted to $5,448,842 and current liabilities, were $2,007,275.

In a letter to stockholders Herbert J. Yates, president, states that the proposed recapitalization plan has been held up, pending a decision of the Supreme Court of Delaware on the validity of the plan. The management expects the decision about March 19, and will notify stockholders following the decision. Pending the decision, no dividends have been declared since the payment of $1 on the preferred on Dec. 31, last.

Divorce Effective Year After Signing

(Continued from page 1)

$10,000 fine, one year in jail, or both, Berger said. A proposed amendment to provide for affiliated theatres retaining their present interests with the understanding they cannot expand has been defeated, it was stated. Paramount's partners have about 10 theatres in North Dakota.

A House committee in Minnesota recently recommended unanimous passage of a similar bill. Another bill of the same kind has been introduced in the Senate there so that both bills will go before the same legislative bodies at the same time.

Fox Theatres Loss Placed at $435,880

(Continued from page 1)

against a book value of $10,091,171. Cash on hand amounted to $753,353. Investments in and advances to subsidiaries were listed at $28,693,904.

The report stated that claims amounting to $26,634,741 have been settled for $5,714,858. Claims amounting to $6,873,354 are still undecided. Realization of assets resulted in a book loss of $9,057,573, according to the report. A loss of $39,347 for the six-month period ending last Dec. 31 was reported.

'Salem' and Goodman $60,000 First Week

The first week of "Maid of Salem" ended last night at the Paramount with approximately $60,000. Benny Goodman and his band are the stage attraction. The weekend matinee topped attendance records for any picture, according to Bob Weitman. On Monday, from opening to 1 P. M., there were 9,700 customers, a new record for any matinee at the theatre, he said.

Goodman's appeal has been strong. He has been inviting the audience to dance in the aisles and on the stage. At a number of shows persons in the audience have accepted the invitation. The combination show will continue for another two weeks.

"Blonde" and Waring Wow In Cleveland

CLEVELAND, March 9.—"Smart Blonde" and Fred Waring and his Pennsylvanians were the big box-office draw of the week at the RKO Palace. The take soared to $28,500, just $1,500 below double average.

"Green Light" at the Allen for a second week downtown following a big week at Warners' Hippodrome, went 50 per cent over par to a gross of $7,500. Average is $5,000. "When You're in Love" finished the week at Warners' Hippodrome with a par score of $10,000.

Total first run business was $62,000. Average is $51,000.

Estimated takings for the week ending March 5:

"GREEN LIGHT" (F.N.)

ALLEN—(3,300), 30c-35c-42c, 7 days, 2nd week. **Gross:** $7,500. (Average, $5,000)

"MAID OF SALEM" (Para.)

LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $11,000. (Average, $15,000)

"THE LAST OF MRS. CHEYNEY" (M-G-M)

LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days, 2nd week. **Gross:** $5,000. (Average, $6,000)

"SMART BLONDE" (W.B.)

RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: Fred Waring and His Pennsylvanians. **Gross:** $28,500. (Average, $15,000)

"WHEN YOU'RE IN LOVE" (Col.)

WARNERS' HIPPODROME — (3,800), 30c-35c-42c, 7 days. **Gross:** $10,000. (Average, $10,000)

To Deny Brandt Charges

A general denial of breach of contract and conspiracy charges filed by Harry Brandt against Loew's, M-G-M, Universal, Columbia and United Artists will be made when answers are returnable on March 25, it was learned yesterday. Answers are now being prepared by attorneys of the major companies.

Wall Street

Paramount Drops on Board

	High	Low	Close	Net Change
Columbia	36½	35¾	36½	+ ¾
Consolidated	4¾	4¾	4¾	— ¼
Consolidated, pfd.	16¼	16⅛	16⅛	— ⅛
Eastman Kodak	168½	168	168	—1
Eastman, pfd.	161	159½	161	+1
Gen. T. Equip.	29½	29	29	.....
Loew's, Inc.	80¾	79½	80⅜	+ ⅞
Paramount	26¼	25¾	25⅞	— ½
Paramount 1 pfd.	184	182	182	—4¼
Paramount 2 pfd.	24	23⅝	23⅝	— ⅜
Pathe Film	8¾	8½	8½	.....
RKO	8⅞	8⅝	8⅝	— ⅛
20th Century-Fox	37⅜	36¾	37⅜	+ ⅝
20th Century, pfd.	46¼	46	46¼	+1
Universal, pfd.	102	102	102	+1½
Warner Bros.	15¾	15⅜	15⅜	— ⅛
Warner, pfd.	62	62	62	—2

Little Curb Movement

	High	Low	Close	Net Change
Grand National	3¼	3⅛	3⅛	.....
Sentry Safety	⅞	⅞	⅞	.....
Sonotone	2	2	2	.....
Technicolor	21¾	20½	20½	— ⅛
Trans-Lux	5	4⅞	4⅞	.....

Loew's Only Bond Movement

	High	Low	Close	Net Change
Loew's 3½s '46	99⅝	99	99	— ½
Paramount Pict. 6s '55	100⅝	100¼	100¼	.....
Warner Bros. 6s '39 wd	98¼	98	98	.....

(Quotations at close of March 9)

Insiders' Outlook

(Continued from page 2)

are controlled, boundaries, but ineffectual and wholly untrue in all others. For, while Germany has been doing a job in preserving national characteristics which the rest of the world continues to look upon with shock and alarums, the fundamental obligation, in a commercial sense, of turning out a product which entertains has been lost sight of almost entirely. For Lehnick, therefore, to declare Germany's "cultural characteristics" must be preserved while output does not suffer can only mean a further dissipation of money on the altar of the bloated Nazi ego and the hastening of another Teutonic industry toward irrevocable collapse . . .

▼

That Berlin is conscious of the antipathy toward its films on the outside is evident in the cloaking of the true origin of many of its pictures. A film actually produced in France with a native cast does not make it French. There is reason to believe this is being indulged in as a regular practice, the money bags and the control tracing back to Germany by direct financing or through a French distributing agency, Berlin-paid. We say France as a case in point, but the nations bordering Germany on all sides are not ruled out. Consider "Amphitryon" where the Nazis were nabbed at their own trickery. Efforts to establish proof in other directions and with other films have been extremely difficult. The American exhibitor, as a consequence, is faced by circumstances, neatly disguised and not readily susceptible of proof. If he is interested in warding off possible offense to any of his patrons, our suggestion is that he tread with extreme care and, where the issue is not entirely in the clear, to divert his energies to other lines . . .

▼ ▼

Those seven hundred children who went into a sit-down strike at Mexia, Texas, a few days ago in protest over a poor program of shorts suggest a number of possibilities. Not the least is the hope the idea does not spread around the land. If children, or adults for that matter, are to sit down and eventually get a refund every time they get an indifferent attraction, grosses would hit the ground with a dull thud and seat replacements make the chair companies rolling in wealth. Yet at that, there is always a worse side. Grad Sears, for instance, knows of a house in Texas where the folks don't sit down. When dissatisfied, they tear the seats from their floor sockets and carry them off. That's so they don't have to come back some other night . . .

▼ ▼

Now that J. J. Franklin's suit for $300,000 in triple damages under the Sherman anti-trust law has been settled by stipulation, some of your best known sales managers are slightly morose. Dealing with exhibition in the Islands, a trip to Honolulu would not have been so bad. At the proper season, of course . . .

▼ ▼

A forthcoming Grand National release is "Girl Loves Boy." Not far removed from "Boy Meets Girl," the Alex Yokel show, long a Broadway success and a camera job for the Warner lot. From this sort of apparent minutae much has been known to happen . . .

Teacher Hits State Picture Censorship

COLUMBUS, March 9.—Censorship of films can be obtained more effectively by the public's refusal to patronize "objectionable" films than by state boards, declared Edgar Dale, film chairman of the Congress of Parents and Teachers, today.

"I believe that picture censorship violates the principles of free speech," Dale said. "One of the implications of censorship is the concept that there are a few strong-minded, intelligent people who can view any picture without injury and that the rest are weak-minded."

Van Schmus—UA Confer

HOLLYWOOD, March 9.—W. G. Van Schmus today conferred with Dr. A. H. Giannini, president of United Artists, George J. Schaefer and other U. A. executives with the object of setting a deal for the company's product at the New York house.

American Atlantic Films Formed Here

Formation of American Atlantic Films, Inc., subsidiary of Atlantic Films, Ltd., of England, was announced yesterday by Thomas Dodds, chairman of the English board and president of the American company. Joan Du Guerny is vice-president and secretary of American Atlantic Films.

Dodds will sail for England today on the *Queen Mary* after being here three weeks. He said his company planned to make two and possibly three more pictures this season. The first, "Thunder in the City," with Edward G. Robinson, was completed some time ago and is being handled by United Artists throughout the world except in the United States and Canada. Columbia is releasing in those territories.

Discussions are under way with Loew's, Columbia and 20th Century-Fox for the additional films to be produced, Dodds said. No deal will be signed until the English board approves of terms discussed, he said. The next picture will be "Fascination."

Robinson may make another for the company, Dodds said, provided a suitable story can be obtained. Miss Du Guerny will make a trip to the coast shortly in search of a number of players. Dodds plans two transatlantic trips a year, he said. "Thunder in the City" will have its London premiere at the Pavilion tonight.

802 to Ask Meeting On Shows with RKO

Local 802 of the American Federation of Musicians today will address a letter to Major L. E. Thompson of RKO requesting a conference with a view to a settlement of the demands of the music union, it was learned yesterday. The letter is in line with the decision reached at a monthly union membership meeting held Monday, to cease all picketing at New York theatres, in favor of concentration on one circuit.

The campaign, which has been carried on for the past five months, admittedly has been productive of no results. It was said yesterday that if the letter to Thompson is not answered favorably within a "reasonable time," probably three or four days, picketing will be started by the union at 28 RKO houses in Greater New York. The minimum union demands, it was indicated, are for at least two orchestras in each of the five boroughs in which the 28 RKO houses are located.

A union spokesman declared yesterday that the revision of the campaign plan on the part of the organization, and the complete withdrawal of pickets at New York houses will not be accomplished for about one week.

The purpose of the drive is to bring about the employment of musicians in film houses. There was considerable discussion at Monday's meeting as to the advisability of the new policy, but it finally prevailed. It is understood RKO was selected because it bought out the Keith-Albee circuit, once a major vaudeville circuit, and because RKO uses stage shows in other cities. Jacob Rosenberg, president of 802, revealed Monday that the executive committee of the A. F. M. had declined to extend the picketing drive to other cities, without the authorization of members at a national convention.

Ascap Bill Is Amended

OLYMPIA, Wash., March 9.—The Senate has amended a House bill which aims to regulate Ascap. The bill would tax the association $3,000 for each county where royalties are collected for the playing of copyrighted music. It is estimated the bill, if passed, would raise $117,000 annually.

Astor Gets Cartoons

Astor Pictures Corp. has closed a deal for United States and territorial rights to a series of six Anson Dyer color cartoons featuring "Sam Small," a character popularized by Jack Hylton and his band on the Real Silk radio programs. The first subject will be ready April 15.

AFA to Have Party

Members of the A. F. A. will hold a "Get-Together Party" at the Palm Gardens, Friday night at 8:30 P. M.

RELEASED THROUGH
RKO-RADIO PICTURES

GRAND OPENING

RADIO CITY MUSIC HALL
MARCH 18

★

JOE E. BROWN

"When's Your Birthday?"

WITH
MARIAN MARSH
FRED KEATING
EDGAR KENNEDY

RECTED BY HARRY BEAUMONT
DAVID L. LOEW
RODUCTION

French Unions Urge National Film Industry

(*Continued from page* 1)

as would the five newsreels now operating in France.

Private production would be controlled by means of Government censorship of all scripts before production. No studio would be rented to a producer if he could not furnish the license which the Government would give him following approval of a film script.

Distribution would be controlled by the creation of an official organization for exportation and domestic distribution, supplanting the existing companies. Exhibition control would take the form of supervision of composition of programs, advertising, exploitation and the handling of receipts.

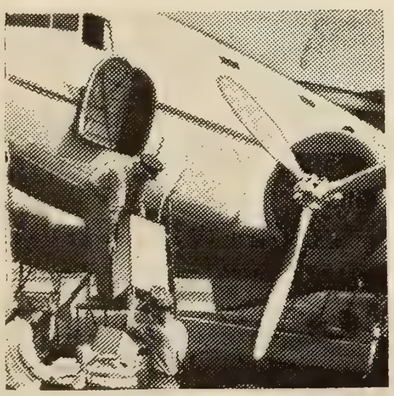
A state institute of film technical affairs would supply staffs for studios and provide instruction in the work. A management council for the industry would include representatives of the workers, patrons and the "collectivity," political appointees who virtually would exercise complete control over the industry.

As a beginning, the trade unions would nationalize immediately the two largest companies which are in receivership, G. F. F. A. (Gaumont) and Pathe Cinema.

Kelly Enthusiastic On Foreign Outlook

Hollywood, March 9.—Arthur W. Kelly, manager of foreign sales, United Artists, today told Motion Picture Daily that American films are not now confronted with serious international sales problems and that Hollywood, conscious of the potentialities of the foreign market, is planning production accordingly.

Kelly plans an extended stay in New York following the close of the current meetings.



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AIR EXPRESS
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British Gov't Has No Power In Woolf Deal

(*Continued from page* 1)

initiate special legislation of the type suggested," Runciman declared, referring to a suggestion that the Government by legislation forbid foreign domination.

Asked why the Government had refused the Ostrer offer to turn his shares in Metropolis and Bradford over to the Government, which Ostrer declared last week he had made in 1931, Runciman declared, "I cannot answer that without notice."

Ostrer Explains Loss

London, March 9.—At the meeting here today of shareholders of Gainsborough Pictures, Ltd., a Gaumont British subsidiary, Mark Ostrer quoted the appeal of his brother, Isidore Ostrer, for Anglo-American reciprocity, and cited the disappointing results of G. B. efforts in the United States.

He declared, "It was not due to any lack of merit, but we were not accorded playing time in the most important situations, which are almost wholly controlled by American producing interests. The situation of the company would have been overcome if the anticipated revenue from the United States had been realized."

The company reports and accounts were accepted. They showed a trading loss for the year to June 30 last of £79,486. Interest, depreciation and other items bring the total debt to £97,930. It is declared several films did not realize the valuation placed upon them in the previous year's report, when a profit of £12,283 was declared and a dividend of nine per cent paid.

The issued capital of the company, in which control is held by Gaumont British, is £156,250 and reserves are £20,743. Gainsborough is scheduled to make four pictures for distribution by General Film Distributors under the deal between G. B. and the latter company, which provides for half of production costs.

Miss Fields Party Guest

Gracie Fields, English comedienne, who arrived yesterday on the *Queen Mary,* was guest of honor at a cocktail party given by 20th Century-Fox at the Waldorf-Astoria. About 200 newspaper and trade and fan magazine writers attended.

Miss Fields will leave by plane on Friday for the coast to confer with studio officials. She is under contract to the company, but no definite plans for her film work have been made as yet.

Orders Twickenham End

London, March 1.—On the petition of Betty Balfour, the British screen star, a creditor for £59, Justice Bennett has made a compulsory winding-up order against Twickenham Film Studios, Ltd. There was a scheme for a voluntary winding-up of the company on the basis of an offer for the studios from Julius Hagen, managing director of the company, which cannot now be applied.

Kent Denies

Sidney R. Kent, president of 20th Century-Fox, queried yesterday by *Motion Picture Daily* on the accusation made in London by C. L. Nordon, representing G. B. shareholders, that the American company had a secret agreement with the Ostrers, to permit 20th Century-Fox to vote in shareholders' meetings, declared, "I know nothing about it. So many ridiculous stories are coming over here from England that I haven't the time to deny them all."

Nordon declared the alleged arrangement was intended to defeat a company bylaw which forbids foreign interests from voting in shareholders' meetings.

Ohio I. T. O. Planning Fight on Film Bills

Columbus, March 9.—Directors of I. T. O. of Ohio, meeting here today, discussed ways and means of fighting the adverse film legislation now pending in the House and mapped out plans for an organization membership drive for the purpose of gaining numerical strength and a united front.

Specially considered today were bills calling for the placing of an extra operator in the booths of all theatres seating 300 and over, also the measure calling for a censorship fee of two cents a foot instead of the present $3 per reel. The change, it is claimed, would jeopardize the very business existence of exhibitors in Ohio. Enactment of the former bill, it was said, would necessitate the paying of $600,000 extra in salaries.

Three New Speakers For MPTOA Meeting

(*Continued from page* 1)

Robert H. Jackson, Assistant U. S. Attorney General, and Sol A. Rosenblatt, attorney and former N.R.A. film code administrator, to address the closing business session of the national convention, March 18. All have indicated that they will accept if their business schedules permit.

Scattered delegations from New England, New York, Philadelphia and Washington start for Miami today and tomorrow, where the M. P. T. O. A. convention gets under way at the Miami Biltmore next Tuesday. The bulk of the delegates, with members of their families, however, will leave eastern, northern and western points over the week-end. Attendance is being estimated at double that for any previous M. P. T. O. A. convention.

B&K Men to M.P.T.O.A.

Chicago, March 9.—Walter Immerman and Elmer Upton of B. & K. are planning to attend the convention of M. P. T. O. A. at Miami. Aaron Saperstein will also attend. Morris Leonard, president of the local association, will not be able to make the trip.

Studying Overseating

London, March 1.—K. A. Nyman, chairman of the new C. E. A. overbuilding committee, is to tour areas in which the overseating problem is acute in order to plan action with local exhibitors.

M-G-M's European Plan Up for Talks

(*Continued from page* 1)

tomorrow or Friday and will remain in Culver City about two weeks before returning to London.

Arriving with him yesterday were Benny Thaw, Bob Ritchey, Fred Wilcox and John Meehan. All are associated with M-G-M in one department or another.

Nicholas M. Schenck is due in Hollywood tomorrow from Miami. J. Robert Rubin and Leopold Friedman of the home office legal department arrived at the studios Monday.

Although production in England and preliminary plans for next season will be the main topic of discussion as soon as Schenck and Goetz arrive at the studios, it is learned that the six-year personal service contracts of Louis B. Mayer, Rubin and David Bernstein will expire Dec. 31, 1938. Renewal of these will not be taken up for some time. Bernstein is due the latter part of the week from Miami, where he has been vacationing the past few weeks.

Canadian Statistics Show Films' Revival

Toronto, March 9.—Official film statistics throughout Canada for 1935, just released, show a general revival. Paid admissions totaled 116,976,500 and box-office receipts were $27,173,400, apart from amusement taxes, as compared with 107,718,000 admissions and $25,338,100 in receipts for 1934. This advance was despite the fact that the average admission price in 1935 was 23.2 cents as compared with 23.5 cents in 1934.

Per capita expenditure for film entertainment in 1935 was $2.48, compared with $2.34 in 1934. The per capita expenditure is still much lower than in the peak year of 1930, when it was $3.77.

Approximately 900 theatres were operated in Canada during 1935 as against the present total of 1,033 at the beginning of 1937. At the end of 1935 the combined seating capacity of all theatres in the Dominion was slightly in excess of 500,000 and each seat was occupied almost five times each week. Definite figures as to attendance and receipts for 1936 will not be compiled for some months, because reports from individual centres have not been received.

Discussions Begun On "U" Production

Universal's production plans for next season are now being discussed here by the company's home office and studio executives. They will continue for about a week.

Charles R. Rogers, production head, did not visit the home office yesterday due to a cold he contracted on his way east. He said he will remain here for 10 days, at which time he expects to have details in connection with the new production program lined up.

Canadian to MPTOA

Toronto, March 9.—Canada will be represented at the annual convention of the M. P. T. O. A. at Miami, by N. A. Taylor, director of the I. T. O. of Canada, which was organized last year with headquarters in Toronto.

Notice to Distributors and Exhibitors

March 2, 1937

Technicolor has already given its customers complete indemnification from all liability, damages and expenses which they may incur arising from the pending suit brought by Tricolor in the following language:

> *Technicolor hereby agrees to indemnify and save the Producer free and harmless from all suits, claims, damages and/or other liability and expenses which may arise directly or indirectly out of or by reason of the fact that such negatives and/or prints are produced, used, sold or leased under Technicolor's method of photographing and manufacturing pictures in color. The Producer agrees (and all the foregoing provisions in this paragraph set forth are upon the condition) that the Producer shall give Technicolor prompt written notice of all such actions, suits or claims for infringements and opportunity to defend the same through Technicolor's own counsel and to control such defense and the Producer shall, at the request of Technicolor, give Technicolor all information in its possession or under its control with reference thereto and all reasonable assistance and cooperation. Technicolor agrees to reimburse the Producer for any cost and reasonable expenses incurred by the Producer in furnishing such information or in giving such assistance and cooperation.*

To all distributors and exhibitors Technicolor now hereby extends the same indemnity and protection with reference to the pending suit of Tricolor, Inc., vs. Technicolor Motion Picture Corporation.

TECHNICOLOR
Motion Picture Corporation

Herbert T. Kalmus
President

FCC Orders Hearings On 14 Stations

Washington, March 9. — The F.C.C. today ordered the holding of hearing on 14 applications for new broadcasting stations, as follows:

Petersburg Newspaper Corp., Petersburg, Va., 1,210 kilocycles, 100 watts night, 250 watts day; Carolinas Radio, Inc., Charlotte, N. C., 880 kilocyles, 500 watts night, 1,000 watts day; Amarillo Broadcasting Co., Amarillo, Tex., 1,500 kilocycles, 100 watts; John W. Haigis, Greenfield, Mass., 1,210 kilocycles, 250 watts, daytime only; J. K. Patrick & Co., Athens, Ga., 1,310 kilocycles, 100 watts night, 250 watts day; George H. Payne, San Jose, Cal., 1,440 kilocycles, 500 watts; Howard A. Miller, Galesburg, Ill., 1,500 kilocycles, 100 watts, daytime only; John D. Fields, Inc., Las Vegas, Nev., 1,370 kilocycles, 100 watts; World Publishing Co., Tulsa, Okla., 940 kilocycles, 1,000 watts night, 5,000 watts day; Skagit Broadcasting Assn., Bellingham, Wash., 1,200 kilocycles, 100 watts night, 250 watts day; Voice of Detroit, Inc., Detroit, Mich., 1,120 kilocycles, 500 watts night, 1,000 watts day; West Virginia Newspaper Publishing Co., Clarksburg, W. Va., 1,250 kilocycles, 1,000 watts, daytime only; Radiotel Corp., San Diego, Cal., 920 kilocycles, 500 watts, and Provo Broadcasting Co., Provo, Utah, 1,210 kilocycles, 100 watts.

To Consider Frequency Changes

Hearings also were ordered on the applications of stations KSLM, Salem, Ore., for a change of frequency to 1,110 kilocycles and an increase of power to 500 watts; KCMO, Kansas City, Mo., for a change of frequency to 450 kilocycles and increase of power to 1,000 watts; KGO, San Francisco, for removal of its transmitter to a location near Belmont, Cal., and an increase of power to 50,000 watts; KWTN, Watertown, S. D., for a change of frequency to 1,340 kilocycles and increase of power to 250 watts night and 500 watts day; KRE, Berkeley, Cal., for a change of frequency to 1,440 kilocycles and increase of power to 500 watts night and 1,000 watts day; WBOW, Terre Haute, Ind., for a change of frequency to 1,290 kilocycles and an increase of power to 500 watts night and 1,000 watts day; KGKL, San Angelo, Tex., for a change of frequency to 940 kilocycles and increase of power to 1,000 watts night and 5,000 watts day; WTCN, Minneapolis, to increase night power to 5,000 watts; KMJ, Fresno, Cal., to increase night power to 1,000 kilocycles, 1,000 watts night and 5,000 watts day, and KJBS, San watts; KGHI, Little Rock, Ark., for an increase of night power to 250 watts, and WSPG, Toledo, Ohio, to increase night power to 5,000 watts.

At its regular weekly meeting the broadcast division today granted licenses to cover construction permits to stations KMAC, San Antonio, 1,370 kilocycles, 100 watts night, 250 watts day; KPLC, Lake Charles, La., 1,500 kilocycles, 100 watts night; 250 watts day; WGST, Atlanta, 890 Francisco, 1,070 kilocycles, 500 watts.

The division also authorized KCKN, Kansas City, Kan., to change its name from WLBF Broadcasting Co. to KGKN Broadcasting Co.; granted WSMB, New Orleans, authority to move its transmitter from the Algiers Naval Station to New Orleans; authorized KGFI, Corpus Christi, Tex., to move to Brownsville, and granted a construction permit to Glenn Van Auken, Indianapolis, Ind., for a new daytime station on 1,050 kilocycles, 1,000 watts.

The commission denied or dismissed the application of WQDM, St. Albans, Vt., for authority to operate on 1,370 kilocycles, as well as requests for new stations from Malcolm H. Clark, Amarillo, Tex.; John S. Brown, Waco, Tex., and Lou Poller, Jessup, Pa. It also refused an application of KGDM, Stockton, Cal., for an increase of time from daytime to unlimited.

LEO SAYS:
Wives stay at home mornings to listen to Ida Bailey Allen. You, too can keep your wife at home this easy way.
WHN DIAL 1010 AFFILIATED with M-G-M • LOEW'S

Report $1,000 Week Offer for Ruffner

"Tiny" Ruffner, in charge of production at Benton and Bowles, is reported to have received an offer of $1,000 a week from Ruthrauff & Ryan to assume production supervision of the latter agency's coast programs.

Ruffner was not available for comment yesterday. The report was neither denied nor confirmed at Ruthrauff and Ryan. A spokesman there said merely that there was "nothing definite" to report.

Women's League to Honor Lenox Lohr

Lenox R. Lohr, NBC president, will be one of the 15 outstanding business leaders who will be honored by the New York League of Business and Professional Women Thursday, March 18. Presentation of scrolls to the business leaders will be made via a broadcast to be heard that day at 11:05 P. M., E.S.T. on the NBC-Blue network. The broadcast will originate in the ballroom of the Hotel Biltmore as a feature of National Business Women's Week.

Others who will be honored by the League are N. A. Brisco, dean of N. Y. U.; H. A. Clemmer, president of the Loose-Wiles Biscuit Co.; Dr. E. A. Colligan, president, Hunter College; L. W. Fairchild, Fairchild Publications; R. A. Gavitt, executive, Postal Telegraph Co.; Kenneth Mygatt, vice-president, Raymond-Whitcomb Co.; Conde Nast, publisher; Daniel Pyle, United Hospitals; Ogden Reid, publisher of the *New York Herald-Tribune;* Samuel Reyburn, Associated Dry Goods Co.; F. R. Sexauer, president, Dairymen's League; John Sloane, president, W. J. Sloane Co.; and T. J. Watson, president, International Business Machines Co.

The awards will be presented by Mrs. William Brown Meloney of the *Herald-Tribune.*

Teach Radio Scripts

Columbus, March 9.—A course in radio script writing has just been added to the curricula of the Ohio State University, with credits accruing to the students, the same as in other studies. The work consists of listening to radio programs and criticizing the scripts, which sometimes are rewritten according to the criticism. Original scripts also are written by each student.

400 Stations Take Chevrolet Program

More than 400 stations already have been signed to air the transcribed Chevrolet series, it was stated at World Broadcasting yesterday. The series will begin March 19.

Among the guest stars who have been signed to appear with Rubinoff are Benay Venuta, Irene Beasley, Virginia Verrill and Jerry Cooper.

WLW Gets New York Wire

Cincinnati, March 9.—New York studio connections of WLW, local NBC-Mutual outlet in the Crosley setup, will be established March 15, through permanent telephone lines from WMAC. The facilities of that studio which will be available to the local station 24 hours a day. Vitalis, handled by the Pedlar & Ryan Agency, is reported to be the first account under the new hookup.

The arrangement will permit commercials originating here to be transcribed at the New York end. "We Live Again," sponsored by the Lewis-Howe Medicine Co., is reported as the initial recording. It will be used for spot programs. Other programs to be similarly handled are understood to be in process of final negotiations. No recordings are made in Cincinnati.

New Yankee Series to Start

Boston, March 9.—The First National Stores "Family Party" with Robert E. Rodgers, lecturer; Jackie Duggan; Roland Winters, commentator, and M. C. Miriam Miller, singer; Francis Cronin, organist, and Andy Jacobson's dance band, will start a series of evening programs over 11 stations of the Yankee Network tonight from 7:30 to 8:00 P. M., E. S. T.

Hamp for Strasska

Hollywood, March 9. — Strasska Tooth Paste will sponsor a 15-minute broadcast Tuesday and Thursday featuring Charlie Hamp. It will start next Tuesday over KEHE and the CBS network from 9:15 to 9:30 P.M., P.S.T. The agency, Glasser Advertising.

Standard Oil Gets Hertz

Hollywood, March 9.—Alfred Hertz will conduct the Central California Symphony from Fresno next Friday over CBS under the sponsorship of Standard Oil of California. The program will start at 8:30 P.M., P.S.T.

KEHE Sets Station Program

Hollywood, March 9.—KEHE will signalize its removal to its new studio on March 27 with a special program April 15 following the completion of installation.

Studio Program Only On Pacific NBC Web

The General Mills program, entitled "Hollywood in Person," will be heard only over NBC's Pacific Red network, and not over a nationwide chain, as was first reported. The program begins Monday, March 15, from 11:45 to 12 noon, P.S.T.

Bob Baker, as the inquiring em cee and Louise Roberts, fashion scout, will have charge of the program and will make daily visits to major film studios.

The first broadcast will emanate from the 20th Century-Fox lot. Florence Enright and Given Wakeling, dramatic coach and costume designer, for the studio, will be the subject of the interviews.

Tuesday will be Universal day, with Deanna Durbin; Wednesday, Paramount, with Director Mitchell Leisen; Thursday, RKO with Anne Shirley; Friday, M-G-M with Joel McCrea.

Complete Rolls Razor Records

British American Prod., Inc., has completed the transcribed series for the Rolls Razor account. Platters will be aired as "Let's Get Toether," and feature Ernest Chappell, Noel Mills, Carlton Young, Al and Lee Reiser, Jean Ellington, Glen Darwin, the Three Marshalls, Doris Hare and Dave Miller.

Transcriptions will be aired over the following stations, commencing March 14: WOR, WBZ, WBZA, WTAM, WBBM, KNX, KGO and WJSV.

To Televise Coast Program

Hollywood, March 9.—The Rodney Gilliam Co. will produce a program which will be televised over KHJ, Don Lee station, this Saturday at 8:15 P. M., P.S.T. Leo Carrillo will head the cast. The program will be broadcast under the auspices of the Metropolitan Water District of Southern California. The television projection will have a four-mile radius. Harry B. Lubke will be the television director.

Add Jack Pearl Stations

Under the new schedule, beginning Friday, March 19, from 10 to 10:30 P. M., E. S. T. on the NBC-Blue, Jack Pearl's Raleigh and Kool cigarette program will be aired over 38 stations, while 26 additional outlets will carry the broadcasts by electrical transcriptions.

Will Dramatize Proposals

Newell Davis and Fanny May Baldridge will introduce a new series of broadcasts dramatizing marriage proposals on WMCA Fridays at 3:15 P. M. The first broadcast of the series will be heard March 19.

Don Wilson Stays with NBC

Hollywood, March 9.—Don Wilson, awarded this year's top place in the *Fame* radio announcers' poll, will confine his activities exclusively to NBC in the future, having turned down an offer to go to CBS with his "Twin Stars" program Wednesday.

"Twin Stars" transfers to CBS April 4.

R. W. Tigert Joins WFCY

St. Augustine, Fla., March 9.—R. M. Tigert, formerly of Nashville, has become commercial manager of WFOY in this city. He was for some years in the commercial department of WSM, Nashville.

Asserts Radio Controls Most Music Talent

(*Continued from page* 1)

would receive such written statements as they might desire to submit.

Following the hearing, Dickstein explained that his star witnesses, whom he refused to name, feared to appear before the committee because of possible reprisals by producers, a sentiment also expresed by Freeman in explanation of his failure to bring leaders in the operatic and concert fields to testify in favor of the bill.

It was Freeman who charged that the network bureaus have acquired a monopoly of musical talent, the only monopoly in the country, he said, which is not under Government regulation. He emphasized that he had no personal feeling against the network officials, stating that he hoped some day himself to be in the top group, but contended that their operations made it impossible for American talent to get a chance.

Much Wrangling

In the absence of professional talent to entertain them, members of the committee today showed an inclination to squabble, and charges by Congressman Massingalde of Oklahoma that the chairman had spoken invidiously of Representative Celler of New York threatened to precipitate a quarrel which was averted only when Dickstein ordered his remarks expugned from the record.

The remarks in question were made at the opening of Simmons' testimony, when, following his statement that the department had prepared a 50-page review of actor immigration regulations of England, France, Germany, Austria and Italy, Dickstein asked why the statement had not been made available to the committee before it was given Celler for use "before the committee and in the newspapers" and grew quite heated over the fancied slight.

While Simmons did not say that the department disapproved of the bill, he did state that it was vague in its phrasing and its administration would be a considerable burden.

Denies Discrimination

However, he pointed out during the discussion, the bill is not, as claimed by Dickstein, comparable to the reciprocal trade agreements made by the Administration, since those treaties are designed to lower barriers while the bill would raise them. With respect to that part of the bill relating to discrimination against American talent, he pointed out that there is no discrimination against Americans as such in the European restrictions, but that the entry of all foreign talent is regulated on the same basis.

At no time during the testimony did Simmons say that the department was in favor of the legislation, although he did not state that he had been instructed to voice its disapproval. The tenor of his testimony, however, was largely critical of the measure.

With the hearings brought to a conclusion, Chairman Dickstein said that his committee would consider the action to be taken on the bill at its regular meeting March 18.

Radio Personals

BILL GREEN, Rubinoff's press representative, has taken over management of Blevins Davis, of the Yale University dramatic staff, who authored the coronation drama recently aired on the Blue network. Blevins is rated one of the greatest experts on coronations, and will be heard as guest on several network shows in the near future . . . Rod Reed, radio editor of the *Buffalo News*, visiting in town . . . Fred Allen will make a guest appearance on Jack Benny's program this Sunday. The broadcast will emanate from the grand ballroom of the Hotel Pierre . . . Virginia Verrill has been set for a guest shot on the Ed Wynn program March 20 . . . Ditto Frank Parker on Nellie Revell's program March 16 . . . Rex Chandler's Ford program will not be heard Friday night. The time will be turned over for the U. S. Supreme Court debate. The program may be aired at midnight, however . . . Wythe Williams, foreign news commentator heard on WMCA and Inter-City network, has completed a book entitled "Dusk of Empire". . .

✚

Larry Hammond, Blackett-Sample-Hummert director, back from a two-week cruise and his resumed direction of "John's Other Wife," daily NBC-Red network script. . . . Lloyd Rosemond has replaced Martha Atwell as director of "Way Down East," recorded series. . . . Mrs. Emil Coleman, wife of the bandleader, is recovering from injuries suffered in an auto accident in Florida. . . . Zinn Arthur, heard on WHN Wednesdays and Fridays, has been given an additional spot and hereafter will be heard also on Thursday at 10:30 P. M. . . . Lotte Lehmann will headline Joe Cook's guest roster this Saturday.

✚

The Bill Shephards, he's the WHN announcer, celebrate their eighth wedding anniversary this week. . . . Bob Ripley has been selected to receive this month's Pilot radio award. . . . Doris Kerr, CBS, now auditioning for a beauty cream sponsor. . . . Dick Himber's orchestra, Gogo DeLys and Fred Utell signed for shorts by Warner Bros. . . . Bernice Claire back in town after three weeks in Florida. . . . "Grand Hotel" folds from the air with the broadcast of April 4. . . .

✚

The Robert T. Conway's, he's head of KWK, St. Louis, are celebrating the arrival of Robert T. Conway, Jr. . . . Milton Douglas, who made his air debut last week on the Vallee program, repeats this Thursday . . . Sheila Barrett and Prof. Pitkin will guest appear on the Nash-Lafayette "Speedshow" Saturday, March 15 . . . Rubinoff, he whose "live" Chevrolet series fades late this month, will do New England concert work, and then depart for Hollywood and screen work in April. . . . Radio and Film Methods Corp. has 50 off-the-air recordings of President Roosevelt's talks. Copies of each are in the archives of the Library of Congress.

Gentlemen of the Press

***Here is how radio editors throughout the country regard the radio section of* Motion Picture Daily:**

Bob Hall, *San Francisco Call-Bulletin:* "I not only get a lot of information on radio out of *Motion Picture Daily,* but also enjoy reading the dope on the films."

Herschell Hart, *Detroit News:* "I think your *Daily* is a dandy. To say any more would be merely repetition. I find it very helpful in providing me with authenticated information for my column. I don't mean to give you the idea that I lift it bodily, but it has been a very good 'tip' service and I appreciate it."

Robert S. Stephan, *Cleveland Plain Dealer*: "I thought you might like to know that I feel you are giving your readers a fine compact service as far as radio news is concerned. I like especially the brief way in which you summarize your news items and I think there is considerable of value in your review of programs. We have too little reviewing done in this business."

William L. Doudna, formerly *Wisconsin State Journal,* Madison and now program announcer of WHBL, *Sheboygan Press* station: "Consider this letter a 'second-the-motion' to those of other radio editors who have written you about the excellence of your radio coverage. We have been using excerpts from your pages to add to the news value of our radio columns and readers appreciate the timeliness of the notes. Often you've scooped the publicity men—even those of the better agencies who make it a point to give us late stuff. Congratulations—and keep it up."

E. Zufelt, *Sheboygan (Wis.) Press:* "The radio columns seem to be well edited and contain many straight news stories, together with feature stories among which were some particularly interesting ones on television. The Bobby Breen story giving the lowdown on the managers' row on contracts was a timely piece of work and gave a clear-cut version of the situation."

Clifford Grass, *The Canton (O.) Repository:* "I find the radio section especially interesting. The items are 'hot' and I don't know how it could be improved. I have found but few duplications of stories I receive from other sources."

F.C.C. Factor Halts Test of Power by Air

WASHINGTON, March 9.—The question of jurisdiction of the F.C.C. here over the operation of transmission of electric power and light by wireless by the National Wireless Power and Light Corp. from experimental laboratories near New Castle, Pa., caused a second postponement of the public demonstration which had been scheduled for tomorrow.

With everything ready for the demonstration, John C. Roberts, inventor of the "Roberts Tube" and the method of transmission, stated that the demonstration was off for "probably" several days until the company's office in Greenwich, Conn., is notified by the F.C.C. as to whether it has jurisdiction over this type of transmission and whether a permit will be issued. It is understood that Roberts has been notified that this type of work would come under the supervision of the F.C.C.

A second test from the New Castle laboratories with receiver set up temporarily in Maryland last Sunday morning was successful at 23 miles. The test was made at 4 A. M. and was witnessed by J. R. Johnson, president of the company. Roberts declared it to be "highly successful."

Pending word from F.C.C., the receiver has been moved to Greenwich and today was installed on the roof of the Pickwick Hotel, to which point a test will be made prior to placing the set on board a ship en route from New York to Bermuda. The purpose of using a ship in the test, Roberts said, is to determine at what distance the transmission fades.

Dismiss Action Against Alexander

Judge Meier Steinbrink in Brooklyn Supreme Court yesterday dismissed an action for an injunction and $250,000 damages brought against A. L. Alexander, conductor of the "Good Will Court," by Judge Sweedler's Good Will Court, Inc. Other defendants were Chase & Sanborn, NBC, Standard Brands, Inc., J. Walter Thompson and WMCA. The court held that Alexander could not be enjoined because Sweedler had given him permission to use the name "Good Will Court."

Louis Nizer, of Phillips & Nizer, represented Alexander.

Orders Emerson Reply

Federal Judge Murray Hulbert yesterday ordered the Emerson Radio and Phonograph Corp., the Emerson Television Radio Co. and Benjamin Abrams, defendants, in an action brought against them by Emerson Electrical Manufacturing Co. to reply to the questions of the plaintiff. The action is for an injunction and damages for alleged infringement of the plaintiff's copyrighted trade name, Emerson.

Gilbert, Fogarty Signed

Edwin Gilbert and Alex Fogarty, writers of "New Faces" and other Broadway hits, were signed yesterday by the CBS Artists Bureau to long term contracts. CBS will represent them in all future negotiations for stage, screen and radio commitments.

Stadium Hearing Is Delayed to Tomorrow

A hearing scheduled for yesterday on a petition for approval of an agreement between Keith-Albee-Orpheum and Stadium Theatres Corp., which was made by Irving Trust Co., reorganization trustee for RKO, was postponed until tomorrow because Federal Judge William Bondy was unable to preside at the hearing due to injuries received in a fall yesterday.

Under the proposed agreement K-A-O would complete the transfer to Stadium of its remaining $486,830 of notes and collateral of Orpheum Circuit and withdraw its proof of claim against Orpheum. Stadium recently acquired all of the going assets of Orpheum.

Federal Judge Murray Hulbert today is scheduled to hear an application for a show cause order which seeks to compel Stadium to return the Orpheum assets to Marcus Heiman, trustee in bankruptcy for Orpheum. The order is sought by Samuel Zirn, attorney for Orpheum Circuit first preferred stockholders.

Zirn contends that the Orpheum proceedings should be consolidated with the RKO reorganization in order to give creditors and stockholders of Orpheum equal treatment with those of RKO.

Technicolor - Tricolor Start

Los Angeles, March 9.—Charles F. Jones, who claims to be inventor and developer of the Jones Duplex camera, occupied the witness stand all day today in the Technicolor-Tricolor suit. He outlined the steps in the development of the camera and stated that in 1915 he assigned the rights to Colorco, which obtained a patent May 16, 1920, and that Tricolor later purchased the rights and interests. His testimony will be resumed tomorrow.

The defendants entered a general denial, declaring that the patent is invalid because the invention did not constitute a patentable novelty and alleged that their patent had been issued prior to Colorco's covering of the same process.

Lyon & Lyon, also Roberts, Cushman & Woodbury represented Technicolor. Counsel for Tricolor were C. W. Durbrow, Ford Harris, Robert Fulwider and A. D. Schaffer.

Denies Erpi Dismissal Plea

Federal Judge John C. Knox yesterday denied a motion to dismiss the complaint of John G. Paine, as agent and trustee for the American Society of Composers, Authors and Publishers against Erpi. Judge Knox ruled that the complaint sets forth a cause of action and ordered Erpi to file its answer. The suit is for $169,043 which is the balance claimed to be due as royalty under a contract made on July 29, 1929. The agreement provided that Erpi was to be permitted to sub-license producers to use copyrighted musical compositions upon payment of royalty.

Cohan Theatre Firm Sues

The Esquire Amusement Corp., operators of the George M. Cohan Theatre have sued in N. Y. Supreme Court the Petroleum Heat & Power Co. for $22,988, charging that the company failed to keep an agreement to install an air-conditioning plant in the theatre last spring.

The defendants denied the plaintiff's charge and charged that the plaintiff failed to furnish certain material and supply labor for the installation and counter charged with a suit of $10,780 damages from the plaintiff. The plaintiff was to ask Justice Salvatore A. Cottillo today for permission to examine before trial the president of the defendant's company and also will ask the court to set aside the defendant's request that the plaintiff supply a bill of particulars in support of its claim.

Key Grosses Strong Despite Lent; Total is $1,849,622

Comparative grosses for the latest available periods:

	Week Ending Feb. 26-27		Week Ending Feb. 19-20	
	No. Theatres	Gross	No. Theatres	Gross
Boston	7	$132,400	7	$100,000
Buffalo	5	53,300	5	55,500
Chicago	8	145,700	8	126,300
Cincinnati	8	67,200	8	56,200
Cleveland	5	63,500	5	58,000
Denver	6	38,500	6	35,500
Detroit	6	79,000	6	77,500
Houston	4	34,000	4	21,600
Indianapolis	4	35,600	4	23,300
Kansas City	5	46,000	5	34,900
Lincoln	5	11,850	5	13,400
Los Angeles	9	106,678	9	109,245
Louisville	6	21,400	6	17,800
Milwaukee	5	30,000	5	17,800
Minneapolis	5	23,900	5	28,300
Montreal	5	41,500	5	40,500
New Haven	4	25,100	4	18,600
New York	9	323,094	9	266,800
Oklahoma City	3	10,900	4	13,200
Omaha	3	24,000	3	20,300
Philadelphia	9	105,200	8	79,600
Pittsburgh	5	55,150	5	48,650
Portland	6	37,900	6	34,400
Providence	5	45,600	5	34,700
San Francisco	8	92,300	8	88,200
St. Louis	5	68,150	5	61,250
St. Paul	4	14,200	4	20,000
Seattle	8	49,700	8	45,250
Washington	6	67,800	7	74,700
	168	$1,849,622	169	$1,621,495

Key city grosses from September to the week ending Feb. 26-27:

Sept. 4-5	163	1,747,748
Sept. 11-12	173	2,090,144
Sept. 18-19	176	1,806,350
Sept. 25-26	177	1,744,332
Oct. 2-3	177	1,705,308
Oct. 9-10	175	1,625,287
Oct. 16-17	174	1,780,168
Oct. 23-24	175	1,690,044
Oct. 30-31	177	1,625,216
Nov. 6-7	178	1,629,560
Nov. 13-14	180	1,711,209
Nov. 20-21	180	1,654,312
Nov. 27-28	176	1,568,247
Dec. 4-5	176	1,946,078
Dec. 11-12	172	1,613,087
Dec. 18-19	176	1,568,151
Dec. 25-26	173	1,316,371
Jan. 1-2	178	2,037,040
Jan 8-9	175	2,262,950
Jan. 15-16	174	1,674,774
Jan. 22-23	170	1,793,041
Jan. 29-30	151	1,554,610
Feb. 5-6	154	1,598,645
Feb. 12-13	166	1,621,731
Feb. 19-20	169	1,621,495
Feb. 26-27	168	1,849,622

(*Copyright*, 1937, *Quigley Publications, Inc.*)

Delay Wilmington Cases

Wilmington, March 9. — Three radio and sound equipment patents cases which had been listed for argument on the March calendar of the Federal Court here were put over today to the June term. The cases were those of Duovac Radio Corp. against RCA, General Talking Pictures Corp. against Erpi, and Hazeltine Corp. against RCA and RCA Manufacturing Co.

The case of Westinghouse Electric Mfg. Co. against RCA was passed.

Ask RKO Court Fees

Irving Trust Co. yesterday filed a petition in U. S. District Court here for an allowance of $60,000 for current services as reorganization trustee for RKO. Donovan, Newton, Leisure & Lumbard, counsel to the trustee, asked $85,000 for its current services on Monday.

Ontario Will Drop All Ticket Levies

(*Continued from page 1*)

ada's only province without amusement taxes.

An interesting aspect of today's development is the fact that this Government was the first in the world to impose the so-called war tax on tickets when, in 1916, one cent was levied on every admission regardless of price for the raising of additional revenue. This was gradually increased until the average ticket tax reached 10 per cent. Since 1932 exhibitors have fought the tax as excessive.

Premier Hepburn himself abolished the exemption on tickets under 25 cents which had been obtained in 1932 and sharp protests followed. One year ago the tax on the 25-cent tickets was reduced from five to two cents and juveniles up to 16 were exempted from paying it since it was argued that they were not wage earners.

The abolition of the tax on June 1 comes as an unexpected concession to the theatres. It will mean increased theatre business as well as the elimination of the inconvenience of selling an additional ticket to a patron now in effect.

Illinois House Gets Film Bills

Springfield, Ill., March 9.—A bill calling for the registration of all motion picture operators has been introduced in the legislature here by Senator Meyers. The measure calls for an examination for all operators lacking five years of experience, a payment of $10 for a registration fee and $5 for each yearly renewal. Apprentice operators would be charged $5 for a certificate and 2 for renewals.

A state censorship board is asked in a bill sent to the House by Representative Granata of Chicago. It asks $2 per reel for reviewing.

It is expected that a bill calling for the divorce of production and exhibition will be introduced shortly as well as a measure asking two operators in all projection booths.

Indiana Bill Awaits Signing

Indianapolis, March 9.—Awaiting the Governor's signature, but due to become law whether he signs or not, is the Senate bill which places regulation of theatres and other places of amusement under the state fire marshal. The bill passed the house, 77 to 8. Regular inspections are provided in the bill.

Allow Chicago Standees

Chicago, March 9.—Dr. Herman Bundesen, health commissioner, following a four-day trial, is now allowing theatres to have standees in the lobbies up to two-thirds of capacity.

Immoral Show Bill in N. Y.

Albany, March 9.—Theatres exhibiting immoral shows would lose their licenses for a year under the provisions of a bill introduced in the Assembly here today by Edmund J. Delaney, New York City Democrat.

Dismiss Koplar-WB Suit

Wilmington, March 9.—Judge John P. Nields late today dismissed the suit brought by Harry Koplar against the directors of Warner Bros. Pictures, Inc.

Alert, Intelligent and Faithful Service to the Industry in All Branches

MOTION PICTURE DAILY

The Leading Daily Newspaper of the Motion Picture Industry

VOL. 41. NO. 58 NEW YORK, THURSDAY, MARCH 11, 1937 TEN CENTS

Coast to Have Film Showing By Television

KHJ to Make Test Next Saturday Night

Los Angeles, March 10.—Television is to go on the air next Saturday night from KHJ over the Don Lee web in a film titled "Empire of the West," from 8:15 to 8:40 P. M. P.S.T.

For the first time a standard film production unit and a standard broadcasting operation will be tied in a definite television movement, which promises to make history in both ultramodern industrial and technical fields. The Rodney Gilliam Co., under the personal supervision of its president, Rodney Gilliam, is the producing unit, with Burnet Lamont directing the prologue and the few sequences wherein Leo Carrillo and Sam Flint, assumed the respective roles of the Early Californian and the Yankee.

The camera man was stationed out

(*Continued on page* 10)

More Radio News on Pages 10 and 11

Group Seeks Review Privilege from Hays

Edward Kern, executive chairman of the newly organized Associated Film Audiences, has addressed a letter to Will H. Hays, president of the M. P. P. D. A., requesting that the organization be permitted to preview in New York all films produced by major companies prior to their release dates, it was learned yesterday. As yet no answer to the letter has been received.

The avowed purpose of the new group is to work for the elimination of all films having "militaristic," "anti-labor" or "fascist" themes. All

(*Continued on page* 2)

Ken Nyman Elected CEA Vice-President

London, March 10.—Ken Nyman, chairman of the London and Home Counties Branch of the Cinematograph Exhibitors' Ass'n, was elected vice-president of the C.E.A., it was revealed at the organization banquet last night.

Lord Moyne, head of the Moyne Committee which formulated a report on revisions of the Films Act, defended his report in an address at the banquet. He declared he saw no reason to make concessions to those

(*Continued on page* 7)

Para. Theatre Men to Argue "B" Film Cut

May Urge a 50-50 Split For Next Season

Renewed discussion of limiting "B" picture production in relation to the number of "A" pictures produced will be one of the principal features of the three-day national meeting of Paramount theatre operators in Miami, beginning March 18, it was learned here yesterday.

There is a probability that, as a result of the discussions, Paramount's new season schedule may be planned on the basis of production of an "A" picture for every "B" picture scheduled, or some such limited ratio.

The meeting will be attended by Adolph Zukor, chairman of the board and studio head: Stanton Griffis, chairman of the executive committee; Y. Frank Freeman, vice-president and head of the company's theatre division, and other home office and studio officials, in addition to the complete list of 44 Paramount theatre partners and operators. The latter will be augmented by bookers, auditors and top officials of their respec-

(*Continued on page* 2)

Three RKO Hearings Postponed by Court

Three scheduled hearings on matters pertaining to the RKO reorganization, including the RKO trustee's petition to pay off the balance of the company's outstanding secured gold notes, were postponed yesterday until next week because Federal Judge William Bondy, who was to preside at two of the hearings, was confined to his home as a result of injuries received in a fall on Tuesday.

The gold notes petition, which was

(*Continued on page* 11)

Balsdon Will Leave Coast Hospital Soon

George Balsdon, film booker for National Theatres, will be discharged from St. Joseph's Hospital, Stockton, Cal., on March 17, according to word received from F.W.C. officials. Balsdon was seriously injured in an automobile crash with Sumner Gambee, vice-president of National, and Nick Turner.

Gambee is back in New York fully recovered. Turner is back at his desk at F.W.C. It is likely Balsdon will remain on the coast for some time before returning east.

Set G. B. Action

By BRUCE ALLAN

London, March 10.—C. L. Nordon, head of a committee representing Gaumont British shareholders, which is protesting the declaration of a preference share dividend by the directorate, has set definite plans to seek an injunction to restrain the board from payment of the dividend.

Franklin Gets Films in Deal Stopping Suit

Franklin Theatrical Corp., Ltd., of Hawaii will be able to obtain all the first run product required for the operation of its circuit under the terms of a settlement of its anti-trust suit for $300,000 triple damages against Warners and affiliated companies, it was stated yesterday by Charles Franklin, local attorney for the Hawaiian theatre concern.

Franklin had succeeded in interesting the U. S. Attorney General's office in the case and the probability of a new "St. Louis situation" developing from the product problems of the Hawaiian company was being considered in the trade.

The settlement was effected through the efforts of Assistant U. S. Attorney Generals Frederick Williams and John Dickerman in conjunction with Franklin, Gabriel L. Hess of the

(*Continued on page* 7)

Plan Ontario Price Cut When Levy Ends

Toronto, March 10.—Following the decision of the Government of Ontario to abolish all amusements taxes effective June 1, T. J. Bragg, executive of Famous Players Canadian Corp., has declared the intention of the company to pass on the tax elimination to the public.

Bragg declared the Government ac-

(*Continued on page* 7)

Say Grand National To Have 65 on List

Hollywood, March 10.—Grand National is understood to be planning to step up its production schedule to 65 next season. The new list will include a series of eight westerns to be produced by Edward Finney. It is

(*Continued on page* 7)

Loew 10-Year Para. and U.A. Pact Near End

No New Franchises Seen Before Next Season

With the windup of this season's product, Loew's 10-year franchises with Paramount and United Artists for Greater New York will expire. One or two preliminary talks on a new deal have been held between Loew's and U. A. executives, but no new arrangement is expected until the 1937-38 season gets under way. There have been no discussions on a renewal of the Paramount pact.

While the U. A. contract provides for all of the company's product in Loew's local theatres, the original arrangement with Paramount called for a split of the output, with RKO getting the other half. Last year, RKO cancelled the Paramount agreement, following which the distributor made a deal with Loew's for the other half. With the termination of the Paramount contract, RKO closed a four-year franchise with Warners for all of its local theatres.

Loew officials yesterday stated it was too early in the season to predict what new arrangements will be made next season. Last season most of Paramount's deals were for two years, while M-G-M set numerous three-year franchises.

The Schine circuit, which operates in Kentucky, Ohio and New York, last year closed several three-year deals and is understood to be negotiating two-year pacts with distributors not previously signed under such arrangements.

Loew Officials Take Big Blocks of Stock

David Bernstein and J. Robert Rubin, vice-presidents of Loew's, Inc., and Louis B. Mayer each purchased 13,890 shares of Loew's stock on Feb. 25 and 26, it was revealed yesterday in a statement filed with the New York Stock Exchange.

Each of the executives held options for the purchase of the stock and, as of March 1, each held options on 22,200 more shares.

Fabian Denies Move To Take Over Roxy

Reports that Albert Greenfield has been representing Simon Fabian in a bid for the Roxy in opposition to the first mortgage bondholders' plan providing for operation by 20th Century-

(*Continued on page* 2)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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"Horizon" Gets $20,000

"Lost Horizon" tallied approximately $20,000 in the first week at the Globe on a two-a-day policy. Charles Washburn is handling special publicity for the engagement under Joseph Plunket and A. L. Grey.

The Rialto with "Outcast" garnered about $7,000 on the week.

To Talk Warner Plans

Merchandising plans for Warners new product will highlight discussions to be held on the coast starting Monday. Gradwell Sears, Hal B. Wallis and Carl Leserman will leave today for Hollywood where they will meet Jack L. Warner and S. Charles Einfeld.

Sonja Henie Honored

HOLLYWOOD, March 10.—The Screen Actors' Guild has voted Sonja Henie's work in "One in a Million" the best performance by an actress during January.

Porter Hall in "The Plainsman" was named as the best supporting player.

Trade Show "History"

"History Is Made at Night" was given a trade showing yesterday morning at the Astor Theatre.

"Sun Kissed" a Sun Struck And Unbelievably Bad Play

By PLAYBOY

"You shouldn't have done it," chided Charles Coburn to his Newberry Hall flock on the stage of the Little Theatre last night. Lifted from their own text, this department can muster nothing to more adequately confront Bonfils and Somnes, Inc., who produced, and Raymond Van Sickle, who wrote "Sun Kissed."

The chief amazement of the evening was why this was ever essayed. The play and a Hollywood-fringe background had a completely impoverished plot, impossible and ridiculous situations, three acts and a couple of performers, including Coburn, Francesca Bruning and Philip Wood whose faces probably will be very red this morning when they finish reading the critics.

Miami Beach to See "Swing High" Start

MIAMI BEACH, March 10.—Paramount will have the world premiere of "Swing High, Swing Low" here tomorrow night at the Sherman Square at a special 9:30 showing.

As the climax of the exploitation campaign three planes will circle Miami and Miami Beach tomorrow towing triple deck banners.

Among those expected are: Jack and Mrs. Dempsey, James J. Braddock, John Golden, Harry Reber, Paul Whiteman, Rudy Vallee, Joseph E. Widener, Vincent Bendix, W. K. Vanderbilt, Gen. Cornelius Vanderbilt, John Hertz, Albert D. Lasker, Charles McCullough, Albert and Mrs. Warner, Damon and Mrs. Runyon, Postmaster General Farley, Lou Holtz, the Yacht Club Boys, Raymond Guest, who will motor here with a party from Palm Beach, E. J. Sparks, Carl Bamford, Harry Katz and Nate Goldstein.

"U" to Do "Jamborees"

HOLLYWOOD, March 10.—"Broadway Jamboree" is to be not only the new title for "Mr. Broadway," but that of a series of musicals which will be featured each year by Universal, after the manner of the "Follies." The new name was suggested by the title of the song, "Jamboree."

The starting date has been set for May 17. The cast will include Ken Murray and Oswald, the Three Diamond Brothers, Dave Appolon and his orchestra, Larry Blake, Ella Logan and Jack Powell. Buddy de Sylva will produce.

U.A. Board Meet Today

HOLLYWOOD, March 10.—The meeting of the board of directors of United Artists, originally scheduled for today, will be held tomorrow.

On Friday, executives, producers and advertising representatives will confer on budgets and plans for the coming season.

Samuel Goldwyn tonight entertained visiting executives. Among his guests were Dr. A. H. Giannini, George J. Schaefer, Monroe Greenthal and James P. Mulvey.

Kutinsky Takes Florence

Harry Kutinsky has taken over the Florence, formerly operated by Belle Theatres.

France, Producer

Paris, March 2. — Indicative of the plan to bring about nationalization of the French film industry is the announced intention of the film section of the French Trade Union group, backed by the Popular Front Government, to produce a feature on the French Revolution, to be titled "La Marseillaise."

The production will be financed by popular subscription, and the film's cost is estimated at $150,000. The Government will advance $2,500 for preliminary work.

Group Seeks Review Privilege from Hays

(*Continued from page* 1)

foreign pictures, except those produced in England, will be ignored by the organization, it was said. Kern has declared that no threats of boycott will be employed relative to objectionable material, and a Hollywood representative will ask that all scripts be submitted for approval or comment, with a resulting indication to the producer whether or not the finished product will be supported by the organization.

The first of the Associated Film Audiences' planned bi-weekly bulletins will be issued early next week, it was said. The initial number will be in the form of a prospectus. It will include a sample of the ballot which will be used by the organization's reviewing groups, who are expected to number three reviewers for each film seen. Future bulletins, it was said, will carry reviews of new product and a Hollywood letter. It is hoped to obtain subscriptions to the bulletin at the rate of $3 per year for individuals, $15 per year for affiliated organizations, and $25 annually for organizations of national membership.

Includes 25 Organizations

It is understood that Richard Constantine and Roswell Barnes are closely associated with Kern in the development of the organization. Approximately 25 associations, including labor groups, women's organizations, peace groups and the Federal Council of Churches of Christ are said to have become affiliated with the new organization, and to have promised to supply reviewers. Dr. Worth M. Tippey, head of the Federal Council, is listed as honorary chairman of Associated Film Audiences.

Flash Previews

"Let's Get Married"—A story of the spitfire daughter of a political boss, this starts strongly but weakens somewhat in the final sequences. Good program fare, however.

"Tsar to Lenin"—Valuable chiefly as a film record of the events during and following the revolution which led to the establishment of the Soviet regime.

These pictures will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Para. Theatre Men to Argue "B" Film Cut

(*Continued from page* 1)

tive circuits, with a total attendance of more than 75 expected at the meeting in the Roney-Plaza Hotel.

The "B" picture subject was first raised as an operating problem of the Paramount theatre men at a January meeting at the company's studio which was only slightly less representative of the Paramount theatre organization than the Miami meeting will be. It was argued then that the increase in "B" picture production by major studios was resulting in a dearth of outstanding attractions for de luxe first runs and was encouraging double featuring in houses of the best type. Paramount was urged then to place a limitation on its "B" product which would represent a fair ratio to the number of "A" pictures produced. This leads to the belief that a definite policy may be evolved at the more representative meeting next week.

Will Discuss Legislation

In addition to the product discussions, the meeting will be given complete information on the company's attitude toward the measures calling for separation of theatre interests from production and distribution organizations which have been introduced in six state legislatures by Allied States Ass'n up to date.

Another subject of discussion will be the current theatrical unionization moves by the I. A. T. S. E., particularly the relation between the organizing of exchange employes and the further unionization of theatre service staffs. General theatre operating problems and policies, the exchange of business-getting ideas and the further installation of theatre refrigerating and air conditioning equipment will also occupy the sessions.

The home office delegation leaves for Miami on Saturday. Most of those attending the Paramount meeting will be on hand also for the M. P. T. O. A. national convention which opens at the Miami Biltmore on Tuesday.

Fabian Drops Three Bank Night Drawings

Simon Fabian, head of the Fabian circuit, has dropped Bank Night from the Fox, Strand and Paramount in Brooklyn. The game was featured once a week in all three houses.

Fabian has made no decision on games in his upstate houses, he said yesterday. Last Tuesday, the final night of the game, $1,500 was given away in Brooklyn. Fabian added Bank Night never materially aided the grosses of the houses.

Fabian Denies Move To Take Over Roxy

(*Continued from page* 1)

Fox were denied yesterday by Fabian, who said that he is not interested in the theatre.

Fabian added he was after the Roxy at one time, but withdrew when 20th Century-Fox interests worked out a deal with the bondholders' committee.

Simone Simon becomes your star of stars . . . revealing the woman of smoldering fire and blazing emotion behind her young, magnetic beauty!

James Stewart delivers his outstanding performance as the swaggering, valiant Chico, whose love brought courage to Diane, who was afraid!

THE GREATEST AND TENDEREST ROMANCE OF OUR TIME

... lifted to the box-office heights by two young stars born to play it ... with Simone Simon greater than you ever dreamed!

•

SIMONE SIMON

emerging as the top star of the screen

and

JAMES STEWART

in

'SEVENTH HEAVEN'

with

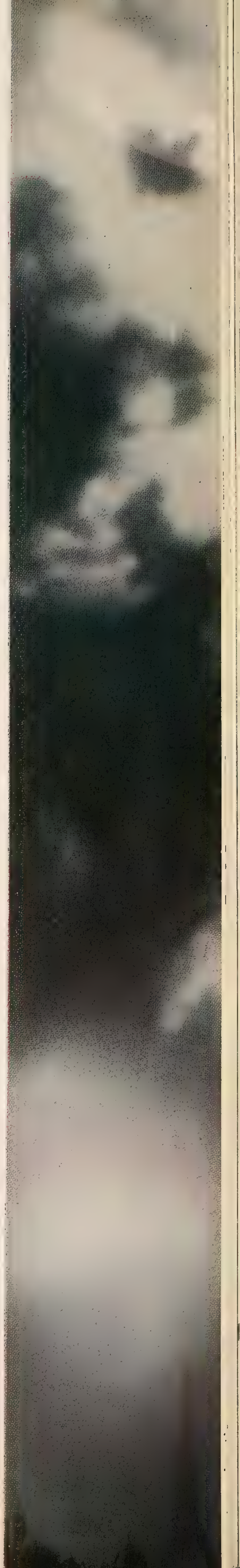
JEAN HERSHOLT · GREGORY RATOFF · Gale Sondergaard · J. Edward Bromberg · John Qualen · Victor Kilian Thomas Beck · Sig Rumann · Mady Christians

Directed by Henry King
Director of "Lloyds of London"

Associate Producer Raymond Griffith. Screen play by Melville Baker. Adapted from the stage play "Seventh Heaven" produced and directed by John Golden, written by Austin Strong.

20th CENTURY FOX

Darryl F. Zanuck
in Charge of Production



NO PRAISE YOU CAN GIVE ... NO PROMISE YOU CAN MAKE CAN PAY ENOUGH TRIBUTE TO THIS GLORIOUS PICTURE!

The heart-hunger and ecstatic happiness ... the tearing hurt of separation ... the exquisite moments of love that turn blood to fire ... the magic of emotion that transforms the world's drabness to a land of dreams come true ... all this is captured completely, excitingly ... to give you a property whose profit possibilities are measureless!

SIMONE SIMON
and
JAMES STEWART
in
'SEVENTH HEAVEN'

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

Purely Personal

CECIL BERNSTEIN, prominent first run operator in Greater London, is in New York on his first visit in 11 years. Percy Phillipson was squiring him around town yesterday.

•

Norman H. Moray, Vitaphone executive, leaves Winnipeg tomorrow for Calgary for a two-day conference with the company's branch personnel.

•

Ben Joel, assistant to Joel Levy, out-of-town film booker for Loew's, has returned from Atlanta after attending the funeral of his father.

•

William Downs, local district manager for the same circuit, is back from Palm Springs, Cal., where he attended the funeral of his mother.

•

Fred Wilcox, who returned Tuesday on the *Queen Mary* from England, left last night for the M-G-M studios.

•

E. J. Smith, general sales manager of Imperial, has left town on a swing through Albany, Buffalo and New Haven.

•

George Lynch, booker for the Schine circuit, left for Gloversville yesterday. He was in town three days.

•

Si Fabian returned yesterday from Albany. Sam Rosen, his brother-in-law, is now vacationing in Miami.

•

Frank Snell and A. J. Van Beuren are planning to leave for the coast in a few days.

•

Charles Stern, U. A. district manager, will leave tomorrow for a two-week Miami vacation.

•

Bernard McCarthy of the RKO exchange, St. Louis, is in town for a few days.

•

A. H. Schwartz and Mitchell Klupt will depart today for Lake Placid.

•

Ken Clark of the M.P.P.D.A. toured the Vitaphone studio yesterday.

•

John Balaban, George and Sam Dembow arrived in Miami yesterday.

•

Bert Sanford, Erpi New England sales head, left last night for Miami.

•

Hattie Helborn will return today from two weeks in Hollywood, Fla.

•

Edward Rugoff of Rugoff & Becker heads for Miami today.

•

Billy Rose left by plane yesterday for Fort Worth, Tex.

•

A. K. Hammerschlag of Pace Press is in Miami.

•

Ben Goetz leaves for the M-G-M studio by air today.

•

Max G. Felder returned yesterday from Chicago.

•

Bob Ritchie heads west late this week.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Swing High, Swing Low"

(*Paramount*)

Hollywood, March 10.—Freely adapted from the stage play "Burlesque," this picture has a dramatic and comedy wallop which should lift it into the high gross bracket. With Carole Lombard and Fred MacMurray heading the cast and Charles Butterworth, Dorothy Lamour and Jean Dixon in support, exhibitors have plenty to sell.

The story retains little of the original save the wedding march scene. Miss Lombard and MacMurray star as entertainers in a colorful Panama cabaret. When MacMurray's talent earns him a starring engagement on Broadway Miss Lombard is left behind. Alone in New York MacMurray soon falls for the wiles of Miss Lamour and becomes a victim of alcoholism. Miss Lombard divorces him.

Finally reunited, the lovers start for renewed success and MacMurray makes good in a radio audition.

It is an Arthur Hornblow production, lavishly done, with the direction by Mitchell Leisen. Harvey Stephens, Cecil Cunningham and Charles Arnt are best in the supporting cast. The screen play by Virginia Van Upp and Oscar Hammerstein is well written.

Production Code Seal No. 2,995. Running time, 90 minutes. "G."

Plan Ontario Price Cut When Levy Ends

(*Continued from page 1*)

tion will have a buoyant effect on theatre business and trade in general. N. L. Nathanson, president of Famous Players, speaking from Ottawa, where he had gone to attend the meeting of the Canadian Broadcasting Corp. board of directors, expressed thanks for the removal of the nuisance tax and declared admissions throughout Ontario would be reduced June 1.

Premier Hepburn, in announcing the action, said, "I doubt if there is a tax that gives more annoyance than does the amusements tax. It is a difficult and expensive tax to collect, particularly in smaller centers. Nuisance taxes are bad taxes and should be discarded wherever possible. Over 80 per cent of the amusements tax is collected from admissions of 25 cents and under."

Robs Philadelphia House

Philadelphia, March 10. — A masked bandit last night held up Maurice K. Gable, manager, and Albert Simko, assistant at the Boyd, a Warner house, and escaped with $1,150, the night's receipts.

John Honthaner Dead

Milwaukee, March 10.—John Honthaner, 57, manager of the Tivoli and Comet, neighborhood houses, is dead. Funeral services will be held Friday. Honthaner is survived by his son, a brother and five sisters.

Ad Guild to Meet

Another meeting of the American Advertising Guild will be held tonight. Several members of major and independent home offices will attend.

M. H. May Take 'Heaven'

Negotiations are under way between 20th Century-Fox and the Music Hall for the showing of "SeventhHeaven." The picture was previewed on the coast last night. The deal is for one picture only and not for a group, as reported.

Ken Nyman Elected CEA Vice-President

(*Continued from page 1*)

who are responsible for circumventing the act. "Quickies" are four times as plentiful in the output of foreign as that of British distributors, he said, in defense of the quality test suggested in the report.

Another speaker declared that the quota must continue, and urged the industry to form a joint committee of all branches of the trade to discuss the situation with the Board of Trade. "Reorganize yourselves before you are reorganized from without," he warned.

Settle Albany Ad Row

Albany, March 10.—Major and independent theatres yesterday settled their differences with the *Knickbocker Press* and *Albany Evening News* in connection with new film advertising rates. Both newspapers asked for an increase of five cents a line, following which all theatres pulled advertising copy for 10 days. Today was the first day the ads appeared since the dispute started.

To Open Trans-Lux

Washington, March 10.—Trans-Lux will open the first newsreel theatre here Friday night with a special program sponsored by the Women's Club as a benefit for the Children's Hospital.

Newspaper critics and officials will be given a preview Thursday night. The house seats 600. Roland Rozzins is manager.

Would Limit Film Show

Wilmington, March 10.—A bill prohibiting operation of any film theatre on the second story of any building where admission is charged was introduced yesterday by Senator Daniel E. Kelly. The bill is not intended to cover theatres having balconies with an auditorium on the ground floor.

"Strogoff" Is Retitled

Hollywood, March 10.—The release title of "Michael Strogoff" will be "The Soldier and the Lady."

Franklin Gets Films in Deal Stopping Suit

(*Continued from page 1*)

M. P. P. D. A. and representatives of Warners and other major distributors, according to the plaintiff's attorney. Franklin Theatrical Corp., under the terms of the settlement, is placed in a position now in which it may deal directly with distributors for the product it considers essential to the operation of its five Hawaiian theatres. The amount of product which will be required was specified by the plaintiff and the provisions made for obtaining it are "fully satisfactory," Franklin said.

He charged that formerly the Franklin circuit was obliged to deal with its larger competitor, Consolidated Amusement Co., for product and ordinarily was able to obtain only such first run pictures as were "sluffed" by Consolidated. He said that during the course of the negotiations the Government representatives offered the opinion that Consolidated enjoyed a virtual monopoly in Hawaii and threatened to press an action to disband it.

"However," Franklin said, "all we wanted was the assurance that we could obtain sufficient product by dealing directly with the distributors, free of discrimination. When we obtained that we agreed to withdraw our suit."

The Franklin suit against the Warner companies was based on a contract for 19 pictures which the plaintiff alleges it made in 1934 and which, it charged, was subsequently revoked when Warners closed a deal with Consolidated. This resulted in an alleged loss of $500,000 by the plaintiff, which was spent, the Franklin company claimed, in preparing for the exhibition of the Warner pictures.

Product of other major companies will be made available to the Franklin company under the settlement, it was said.

Say Grand National To Have 65 on List

(*Continued from page 1*)

also said that production costs for 1937-38 output will be increased appreciably.

Today, Edward Alperson, president, supervised the installation of all Grand National units at the old Educational studios. The plant was acquired recently on a 10-year lease. The first annual sales convention will be held here about May 15 and will run several days. A number of the producers will give the sales force first hand information on the new pictures scheduled.

Two of the new group of pictures will cost $500,000, or more.

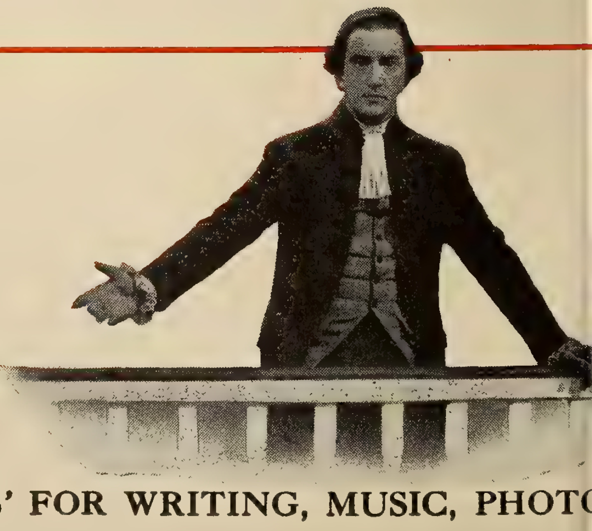
Lou Levy, manager of Grand National's Des Moines exchange, is now supervising the Omaha branch as well as Des Moines, James Winn, western division sales head, stated yesterday. The Omaha post has been vacant since Carl Reese resigned to rejoin 20th Century-Fox. Levy is now in Omaha.

WARNE
Bowled

WITH 9 OUT OF THE 19 'AC

Almost Twice as Many

Best Performance of 1936
PAUL MUNI
in WARNER BROS.'
'The Story of Louis Pasteur'
Next in 'The Story of Emile Zola'



PLUS 7 OTHER 'FIRSTS' FOR WRITING, MUSIC, PHOTO

R BROS.

Em Over

ADEMY' AWARDS FOR 1936!

the Closest Competitor!

Best Short Subject
in Color
VITAPHONE'S
'GIVE ME LIBERTY'
2-reel 'Broadway Brevity'
in Technicolor

Best Performance
of 1935
BETTE DAVIS
in WARNER BROS.'
'Dangerous'
Soon in 'Marked Woman'

PHY AND NOTABLE PRODUCTION ACHIEVEMENTS!

New Shows On the Air

"Doris Hare"

Doris Hare, English comedienne, offered samples of her vocal and comic wares to listeners who may have been tuned in to the NBC-Red network wave length last night at 7:15 P. M., E.S.T. Her samples were admirable. The vocalist from the Tight Little Isle offered three numbers—"Me and My Dog," "Three White Feathers" and "Alqu-Pullopky." All were uniformly good, particularly the last-named song which was as ear-pleasing as its title is unpronouncable.

Last night's broadcast was the first of a sustaining series accorded Miss Hare by the network schedule makers. However, unless we miss our guess, this English miss won't remain in the non-sponsored class very long.

The musical accompaniment was painfully thin—three violins and a piano. An orchestra here would help immeasurably.

Servel Takes "Time" Broadcast 13 Weeks

Time, Inc., publishers of *Time* and *Life* magazines, will relinquish the sponsorship of the "March of Time" program for 13 weeks to the Servel Electrolux Co., beginning with the broadcast of April 15. At the end of the 13-week period the program will vacation from the air for a brief spell, returning sometime in September, again under the sponsorship of *Time*.

The deal was arranged late yesterday afternoon through Batten, Barton, Durstine and Osborn. The agency handles both accounts.

This will be the Servel Co.'s first network experience. Last season the company experimented with a transcribed series featuring "Carson Robinson and His Buckaroos."

"March of Time" now appears on 35 CBS stations. Additional stations will be used when the new sponsor takes hold of the series.

The editors of *Time* will be given air credits for preparing the material heard on the broadcasts.

New McGee Time Is 9 P.M.

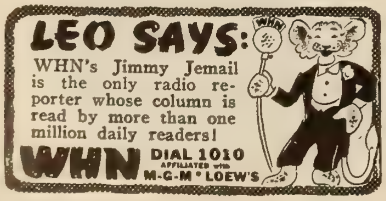
The new time for the Fibber McGee and Molly program has been set at 9 P. M., E. S. T., beginning April 12 over the NBC-Red network. The series comes from Chicago and is sponsored by the S. C. Johnson Co.

CBS Signs Clarence Muse

Hollywood, March 10.—Clarence Muse has signed a one-year contract with CBS to make a series of disc recordings.

Joins Utah Manufacturers

Salt Lake City, March 10. — KDYL has joined the Utah Manufacturers' Assn.


LEO SAYS:
WHN's Jimmy Jemail is the only radio reporter whose column is read by more than one million daily readers!
WHN DIAL 1010 AFFILIATED with M-G-M • LOEW'S

Coast to Have Film Showing By Television

(*Continued from page* 1)

on the fields of construction for the filming of the pictures showing the successive stages of development of the $400,000,000 Los Angeles Water project.

A distance of approximately four miles will be traversed by the television projection from a private residence on Silver Lake Drive, Los Angeles, to KHJ.

At the "television film premiere" Harry R. Lubke, director of television for Don Lee will have as his guests Director Donald Kinsey of the Metropolitan Water District. They will witness the sight-and-sound reproduction of the picture as received from the distant scene of film projection.

Television Permit Asked at Montclair

Washington, March 10.—Establishment of a new television station at Upper Montclair, N. J., is planned by the Allen B. Dumont Laboratories, it was disclosed today by the F.C.C.

An application for a construction permit for the station, the commission announced, has been returned because it was filed on an obsolete form. It is expected that it will be resubmitted on the current form.

The commission today announced receipt of an application from WCMI, Ashland, Ky., for a change of frequency to 1,120 kilocycles and an increase of power to 250 watts night, 1,000 watts day.

Application also has been received from Robert E. Clements, Huntington Park, Cal., for a construction permit for a new daytime station to operate on 1,160 kilocycles with 250 watts power.

Prall to Stay with F.C.C.

Washington, March 10.—President Roosevelt today announced that Commissioner Anning S. Prall would be continued as chairman of the F.C.C. for another year.

Corral Sports Announcers

The Axton-Fisher Tobacco Co., in behalf of 20 Grand cigarettes, is now actively engaged in buying up sports commentators throughout the country to provide sponsored sports talks on local stations. Yesterday Hal Totten was signed for a six-time weekly series, 15 minutes each, on WMAQ, Chicago. Arrangements are now being completed for similar series on stations in Detroit, Boston and St. Louis. WLW in Cincinnati and WNEW in New York are already airing sponsored programs for 20 Grand.

McCann-Erickson handles the account.

Renew "Courteous Colonels"

Tulsa, March 10.—The "Courteous Colonels" program, sponsored by the Barnsdall Refining Corp., has been renewed for another 13-week period. The program is broadcast over 10 CBS stations.

"A Great Help"

"I have been reading with great interest your radio column in *Motion Picture Daily* and I feel that this feature is a great help to the industry in general.—*Adolph Zukor*, chairman of the board, Paramount Pictures.

WINS to Feed State Web Daily Programs

Effective Sunday, March 14, WINS will broadcast and feed to the New York state network member stations a number of programs each day, originating in the studios of WAAB, Boston, key station of the Colonial network. Bert Squires of WINS and the New York state network, and John Shepard, III, president of the Colonial web, negotiated the contract.

It is expected that the program feeds ultimately will work both ways and will include commercial as well as sustaining programs.

To Vary "Hit Parade" Idea

A variation of the "Hit Parade" idea will be utilized by the Bond Bread Co. for its CBS program featuring Guy Lombardo's band, beginning March 15. Stores selling the bread will be supplied with cards asking the customers to write in the titles of their five favorite numbers that week. The winning songs will be played as a medley on the following week's program.

More than 150,000 stores carry the sponsor's product. There will be no postage on the cards, as they will be picked up daily from the stores by the company salesmen.

Says He Was First

Darrell V. Martin, radio editor of the *Pittsburgh Post-Gazette*, in a letter to Motion Picture Daily, says:

"Just to keep the records straight, Robert S. Wood [who joined the Taplinger publicity office recently] did not conduct the first radio column in a metropolitan paper. This honor I modestly claim for myself. Pittsburgh, the home of radio, also had the first radio column—*Pittsburgh Gazette-Times* in 1923 and yours truly was the radio editor. I have been writing radio and radio only for 14 years come this June. How's that for a record?"

Settle Morgan-Philco Suit

An action for $150,000 damages brought by Myron Morgan against the Philco Radio & Television Corp. and the Hutchins Advertising Co. was settled by a stipulation filed in Federal Court yesterday. The amount of settlement was not given. The action was based upon an alleged piracy of an original advertising idea which the plaintiff submitted to Philco in 1935. The idea which was rejected by Philco consisted of a dramatization of news events to be used in connection with Philco advertising.

"Auditions" Fading

The "Metropolitan Auditions of the Air," sponsored by the Sherwin Williams Paint Co., will fade from the airways after the broadcast of Feb. 28. Semi-finalists in the auditions will compete during the March 14 and 21 broadcasts.

Radio Personals

G. D. CRAIN, JR., editor of *Advertising Age,* will be interviewed on WHN's "High School Reporter" program this afternoon at 5:45 P. M. . . . Mabel Albertson, gag writer, has been secretly married since last November to Ken Englund, gag writer, it has been learned. Mrs. Englund writes the "Iodent Dress Rehearsal"; Mr. Englund authors the Joe Penner and Victor Moore-Helen Broderick scripts . . . Helen Flint, who appeared in "Black Legion," will be Radie Harris' guest star on the WHN "Movie Club" this Friday . . . Clyde Barry will fill in for Reed Kennedy on the "Magazine of the Air" program March 19 while the latter fulfills a vaudeville engagement in Canada . . . Rita Johnson, heard on the "Girl Interne" series, leaves for the coast and picture work on Monday . . . Bill Bird, of WHN's copyright department, has written a song which will be published by the Dave Ringle office . . .

✚

Al Williamson, in charge of NBC's Chicago press division, in town for a spell, visiting . . . Hugh Baillie, president of UP, will broadcast a special talk, "Behind the Headlines," March 18 at 1:30 P. M., E. S. T. on the NBC-Blue . . . The hastily scheduled one-shot program last Monday evening on NBC, featuring East and Dumpke in a show entitled "Tin Pan Alley Troubadours" was probably an audition . . .

Pearl Finishing June 25

Jack Pearl winds up his current air stay with the broadcast of June 25. The comedian will vacation during July, August and part of September. During his absence the program will be straight musical, featuring Morton Bowe, tenor, with Tommy Dorsey's orchestra and the Esquires.

B. B. D. & O. is the agency on behalf of Brown & Williamson Tobacco Corp., makers of Raleigh and Kool Cigarettes.

Records To Be Used For Insurance Week

St. Louis, March 10.—Electrically transcribed radio programs will be used to supplement other advertising radio programs will be used to supplement other advertising mediums to publicize Accident and Health Insurance Week in 1937. The transcriptions will be distributed from the Chicago headquarters of the National Accident and Health Ass'n. It is believed that more than 100 radio stations will carry the series.

The program will be so constructed that they may be broadcast by groups in the form of institutional accident and health ads, or by a single company or agency for direct advertising.

RADIO EVENTS, INC.
AN INDEPENDENT PRODUCING GROUP SERVING ADVERTISING AGENCIES
535 Fifth Avenue,
New York, N.Y.
From script to production—
that "extra" something that's good radio

Radio

East, Dumpke May Go to Sinclair Oil

Last Tuesday Ed East and Ralph Dumpke aired the first of a series of four sustaining programs titled "Tin Can Alley Troubadors" on NBC. Elsewhere in these columns it is hinted that the Tuesday offering seemed suspiciously like an audition on the air. That's exactly what it was.

The facts are these: The script and music for the program have been authored by East and Dumpke. They showed it to George Comptois, radio head of Federal Advertising Agency. This same agency placed East and Dumpke on the current CBS series for Knox Gelatine. Comptois liked the program and arranged for a series of four sustaining broadcasts. A sponsor, believed to be Sinclair Oil, will buy the series if they like the audition on the air.

Radio Time to Help Newspaper Campaign

The Erwin Wasey agency is buying "spot" time on stations throughout the country to supplement the newspaper advertising campaign the agency is now setting up for the Hecker H-O. Co. in behalf of Force, a breakfast food. Both campaigns will begin in April.

The newspaper ads will consist of half-page comic strips based on the "Bobby Benson" character the agency created on the air for the Hecker H-O. Co. "Bobby Benson" faded from the air last season after a long and successful run on the CBS network.

The odd feature of the coming campaign, of course, is the reverse play of newspaper and radio mediums. "Bobby Benson" was conceived as an air serial strip; now it is to re-appear as a newspaper comic strip, with "spot" radio announcements to call attention to the newspaper campaign.

Wall Street

Most on Board Off

	High	Low	Close	Net Change
Columbia	36⅛	35¾	36⅛	— ⅜
Consolidated	4⅞	4⅞	4⅞	+ ⅛
Consolidated, pfd..	16⅛	16	16⅛	.....
Eastman Kodak ..	168¼	168	168¼	+ ¼
Gen. T. Equip....	29¼	28	28½	— ½
Loew's, Inc.	81⅜	80¼	80¼	— ⅛
Paramount	26	25⅜	25⅜	— ½
Paramount 1 pfd..	179½	179	179	—3
Paramount 2 pfd..	23¾	23½	23¾	+ ⅛
Pathe Film	8⅞	8½	8½	.....
RKO	8⅞	8⅝	8⅝	.....
20th Century-Fox.	37¼	37	37⅛	— ¼
Universal, pfd.....	100¾	100¾	100¾	—1¼
Warner Bros.	15⅝	15⅜	15⅜	.....

Curb Rises Fractionally

	High	Low	Close	Net Change
Grand National ..	3⅛	3	3	— ⅛
Sonotone	2	1⅞	2	.....
Technicolor	22⅞	21¾	21¾	+ ⅛
Trans-Lux	5	4⅞	4⅞	+ ⅛

Little Bond Activity

	High	Low	Close	Net Change
Keith B. F. 6s '46	98⅛	98⅛	98⅛	— ⅜
Loew's 3½s '46....	99¼	99	99¼	+ ¼
Paramount B'way 3s '55	75	75	75	.....
Paramount Pict. 6s '55	100¼	100¼	100¼	.....
Warner Bros. 6s '39 wd	98	97⅞	97⅞	— ⅛

(Quotations at close of March 10)

Dinner Repartee to Go on NBC Network

After dinner repartee forms the basis of a new series of programs entitled "Dinner at Nine," which will be heard monthly, beginning March 15 at 9 P. M., E.S.T. on the NBC-Blue.

The programs will originate in the home of Henry Goddard Leach and will follow immediately upon the conclusion of a typically social dinner party, while the host and guests are still seated about the table.

Leach is the owner and editor of FORUM magazine. The guests at the first dinner party broadcast will be Fannie Hurst, Ford Madox Ford, Sidney S. Lenz and Dorothy Thompson.

Chevrolet CBS Show In 13-Wk. Renewal

The Sunday Chevrolet series heard on CBS was renewed yesterday for another 13-week period through Campbell-Ewald, agents. The renewal is effective as of Apr. 18.

A week prior to the above date, Rubinoff will leave for Hollywood from which point he will broadcast for four weeks. While there he will work on 20th Century-Fox's film, "This Year's Kisses," in which he will have a leading role.

Jan Peerce and Virginia Rea, co-featured on the Rubinoff program, will not accompany him to California. Picture guests will fill in for them on the coast.

Machinists on Coast Ask Labor Meet Date

LOS ANGELES, March 10. — The Machinists' Union has petitioned the National Labor Relations Board here for a date on which to vote on collective bargaining at the following studios: Hal Roach, Warner Bros., United Research, Universal, United Artists, Columbia and Paramount. About 200 machinists are employed in the studios and the companies refuse union recognition.

Regional Director Towne Nylander will set a date shortly.

Cleveland Claims 85% Union

CLEVELAND, March 10. — Walter Crease, business representative of the A.F.L., stated today that 85 per cent of the local shippers and inspectors have organized following a meeting late last night. Truck drivers, rewinders, poster clerks and shippers of the Film Bldg. are also reported organizing.

S.A.G. Probes Lunch Period Cut

HOLLYWOOD, March 10.—The Screen Actors' Guild is investigating a specific complaint which charges M-G-M with shifting the maximum lunch hour, as established under NRA, to the lunch period as specified by the Industrial Relations Board, thus lengthening the studio day by 30 minutes without extra payment. Metro states that the issue rests entirely with the Central Casting Agency. The latter organization has withheld statement.

The Guild fears that the move is the entering wedge of a general discontinuance of NRA wage and hour standards.

Three RKO Hearings Postponed by Court

(Continued from page 1)

adjourned to next Tuesday, is regarded as of major significance since the payment of the $600,000 of RKO notes outstanding would raise the question of whether or not the RKO debentures would continue to have a secured position. The debentures' second lien on the assets securing the gold notes may be eliminated by the retirement of the notes, according to some interpretations of the indenture.

The hearing on the new agreement under which Keith-Albee-Orpheum would turn over to Stadium Theatres Corp. the last of its Orpheum Circuit notes and collateral and withdraw its claim against Orpheum, which was scheduled for yesterday, was adjourned to March 19. The application for an order to show cause why Stadium's recent acquisition of Orpheum's assets should not be set aside, and other relief granted to Orpheum, which was sought by Samuel Zirn, attorney for San Francisco holders of Orpheum preferred stock, was adjourned to March 17 at the request of Beekman, Bogue, Stephens & Black, counsel to the Orpheum trustee in bankruptcy. Federal Judge Murray W. Hulbert granted Zirn's request that the hearing be conducted by him rather than Federal Judge Alfred C. Coxe, for whom it appeared to be slated as a result of the adjournment, on the grounds advanced by Zirn that "great animosity exists between Judge Coxe and myself."

Orsatti Sued on Commissions

LOS ANGELES, March 10.—Suit was filed in Superior Court here today against Orsatti & Co., agents, to fulfill a contract allegedly executed by Milton Bren, predecessor to Orsatti, under which the agency was to pay Johnny Maschio a percentage of the commissions derived from the account of Stuart Irwin. Simon & Garbis, attorneys for Maschio, asserted that under the original agreement he was to receive 30 per cent of the commissions earned by the former agency. He claims that he received his share until May 7, 1934, when the successor agency refused to continue payments. He demands an accounting and continuance.

Technicolor Questions Jones

LOS ANGELES, March 10.—Charles F. Jones, self-styled inventor of the duplex camera, resumed his testimony today in the trial of Tricolor's suit against Technicolor charging infringement of a patent. Cross-examined by Technicolor counsel, Jones testified that sketches and drawings of his camera were burned in a fire at Redwood City two years ago. He submitted in evidence copies of contracts with San Francisco capitalists as proof of the sale of his idea.

Photographic experts will be called to the stand tomorrow to testify concerning the Technicolor process.

Reserve Momand Trial Decision

BOSTON, March 10.—Decision was reserved today on the plea of Paramount and other major distributors for a change of jurisdiction in the anti-trust suit brought by Attorney George S. Ryan for Mrs. Loretta Momand of Shawnee, Oklahoma, in the U. S. District Court here. Ryan said that since the Momand case is of a nature similar to seven other anti-trust suits, he would like to have them all tried in Boston. Attorney for the defense did not question the jurisdiction of the local court because all the defendant companies do business here but declared that a trial in Boston would be both inconvenient and expensive.

RKO has agreed to accept service after having previously rejected it on the technical grounds involving a change of corporation name.

W. B. Pay Approval In Koplar Dismissal

WILMINGTON, Del., March 10.—The payment of $10,000 in weekly salary to each of the three Warner brothers does not constitute a waste of Warner assets, Judge John P. Nields ruled yesterday in dismissing the stockholder's suit of Harry Koplar of Kansas City, against the directors of Warners.

Koplar had asked restitution to the company of assets allegedly turned over to Waddill Catchings and Renraw, Inc., personal holding company for Harry M., Albert and Jack L. Warner, including 90,000 shares of Warner common stock.

Referring to the salaries, Judge Nields said, "As a matter of morals, such payments may be questioned. Directors have the power to award such compensations. That power should be used, not abused." He also upheld the compensation to Catchings and Goldman, Sachs & Co., observing that it was through the efforts of the investment company and Warners that the company "was changed from an inadequately financed company in 1925 to a position where it was enabled to maintain itself as a leader in the talking film industry."

To Question Warners

Ferdinand Voteur, a writer, was granted permission by Justice Aaron J. Levy in N. Y. Supreme Court yesterday to examine before trial officers **of Warner Bros.** in connection with his suit for $250,000. The plaintiff charges that after rejecting his play, "Resurrection Morning," Warners produced "Walking Dead," which was similar in plot to his work. On Monday, Justice Levy permitted Voteur to examine the officers of Columbia Pictures Corp. before trial in his $1,000,000 suit charging that Columbia based their picture, "The Man Who Lived Twice," on his play which they rejected.

Orpheum Case Delayed

A motion made by Erpi, creditor of Orpheum Circuit, and Harry White, representing a number of preferred stock holders, to set aside the sale of Orpheum assets to Stadium, the replace the trustee's counsel and to transfer the case from Referee Oscar W. Ehrhorn to another referee was adjourned to March 17 by Judge Murray Hulbert in Federal Court.

Buffalo Dates Are Set

Fifteen appearances have been set for Hii, the Chinese water buffalo used in "The Good Earth." They are: Boston, March 16; to be followed by Philadelphia, Baltimore, Washington, Pittsburgh, Cleveland, Chicago, Buffalo, Erie, Akron, Canton, Zanesville, Columbus, Dayton and Cincinnati.

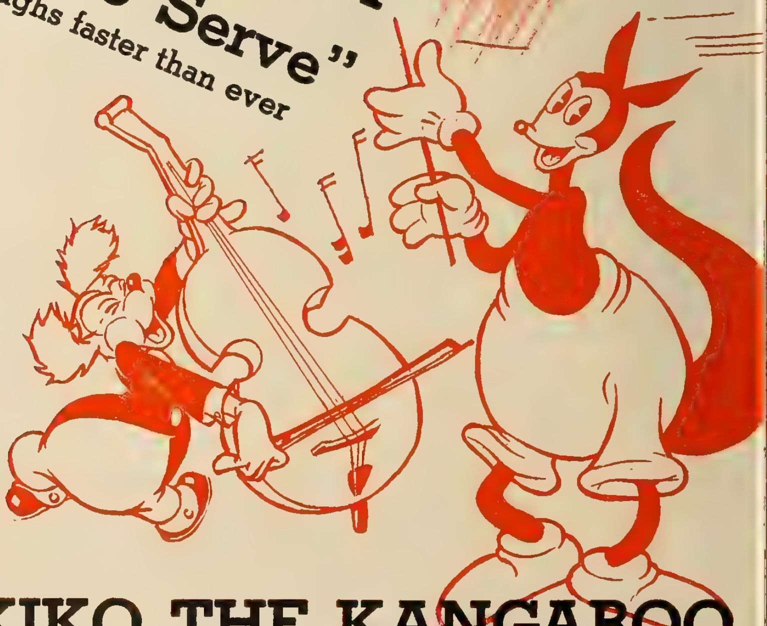
No Matter What The Weather....

MARCH COMES IN WITH A ROAR...

OF Laughter!

BUSTER WEST and TOM PATRICOLA
in
"Ready To Serve"
Serving laughs faster than ever

BERT LAHR
in
"Off The Horses"
Good luck for any program



KIKO THE KANGAROO
in
"Red Hot Music"
TERRY-TOONS
It's clever; it's musical;
it's funny; it's hot!

Presented by E. W. HAMMONS
Educational Pictures
THE SPICE OF THE PROGRAM
Reg. U. S. Pat. Off.
Distributed in U.S.A. by 20th Century-Fox Film Corporation

Alert,
Intelligent
and
Faithful
Service to
the Industry
in All
Branches

MOTION PICTURE DAILY

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

VOL. 41. NO. 59 NEW YORK, FRIDAY, MARCH 12, 1937 TEN CENTS

Newspapers in 200 Stations, Report States

FCC Member Also Says 111 Cases Pending

Washington, March 11.—Two hundred broadcasting stations throughout the country are controlled by newspapers, with 111 others pending before the F. C. C., it is shown by data just compiled by Commissioner Irving Stewart. Forty-nine of the stations were acquired during 1936.

Making his data public in protesting the proposed construction of a third station at El Paso, all newspaper-owned, the commissioner indicated that he believed that the time has come to call a halt to the acquisition of stations by newspapers, pointing out that:

"There are 103 cities in which the only broadcast station is newspaper-controlled, eight cities with two broadcast stations each in which both stations are newspaper-controlled and two cities with three broadcast stations each in which all three are newspaper-controlled. Thus there are 113 cities where all local broadcast stations are under newspaper control."

Additional Developments in Radio on Pages 14 and 15

Hearst Seeks Four More Air Stations

Washington, March 11.—Receipt of applications from Hearst Radio, Inc., for authority to take over the licenses of four broadcasting stations was announced today by the F.C.C. The stations are: KTSA, San Antonio; WACO, Waco, and KNOW, Austin, and KEHE, Los Angeles.

The commission also announced the

(*Continued on page* 15)

Voice in U. A. Plans Promised Exhibitors

Hollywood, March 11.—A definite effort on the part of United Artists to give exhibitors a voice in production plans got under way here today when George J. Schaefer, vice-president, stated in an address that all story properties in the future will be treated first from a box-office angle and only incidentally from the standpoint of artistic consideration.

The same, he said, will be true with regard to players, and those with a following will be given preference over the members of the group whose qualifications are chiefly artistic.

Warner Accesories Plans Off to May 2

Adoption of Warners' accessories rental plan has been set back from April 4 to May 2, it was stated yesterday by Gradwell L. Sears, general sales manager. The delay was found necessary in order to familiarize the sales force with details in connection with the plan, it was stated.

"The Prince and the Pauper" will be the first picture on which a full line of many new items will be carried.

Meanwhile, the National Poster Protective Ass'n, comprised of independent renters throughout the country, has plans set for opening the first of a three-day convention at the New Yorker Hotel today. Simon Libros of Philadelphia is president of this organization and will preside.

Deal May Sidetrack New Rochelle House

With Loew's closing a deal for the Cameo, New Rochelle, recently, it is understood that Sam Minskoff, builder, will drop plans for the erection of a new 600-seat theatre in that city.

David Weinstock and Harry Brandt have a tentative deal set with the builder to take the new house upon completion. The acquisition by Loew's of the 395-seat unit is said to have brought a change in building plans. RKO and Loew's have a pooling arrangement in New Rochelle.

Omaha Mayor Insists On Timed Bank Night

Omaha, March 11.—Despite the fact he has been told by District Manager Evert R. Cummings of Tri-States, chairman of the cooperative Omaha Bank Night setup, that it is impossible to synchronize the programs of all the 27 theatres each Wednesday night, Mayor Dan Butler again says he is determined to find out why the drawing can't be held at the same time each week in every house.

Cummings told the mayor it takes hours to arrange the programs so that the drawing can be held at the same time for all theatres on one night. He said the exhibitors' desire to avoid cutting into a picture for the drawing makes it impossible to set a definite time.

Report 232 Houses For Negro Patrons

A total of 232 U. S. theatres with an aggregate seating capacity of 144,709 were in operation and catering to colored patronage on Jan. 1, last, according to a report released yesterday by the Film Board of Trade.

The report appears to be incomplete

(*Continued on page* 11)

RKO-Skouras Pool Talks to Take Time

Discussions between Skouras and RKO for pooling a number of local theatres are not expected to wind up for another two months, it was learned yesterday.

Following the return this week of George Skouras from Miami, a session was held with RKO representatives, but because of the many details involved it was figured that no definite agreement can be reached until May, or later.

RKO has another pooling deal on with Sam Rinzler involving Randforce's Republic and Lefferts in Brooklyn.

Both operating arrangements will be put into effect with the start of the new season.

Plan Early Revival Of Momand's Action

Boston, March 11.—George S. Ryan, local attorney who represented A. B. Momand, Oklahoma exhibitor who was suing major distributors for $5,000,000 in an anti-trust action, will re-file the suit in the near future, it was learned here today. The action recently was dismissed by the U. S. Circuit Court of Appeals in Denver without prejudice, which leaves the way open for a resumption of action on the part of the plaintiff.

The dismissal was ordered on a

(*Continued on page* 11)

Catholics to Review Films in Australia

By CLIFF HOLT

Sydney, Feb. 20. (*By Air Mail Via London*).—Arising out of a command promulgated in the Pope's Encyclical, the Australian Catholic Central Film Committee has been formed to set up a Catholic review of films. Every Catholic in Australia, it is announced, will take a pledge once a year to stay away from films banned by the committee. It was also announced that although the committee's headquarters would be in Sydney, there would be subsidiary organizations in all states to insure that the central committee's arrangements would be properly carried out.

The committee has had several discussions with distributors and leading

(*Continued on page* 15)

Rumor Film Combine Is Planned in China

By J. P. KOEHLER

Shanghai, Feb. 4.—Plans are reported under way here for a huge film combine which will control many of the first run theatres in China. It is said that sufficient capital is available from Chinese sources to finance

(*Continued on page* 15)

Hess Attacks Amendment Of Alien Bill

Asserts in Brief That It Would Not Work

By BERTRAM F. LINZ

Washington, March 11.—The amended Alien Actor Bill will be no less onerous to the film industry than was the original measure, the House Immigration Committee was told today in a brief filed by Gabriel Hess, M.P.P.D.A. attorney.

Refused permission to discuss the new proposal, which merely eliminates the 50-50 reciprocity clause of the original draft, at the final hearing of the committee March 9, Hess filed a written statement of the industry's opposition in which he declared that, instead of making it easier for producers to secure foreign talent "there is good ground for belief that it would make it harder."

"Under the new scheme as a practical matter," he pointed out, "in order for any foreign artist to enter the United States for motion picture production, such artist would have to be a subject of a country which has an immigration system substantially similar to that of the United States, or prove to the satisfaction of the Secretary of Labor that no person in this country has qualifications equal to those of the artist who is seeking entry."

Expressing doubt that any other country has immigration laws like ours, Hess pointed out that American artists are not likely to go abroad to live permanently, and yet if they cannot do so all foreign artists would be barred here.

In the brief, the industry again

(*Continued on page* 2)

Paramount Group Leaves Tomorrow

Paramount's home office contingent leaves tomorrow for the company's national meeting of theatre partners and operators at the Roney-Plaza Hotel, Miami Beach, March 18-20. The company's theatre executives from all parts of the country and Canada, to-

(*Continued on page* 11)

"Love Is News" Hits $45,000 at the Roxy

"Love Is News" tallied approximately $45,000 in its first week at the Roxy. The picture and the stage show, comprising Jesse and Mrs.

(*Continued on page* 15)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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ROME: Viale Gorizia; Vittorio Malpassuti, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Nuestiftgasse, 55; Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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Schenck Confers on M-G-M's Expansion

HOLLYWOOD, March 11.—Joseph M. Schenck, here for conferences with Louis B. Mayer and other executives of M-G-M on plans for the company's building expansion, declared today that in no period of its history has his company had scheduled for production as great a number of outstanding films as are now listed.

Schenck was accompanied by his wife and Leopold Friedman, attorney. Al Lichtman and J. Robert Rubin preceded him here earlier in the week.

Open Trans-Lux in D. C.

WASHINGTON, March 11.—Among those who attended the invitation opening of the Trans-Lux here tonight were: District Commissioner Melvin C. Hazen, Major L. E. Thompson, Percy N. Furber, Architect Thomas B. Lamb, A. B. Steinert, Samuel N. Wheeler, George R. Brannon and Percy A. Bloch.

The house will be opened to the public at 11 A. M. Saturday.

Ask for Curb on Passes

BALTIMORE, March 11.—Baltimore morning papers have written theatre managers asking that no passes be given to employes other than the regular reviewers.

Unimportant Play Useless to Films

By PLAYBOY

"Arms for Venus," a comedy by Randolph Carter, which Mary Hone presented at the John Golden Theatre last night, has its mildly diverting moments but Hollywoodn't be interested in them. Even assuming that this adventure in a Roman graveyard might have been a thoroughly wholesome bit of whimsy in Nero's day, which it makes a pretense of being, it still has nothing to offer the screen.

Only casually amusing at its best, "Arms for Venus" strains inexpertly and too obviously for its infrequent laughs. It is the story of a Roman widow who repairs to her husband's tomb, intent upon joining him in death by voluntary starvation, but who forgets her high purpose when Nero enters bearing food and wine. The tomb takes on a night club aspect in no time at all, and when Nero leaves, the widow is left to spend the night with a Roman soldier beside her dead mate's sarcophagus.

Nat Karson's settings and Walter Klavun's Laughton-like moments as Nero emerge as the high points of interest in this offering.

Set Bob Wolff Drive

The New York RKO exchange has set the weeks of April 4 to May 14 as "Bob Wolff's Anniversary Weeks," in honor of the exchange manager, Robert Wolff, who will return March 15 from a vacation in the south.

General Johnson Got $40,000 for RCA Job

WASHINGTON, March 11.—Payment to Gen. Hugh S. Johnson, former NRA administrator, of $40,000 by RCA last summer for "highly satisfactory" advisory service in connection with the strike in its Camden plant was bared today before the La-Follette committee.

Touching upon the RCA strike in connection with its probe of alleged fomenting of labor difficulties by private detective and protective agencies, the committee today was informed that RCA paid Johnson's salary and an expense allowance of $5,654, in addition to which a subsidiary company bore the strike costs of $831,026.

In a letter to the committe, Johnson said he took the job after conferences with David Sarnoff and John L. Lewis, chairman of the CIO. He submitted his bill to the company in January.

Plans B'way Musicals

HARTFORD, March 11.—The State here, seating 4,000, contemplates a series of Broadway musical shows at $2 top for one night stands. The house now operates from 10 to 30 cents.

Para. Retitles 'Exclusive'

HOLLYWOOD, March 11.—The title of "Exclusive," shortly to go before the cameras on the Paramount lot, has been changed to "Something Is About to Happen."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Personal Property"

(M-G-M)

HOLLYWOOD, March 11.—H. M. Harwood's play, "The Man in Possession," as remade here, seems less amusing than the version made several years ago, which, in turn, was less amusing than the play itself. Robert Taylor is slightly miscast as the young, carefree Englishman and though the woman's part has been changed to make the character an American, Jean Harlow, too, does not appear at her best. Compensation for this weakness is offered by the splendid support from Reginald Owen, Una O'Connor, E. E. Clive, Forrester Harvey and Barnett Parker, who portray British characters in the accepted manner.

The story itself is distinctly British and may pass over the heads of some audiences, though W. S. Van Dyke's direction does much to give universal appeal to most of the comedy situations. The new adaptation by Hugh Mills and Ernest Vadja deviates from the original at the start, delaying its punch to the situations, but moves swiftly once the background is established.

However, because of the name value of the cast, the exhibitor should experience no difficulty in selling the picture and the care which John Considine has exercised in the production details should prove satisfactory to general audiences.

Production Code Seal No. 3,083. Running time, 75 minutes. "G."

"Her Husband Lies"

(Schulberg-Paramount)

HOLLYWOOD, March 11.—New York's tenderloin and its wagering habitues are the characters. The suckers like to lose to Ricardo Cortez, an honest, master gambler. Tom Brown, Cortez' youthful brother, comes to town for a fling at big stakes. Resenting his senior's advice and cold to his young wife, June Martel's, pleas, Brown is sent by Cortez to Akim Tamiroff's game for a cleaning. The boy's winnings convince

(*Continued on page* 12)

Hess Attacks Amendment Of Alien Bill

(*Continued from page* 1)

pointed out that only a very small percentage of artists employed in American pictures are foreign and expressed the belief that, if American producers could not use aliens foreign countries would pass legislation to keep out American pictures.

Not only would the new proposal prove unworkable, Hess declared, but it would be subordinate to those sections giving the Secretary of Labor the authority to determine whether equal talent could be produced here. "It is significant," he said, "that it has not been shown that American motion pictures discriminate against American actors. American screen actors do not seek supposed protection against foreign motion picture actors. Such supposed protection would in effect destroy their opportunities in motion pictures produced in America.

"There has been unanimity of opinion everywhere that under existing laws opportunities are available to American artists and actors in motion picture production and that the world markets for American motion pictures must be maintained to insure such continued opportunities."

Grandstands for Opening

HOLLYWOOD, March 11.—Columbia's exploitation department tried to top recent openings here last night for the start of "Lost Horizon" at the 4-Star. Two grandstands were erected so the afternoon arrivals could be comfortable and a 20-piece band kept them from getting bored.

Eighty cameras were lined up for the visiting celebrities and the usual broadcasting was done.

Delay Hagen Action

LONDON, March 1.—A petition from Betty Balfour, the British film player, for the compulsory termination of Twickenham Film Studios, Ltd., has been adjourned by Justice Bennett, after it had been stated that Julius Hagen, founder of the Twickenham company, had made an offer to buy the studio from the receiver.

Skelly Funeral Today

The funeral of Joseph P. Skelly, manager of exchange operations for RKO, who died Monday in St. Louis, will be held today. A requiem mass will be said at the Church of the Presentation in Brooklyn, this morning at 10 A. M. Burial will be at the Holy Cross Cemetery.

W. Graham Browne Dead

LONDON, March 11.—W. Graham Browne, 67, veteran actor, who had toured the United States with his wife, Marie Tempest, died today.

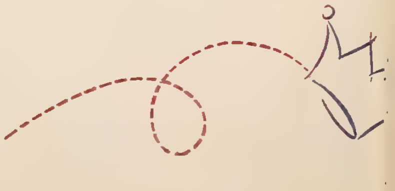
Reissuing Moore Film

LONDON, March 1.—Columbia is reissuing the Grace Moore film, "One Night of Love," on June 14, with first run at the Stoll, Kingsway, which has already played it twice.

All
Hail
"THE KING"!

ESPECIALLY

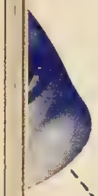
Film Daily, Motion Picture Daily, Motion
Picture Herald, Variety Daily, Jay Emanuel Pub.,
Box-Office, Showmen's Trade Review, and Film Curb



Hail! Hail! THE GANG'S AL

"THE KING and th

"Has what it takes to spell boxoffice! A brand new star, a topnotch supporting cast, a bell ringing story combine to bring to the screen one of the most entertaining of current pictures! And it will profit plenty!"
Variety Daily



"A wow! A topflight hit on all counts! Will be the most talked-about picture of the year! Superlatively good entertainment and a superlative boxoffice bet. Gravet's reception will build rapidly and so will the picture—for a smash winning from the deluxers down!" Hollywood Reporter

"With appeal from key cities to cross-roads it's headed for certain boxoffice championship! Smart showmanship is evident in every foot! It will show golden returns!"
Motion Picture Daily

"A topnotch production that should play a merry jingle on the cash register! It lacks nothing in the way of entertainment!"
Showmen's Trade Review

"Marvelous is the word for it! It is absolute tops!"
Phil Lonergan, Picturegoer

"The choicest bit of frothy, bubbly, effervescent entertainment that has graced the screen for many months!"
Box-Office

"Warner Bros. has a knockout picture and Hollywood has a grand new star!"
The Cinearte

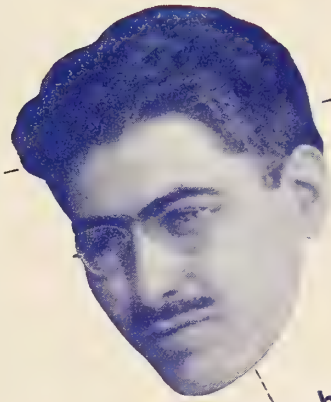
RAVING THEIR HEADS OFF ABOUT

e CHORUS GIRL"

"The elements exhibitors and patrons want in a picture are abundant here! For the de luxe theatre as well as the most humble! The fadeout had the audience in wild laughter! No one should encounter any difficulty in selling this attraction to the public!"
Motion Picture Herald

"One of the gayest comedies in years! If you see "The King and the Chorus Girl" once you'll want to see it again and again!"
"Hollywood Whispers" Broadcast

"Boy, here's one that hits the bull's eye and then some. It is a knockout and no mistake! Just about tops in the comedy line. Audiences will simply howl. You just can't go wrong on it. The sort of picture that will send the dough-re-mi into any box office in the land!"
Film Curb



"Sure to register at the box office! It's smart picture entertainment!"
Jay Emanuel's Exhibitor

GROUCHO MARX
Wrote It!

MERVYN LEROY
Produced It!

WARNER BROS.
HAVE IT!

"Ranks with best fine comedy that has been screened. It is a nifty piece of film writing and excellent direction!"
Film Daily

. . . And we made a new star at the same time! They're hailing him over on the next page!

"Fernand Gravet proves a real find. As winning a personality as has come to these shores within memory!" Hollywood Reporter

"Fernand Gravet will have Hollywood on its ears and the nation at his feet. He has the combined charm of all Hollywood's better actors, plus the handsome appearance of all your Robert Taylors!" "Hollywood Whispers" Broadcast

"Fernand Gravet combines the smartness of a David Windsor, the frank air of a Gable and the insouciance of a Chevalier!" Los Angeles Times

"Warner Bros. have uncovered a star who will be a brilliant addition to its list! Unlike the unusually ballyhooed newcomer, Fernand Gravet has looks, personality and ability!" Motion Picture Herald

"Fernand Gravet should become an immediate favorite! He has the ability to capture a grand following from both sexes!" Motion Picture Daily

"Fernand Gravet's personality is a sheer delight! His American film debut will make him a box-office smash!" Box-Office

"Fernand Gravet is 1937's most promising addition to the American screen!" Los Angeles Examiner

"FERNAND GRAVET CLICKED POWERFULLY!"

Walter Winchell

He's the Ex-King!

It All Goes to Show That
50 MILLION FRENCHWOMEN WEREN'T WRONG ABOUT

Fernand Gravet

(*pronounced* SUCCESS)

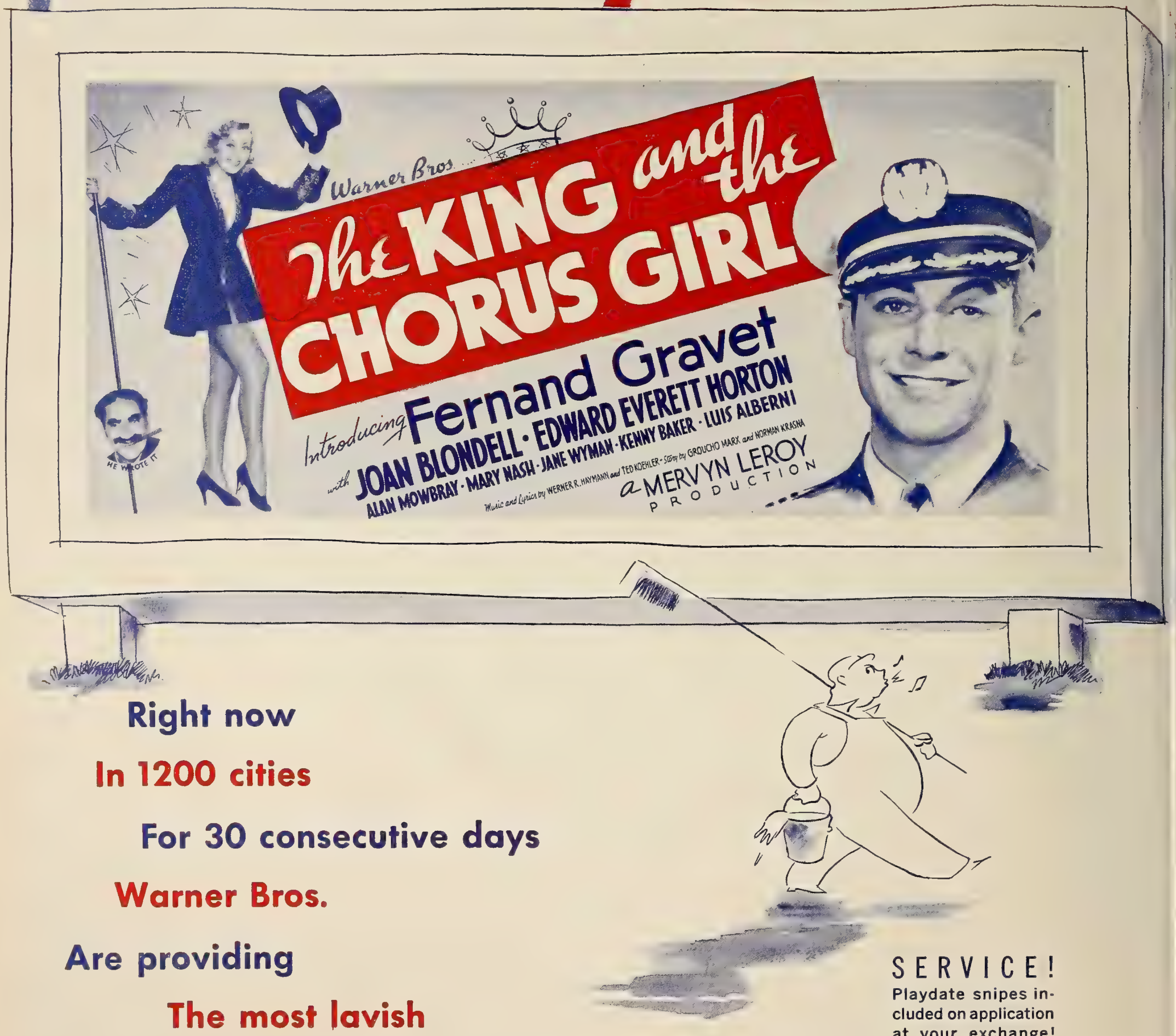
They just *couldn't* be wrong—look at the way he works!

She's the Chorus Girl!

But he's only *part* of the tremendous values poured into this show!

Hail the campaign of a lifetime on the next page!

this is Yours!


Warner Bros.
The KING and the CHORUS GIRL
Introducing Fernand Gravet
with JOAN BLONDELL · EDWARD EVERETT HORTON
ALAN MOWBRAY · MARY NASH · JANE WYMAN · KENNY BAKER · LUIS ALBERNI
Music and Lyrics by WERNER R. HAYMANN and TED KOEHLER · Story by GROUCHO MARX and NORMAN KRASNA
a MERVYN LEROY PRODUCTION
HE WROTE IT

Right now

In 1200 cities

For 30 consecutive days

Warner Bros.

Are providing

The most lavish

24-sheet coverage

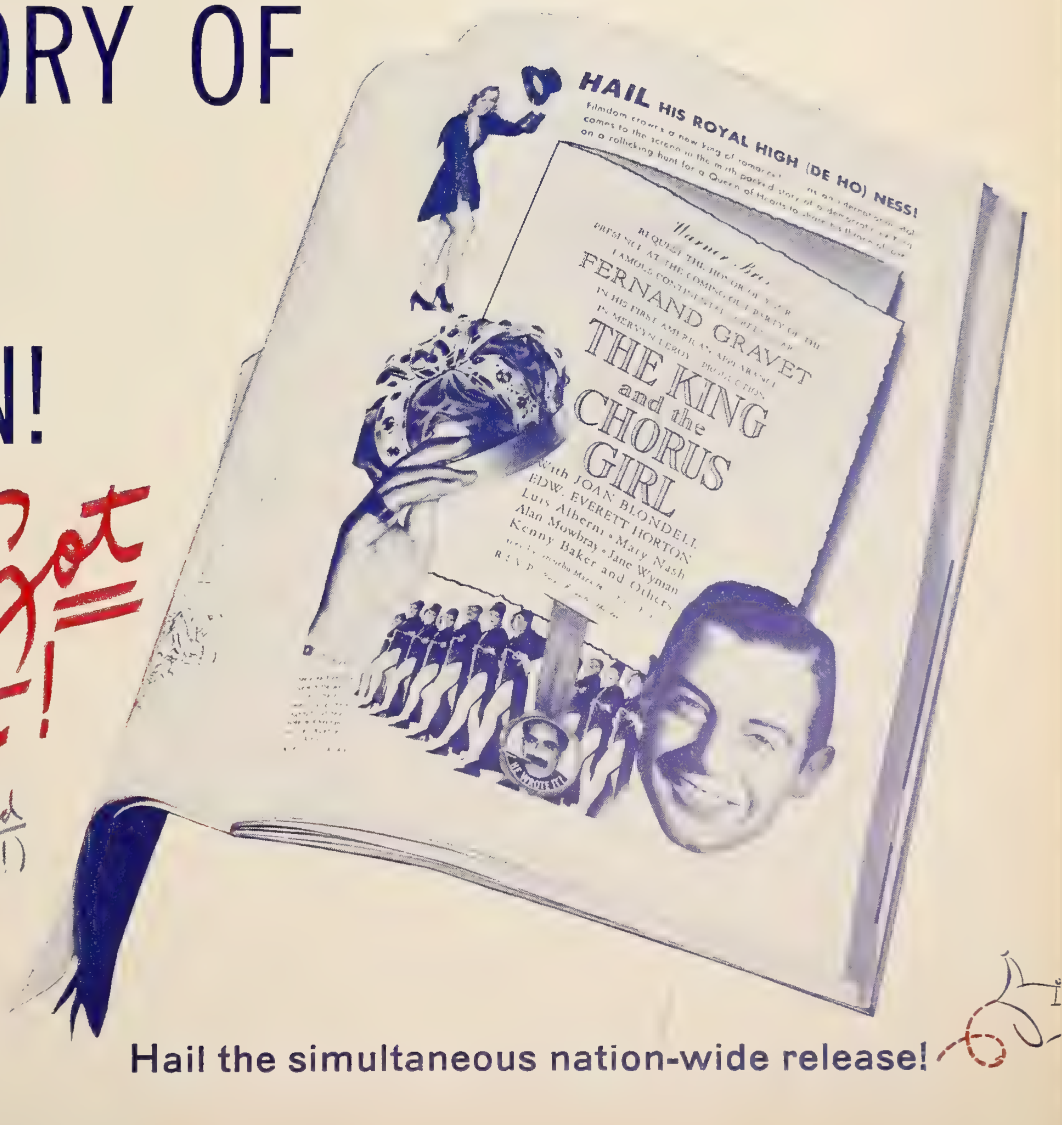
Ever seen

In film business!

It's that kind of a smash!

SERVICE!
Playdate snipes included on application at your exchange!

...AND SO ARE THE UNPRECEDENTED MAGAZINE AND DAY-DATE NEWSPAPER CAMPAIGNS THAT ABSOLUTELY GUARANTEE THE GREATEST SUPPORT IN THE HISTORY OF PICTURE EXHIBITION!



HAIL HIS ROYAL HIGH (DE HO) NESS!

Warner Bros.

FERNAND GRAVET

IN HIS FIRST AMERICAN APPEARANCE

IN MERVYN LEROY PRODUCTION

THE KING and the CHORUS GIRL

With JOAN BLONDELL

EDW. EVERETT HORTON

Luis Alberni • Mary Nash

Alan Mowbray • Jane Wyman

Kenny Baker and Others

Everybody's Got to see it!

(The campaign--and the picture!)

Hail the simultaneous nation-wide release!

IT'S AN EASTER

THE KING AND THE CHORUS GIRL

A MERVYN LEROY PRODUCTION Starring

FERNAND GRAVET

with

JOAN BLONDELL

EDW. E. HORTON • Alan Mowbray • Mary Nash • Jane Wyman
Kenny Baker • Luis Alberni • Story by Groucho Marx and
Norman Krasna • Songs by Werner R. Heymann and Ted Koehler

Leader of the Sensational Spring Set-Up from

WARNER BROS.

THE
SEARS
DRIVE
IS ON!

PRINTED IN U.S.A

Paramount Group Leaves Tomorrow

(*Continued from page* 1)

gether with studio executives, will converge in Miami over the weekend. The delegation will number 82 in all, most of whom will also attend the M.P.T.O.A. convention opening next Tuesday the Miami-Biltmore.

The Paramount meeting will aid in formulating the company's new season production policy and schedule, will exchange theatre operating ideas and experience and will consider operating problems and theatre maintenance and improvement subjects. The current Allied States sponsored state legislation to divorce theatre operation from production and distribution affiliations will also be discussed.

Full Roster to Attend

Paramount executives who will attend the company's theatre meeting include Adolph Zukor, Barney Balaban, Stanton Griffis, John Balaban, Neil F. Agnew, Robert M. Gillham, Y. Frank Freeman, Austin C. Keough, C. J. Dunphy, J. J. Unger, Leon D. Netter, M. F. Gowthorpe, Frank Meyer, Max Schosberg, Henry Anderson, Harry Kalcheim, Fred Mohrhardt, J. T. Knight, Jr., Harry Nadel, E. Paul Phillips, Robert Weitman, Harry Royster and Al Wilkie. In addition, the theatre partners and associates attending will include Frank C. Walker, Carl Bamford, Nathan Goldstein, William K. Jenkins, A. N. Notopoulos, E. H. Rowley, G. C. Walsh, Harry Smith, Adam Adams, E. C. Upton, C. J. Shaw, J. J. Fitzgibbons, Karl Hoblitzelle, E. V. Richards, R. B. Wilby, Robert Blair, M. C. McCord, L. McKeachneay, Jack Katz, Arthur Lucas, H. B. Robb, F. J. Miller, R. W. Bolstad, Harry Oliphint, Nash Weil, G. W. Trendle, R. C. Frost, Claude Lee, M. C. Talley, Tracy Barham, A. H. Blank, G. R. Branton, J. C. Clemmons, L. J. Ludwig, R. J. O'Donnell, V. R. McFaul, H. L. Nace, H. F. Kincey, George Zeppos, H. W. Glidden, J. Sullivan, Marion Coles, J. J. Friedl, M. J. Mullin, Samuel Pinanski, Walter Immerman, Charles Perrine, Hunter Perry, L. Shane, J. J. Rubens, Harry David, T. Deboer, Leon Savell, M. A. Lightman, S. A. Lynch, N. L. Nathanson, E. J. Sparks, Frank Rogers and B. B. Garner.

Miami List Growing

James R. Grainger, general sales manager of Universal, leaves Saturday for the M. P. T. O. A. convention in Miami next week, accompanied by Andrew Shatrick.

Percy Phillipson, president of General Register, is another Saturday departure. Mrs. Phillipson will accompany him. Whitford Drake, executive vice-president of Erpi, also leaves for the Miami convention tomorrow.

William F. Rodgers, general sales manager of Loew's, is touring the south and will arrive in Miami for the meetings March 16. Tom Connors is also in the south.

Bob Weitman, manager of Paramount, New York, is another Saturday departure for Miami.

Motor to Miami Meet

Kansas City, March 10.—John Stapel, Rockport, Mo., exhibitor and president of the K.M.T.A., Rex Barrett, manager of the Commonwealth Uptown at Columbia, Mo., Frank Cassil, Rialto, St. Joseph, and George Harttmann, Armour, North Kansas City, will leave late this week in Cassil's automobile for Miami for the M.P.T.O.A. convention.

Homer Strowig, Plaza, Abilene, Kan.; A. F. Baker, Electric, Kansas City, Kan., and R. R. Biechele, Osage, Kansas City, Kan., and secretary of the K.M.T.A. are planning to attend, and may drive.

◂ Purely Personal ▸

JAMES WINN, western sales head for Grand National, is in New York after a nine-month tour, during which he opened exchanges and closed important product deals. He will remain here for a week or so before heading west again.

•

Clare Boothe Brokaw Luce, author of the play, "The Women," will be the guest of honor at a party to be held at the Merry-Go-Round on Sunday for the benefit of the fund for needy authors and dramatists of the Authors' League.

•

Sid Kaufman, who has been handling publicity for "The Good Earth," for Loew's, has joined Alex Gottlieb's staff on the coast, doing special work on Walter Wanger productions.

•

Edward Moss, 20th Century-Fox district manager, will be tendered a testimonial dinner on April 19 at the Bellevue-Stratford by Philadelphia exhibitors.

•

A. E. Meyer, export manager for National Theatres Supply, has left by plane on the first lap of a Latin America tour. He will be back by May 1.

•

Manny Reiner's fashion revue will be featured at RKO's Coliseum next Wednesday night. Phil Fabello's orchestra will furnish the music.

•

Ethel Altman, secretary to Fay White of the Loew real estate department, will be married May 23 to Al Mishket.

•

Stanley J. Mayer of the Des Moines 20th Century-Fox office, has returned from a two-week vacation in Hollywood.

•

Ward Scott, 20th Century-Fox district manager in Kansas City, is back at his office after a Miami vacation.

•

Charles E. Ford, Universal newsreel editor, is due back here from a Florida vacation early next week.

•

William C. Gehring, 20th Century-Fox central division manager, has returned from Detroit.

•

Monty Banks and Gracie Fields will leave for Hollywood and the 20th Century-Fox lot today.

•

Michael Balcon is coming over from London on the *Berengaria*, not the *Normandie*.

•

Judge I. Frey came back from Miami with Gene Picker and Oscar Doob.

•

William J. Kupper is en route to Dallas on a busines trip.

•

Edgar Kennedy is coming east for personal appearances.

•

Byron (Dinty) Moore is trying to shake off a bad cold.

•

Joe Lee is back from a Miami jaunt.

SPYROS SKOURAS, William T. Powers, Eward Zabel and Milton Hossfeld will return next week from the coast, where they are now completing negotiations for 20th Century-Fox product next season.

•

Nat Holt, RKO district manager, left for Cleveland last night after a brief visit to Boston, where he caught a number of shows and home office conferences.

•

Monte Proser, vice-president of the Blackstone Co., is en route to the coast by train with the 10 models selected for Walter Wanger's "Vogues of 1938."

•

Mrs. James Roosevelt, mother of the President, attended the Paramount one night this week, and waited 10 minutes for a seat she liked.

•

Al Reid, in charge of the Fox, Strand and Paramount in Brooklyn for Si Fabian, sailed yesterday on the *Lafayette* for a West Indies cruise.

•

David Bernstein, vice-president and treasurer of Loew's, will return today from Miami.

•

Leo Spitz returned to his office yesterday after a two-month visit at the RKO studio.

•

Mrs. Henry Ginsberg will leave for Hollywood the latter part of next week.

•

W. G. Van Schmus is due back from the coast Monday or Tuesday.

•

John J. O'Connor returned yesterday on the *Dixie* from New Orleans.

•

Margaret Mayo's play, "Baby Mine," has been purchased by M-G-M.

•

Albert De Courville, G. B. director, leaves for Hollywood Saturday.

•

Harry Arthur has delayed his return to St. Louis a few days.

•

Ben Goetz took a train to the coast yesterday instead of a plane.

•

Jack Cohn will fly to Miami for a vacation today.

•

. . . Pittsburgh

Ben Jaffe, recovering from another serious illness, has left for Hot Springs, Ark., to join his father, George Jaffe.

Lou Smith made the rounds of the photoplay editors during a stopover on his way to the coast to handle special publicity for Marlene Dietrich's "Angel."

Myer Schwartz took a day off last week to go up to Columbus and marry Fay Silverstein.

Nelson Eddy's postponed concert at the Syria Mosque will be given March 27, a week after his picture, "Maytime," plays here.

Gabe Rubin is back on the job again at the Art Cinema after two weeks of the flu.

Report 232 Houses For Negro Patrons

(*Continued from page* 1)

in that it does not include the Chicago exchange territory. Chicago, itself, has a Negro population of more than 250,000 and there are an estimated 20 theatres in the exchange territory catering either to Negro or mixed patronage. The seating capacity of these houses approximates 12,500.

The report covers 18 exchange territories, of which Washington, Atlanta and New York service the largest number of theatres. The Washington exchange serves 46 theatres with an aggregate seating capacity of 26,853. Atlanta serves 44, with a seating capacity of 21,478, and New York serves 38, having a seating capacity of 38,973. The New York report, however, covers theatres catering to "mixed" patronage—both white and colored—whereas the Atlanta and Washington houses reported on are exclusively for Negro patronage.

Charlotte serves 18 such theatres, New Orleans, 14, and Dallas, 10.

Plan Early Revival Of Momand's Action

(*Continued from page* 1)

technicality. Ryan, who entered the case about three years ago, is understood to be planning to reinstate the suit as soon as the order of dismissal is returned from the U. S. Circuit Court of Appeals to the U. S. District Court, which usually requires about 30 days.

Technicolor Hears Camera Expert

Los Angeles, March 11.—Dr. Russell Otis, consulting attorney and photography expert, testified today in the suit of Tricolor against Technicolor charging infringement of a color photography patent. Tricolor attorneys endeavored to prove that certain principles of the Jones duplex camera are embodied in the camera currently being used by Technicolor. They claim American and foreign patents dated prior to Technicolor's registration.

Dr. Russell will be cross-examined tomorrow.

Formally Appoints Pratt

Federal Judge Francis G. Caffey yesterday signed a formal order naming Addison S. Pratt as special master to hold hearings on the plan of reorganization for Roxy Theatres Corp. Hearing dates are to be fixed by Pratt.

Extends Orpheum Filing

Federal Judge Murray Hulbert yesterday signed an order extending the time for filing of papers on the motion made by preferred stockholders of Orpheum Circuit to set aside the sale of Orpheum assets to Stadium Theatres.

Sets RKO Hearing Date

Federal Judge William Bondy yesterday set April 26 as the date for the hearing on the claim of Boyle and Prest against RKO. Special Master Richard P. Scandrett had previously disallowed the claim.

Salt Lake Scale Raised

Salt Lake City, March 11.—The Victory, Intermountain house, has advanced its scale from a 25-cent to a 35-cent top.

"Avenue" Out Front in Big Loop Pickup

CHICAGO, March 11.—"On the Avenue" led a healthy pickup in the Loop last week with a take of $19,200 at the Roosevelt. This was $8,200 over par.

"The Green Light," with Borrah Minevitch and a revue on the stage put the Chicago well into the profit division at $40,000. Normal is $32,000.

"The Good Earth" opened at the Chicago on a two-a-day basis at advanced prices and pulled a strong $13,000. Advance sales are heavy.

The weather was cold and fair. Sonja Henie in person at the Stadium with a skating show may have hurt some as she drew capacity houses for her four appearances on the weekend.

Total first run business was $135,700. Average is $120,500.

Estimated takings:

Week Ending Feb. 25:

"MICHAEL STROGOFF" (RKO)

PALACE—(2,509), 35c-55c-75c, 7 days. Stage: "Greenwich Village Follies" Revue. **Gross:** $15,500. (Average, $19,000)

"THE GREEN LIGHT" (W.B.)

CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Borrah Minnevitch and Revue. **Gross:** $40,000. (Average, $32,000)

"DEVIL'S PLAYGROUND" (Col.)

ORIENTAL — (3,490), 35c-55c, 7 days. Stage: Belle Baker and Revue. **Gross:** $18,500. (Average, $15,000)

"GOOD EARTH" (M-G-M)

APOLLO—(1,400), 50c-$1.50, 2 shows daily, 7 days. **Gross:** $13,000. (Average, $9,000)

Week Ending Feb. 26:

"BELOVED ENEMY" (U.A.)

UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $16,200. (Average, $15,000)

"ON THE AVENUE" (20th-Fox)

ROOSEVELT—(1,591), 35c-55c-75c, 7 days. **Gross:** $19,200. (Average, $11,000)

"CAMILLE" (M-G-M)

GARRICK—(900), 35c-55c-75c, 7 days, 4th Loop week. **Gross:** $7,800. (Average, $6,500)

"WE WHO ARE ABOUT TO DIE" (RKO)

STATE-LAKE — (2,776), 20c-35c-40c, 7 days. Stage: Rae Samuels and Revue. **Gross:** $15,500. (Average, $13,000)

Martin Chicoine Wed

CINCINNATI, March 11.—Martin J. Chicoine of Omaha, assistant stage director of the WPA Theatre here, and Grace Haller, local girl, press representative of the same group, were secretly married at Falmouth, Ky. Both have resigned from the theatre organization and will spend their honeymoon in Mexico.

To Rebuild Razed House

MANCHESTER, N. H., March 11.—The Crown here, which was destroyed by fire recently, will be rebuilt by the State Operating Co., operator of the house. The building is owned by Alphonse L. Couture.

"Barriers" Date Changed

The opening night for "Silent Barriers" at the Criterion has been advanced to March 25. The film was scheduled to start a two-a-day run on March 18.

Jewish Guild Services

The Jewish Theatrical Guild of America will hold its annual memorial services on Sunday, March 21, at the Congregation Shaare Zedek, on West 93rd St.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Her Husband Lies"

(Continued from page 2)

Tamiroff that Cortez has double-crossed him. Gunmen bring Cortez, who has sworn off the gambling game. The meeting of Brown, who does not know Cortez is the famous "Spade" Martin, is tense drama, but the boy's luck continues and he breaks all the sharp shooting stud players as Cortez is caught cheating. Brown, robbed of his winnings, is sent home and Cortez pays with his life for violating the underworld code.

The two dramatic romances of Cortez and Gail Patrick and Brown and Miss Martel, contrast with the motivating melodrama. Under the force of Edward Ludwig's direction technique, Cortez, Brown and Tamiroff contribute strong performances with Brown practically stealing the show.

It is based on Oliver H. P. Garrett's story, which was once before released as "The Street of Chance," featuring William Powell and Regis Toomey. The yarn has been given new thematic and atmospheric twists by Wallace Smith and Eve Greene. It is strong enough to earn a place on first run programs. The film has enough dramatic character to enable it to occupy a top spot in many places. With Cortez and Brown dominating, effective dramatic work is checked in by Miss Patrick, Miss Martel, Louis Calhern, Dorothy Peterson, Jack LaRue, Bradley Page, Ralf Harolde and Ray Walker.

Production Code Seal No. 3,115. Running time, 75 minutes. "G."

"Men in Exile"

(Warners)

HOLLYWOOD, March 11.—A melodramatic type of yarn which never manages to rise above the ordinary program level, this film will do in dual spots and in the lesser subsequents may possibly be able to stand alone, but that is doubtful.

Lacking name value, it has Richard Purcell and June Travis in the lead spots, with Margaret Irving and Alan Baxter in chief support. The direction of John Farrow from the screenplay by Roy Chanslor and stories by Houston Branch and Marie Baumer is designed to maintain the suspense and melodramatic action, and succeeds to that extent.

The story has little to offer, concerning the escape of a murder suspect, Purcell, to a mythical Central American republic, efforts of his benefactor to draw him into the gun-running racket, his refusal when he meets Miss Travis, working with her mother in the only hotel, and the consequent excitement of murder, revolutionary plot and the firing squad. Miss Travis' brother, who has been working for the gun-runner, kills the latter, tries to pin the murder on Purcell, but confesses when he sees Purcell about to be executed. With the gangster out of the way, the military powers are lenient and clear the way for the romance.

Production Code Seal No. 2,844. Running time, 60 minutes. "G."

"A Family Affair"

(M-G-M)

HOLLYWOOD, March 11.—Outstanding in all production divisions, this film offers entertainment of all audiences. The performances of Lionel Barrymore, Mickey Rooney and the team of Cecilia Parker and Eric Linden are splendid. The film carries the family problem theme familiarly exploited in "Ah! Wilderness," and is good box-office material for either key spots or neighborhood houses.

The plot centers on the efforts of political factions to prevent Barrymore's reelection as judge in retaliation for his fight against the successful conclusion of water power projects. The opposing forces, aided by the community paper, dig up filth in connection with the separation of Julie Haydon, Barrymore's daughter, and her husband, Allen Vincent. Although the resulting friction plays havoc with the romantic aspirations of Miss Parker, Barrymore's other daughter, and Linden, who is scheduled for an engineering post on the river project, Barrymore fights the issue and at the fadeout successfully clears the family name and shows the populace the harm of the project. Simultaneously he settles his family's romantic differences.

Young Rooney is excellent as the exuberant, youthful member of the household. Miss Haydon's role is also very good. Charles Grapewin, Spring Byington, Sara Haden and Vincent offer good supporting roles. George B. Seitz's direction is smooth and convincing. Kay Van Riper did a commendable screenplay. The dialogue is particularly notable. It is an adaptation from Aurania Rouverol's play. Lester White's photography is good.

Production Code Seal No. 3,136. Running time, 68 minutes. "G."

Variety Club

Detroit

DETROIT, March 11.—The local Variety Club will induct about 40 new members at a special dinner and initiation in the Crystal ballroom of the Book-Cadillac March 15. Last Monday was M-G-M Day at the noon luncheon, with Branch Manager FRANK DOWNEY in charge. Judge JOSEPH SCALLEN was the principal speaker.

Drop Two Toronto Duals

TORONTO, March 11. — Audiences here are "single-feature minded." After a trial of double bills at the Uptown and Imperial, Famous Players houses, these spots have reverted to single films. Business fell off after the introduction of double bills three months ago.

The single bill policy was resumed at the Uptown with "On the Avenue" and at the Imperial with "When You're in Love." The Tivoli will continue with two features while Shea's will continue to offer a screen feature and a vaudeville program.

Cameramen Set Party

The Press Photographers' Ass'n will hold its eighth annual dance and entertainment at the Hotel Commodore on April 9. A long list of newspaper people, screen, stage and radio players will appear.

Cinema Club to Dance

BOSTON, March 11. — The Cinema Club, recently organized, will make its public bow, March 17 with a charity dance in the Georgian Room of the Statler.

Kalmine Buys House

PITTSBURGH, March 11.—Harry Kalmine, zone manager for Warners, has just purchased a 10-room home in the Squirrel Hill district and will move in with his family April 1.

Wall Street

Board Continues Decline

	High	Low	Close	Net Change
Columbia	36	34½	34⅝	—1½
Consolidated	4⅞	4⅝	4⅝	— ½
Consolidated, pfd..	16⅛	15⅞	15⅞	— ¼
Eastman Kodak ..	168¼	168	168	— ¼
Eastman, pfd. ...	159½	159½	159½	—1½
Gen. T. Equip....	29½	28¼	28⅜	— ⅛
Loew's, Inc.	79¾	78½	79¼	.....
Loew's, pfd.	106¾	106¾	106¾	+ ⅛
Paramount	25½	24¾	25⅛	— ¼
Paramount 2 pfd..	23½	23⅛	23⅛	— ⅝
Pathe Film	8⅝	8½	8½	.....
RKO	8⅝	8½	8½	— ⅛
20th Century-Fox.	37⅛	36⅛	36⅞	— ¼
20th Century, pfd.	45½	45½	45½	— ¾
Universal, pfd. ..	100	98	98	—2¾
Warner Bros.	15½	15	15	— ⅜

Technicolor Best Curb Rise

	High	Low	Close	Net Change
Grand National ..	3	2⅞	3	.....
Sonotone	1⅞	1⅞	1⅞	— ⅛
Technicolor	24	22¾	23¾	+1¼
Trans-Lux	5	4⅞	4⅞	.....
Universal Pict. ..	12½	12	12	—2

Bonds Move Fractionally

	High	Low	Close	Net Change
Loew's 6s '41 ex war	99½	99¼	99½	+ ¼
Paramount Pict. 6s '55	100¼	100⅛	100⅛	— ⅛
Warner Bros. 6s '39 wd	97¾	97½	97½	— ½

(Quotations at close of March 11)

CHAMPION

EASTMAN Super X was used in the great majority of all 1936 feature productions ...in three out of every four "box-office champions"...in nine of the "best ten" pictures chosen by the country's critics. It continues as the unchallenged champion among motion picture negative films. Eastman Kodak Company, Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

Monopoly of Air Charged To Utilities

By CLARENCE LINZ

WASHINGTON, March 11.—Charges that public utilities interests are involved in an alleged broadcasting monopoly were made before the Rules Committee of the House today by Representative Connery of Massachusetts, who urged approval of his resolution for an investigation of the the radio situation and the activities of the F. C. C.

Connery charged that the three national systems, CBS, NBC and Mutual, control all of the "best time" and 96 per cent of all good time. He said, "I would not be surprised if there is a tieup through the medium of interlocking directorates within the three systems. Anyway it is what we want to find out."

Second Critic Heard

Representative Dies of Texas criticized the methods of the chains in giving time, charging that Congressmen are given "five minutes between 11:30 and midnight," while Senators get all the time they want.

Connery aimed particularly at the F. C. C., declaring that "the little fellow must get down on his knees to the big fellow for time when he should be able to arrange with the commission for time." Complaints against the commission, he said, came from the independents and educational, religious and other organizations. "It seems as if a blue pencil was always used when somebody wanted to talk about collective bargaining," he added.

The committee will hold another hearing next week for the opponents of the resolution.

City Owned Station Bought by Operator

JACKSONVILLE, Fla., March 11.—Station WFLA, owned by the city of Clearwater, Fla., and operated by the Florida West Coast Broadcasting Co., for some time, yesterday was transferred to the operating organization, which paid for the station in bonds of face value of $252,700, but with current valuation of $50,000, and $2,500 in cash.

H. H. Baskin, president of the West Coast Co., denied there were negotiations on for the sale of the station to other parties. Baskin recently applied for a 500-watt station permit to supplement WFLA, which operates on 5,000 watts.

To Alter Guide Policy

It is reported *Radio Guide*, fan magazine published by M. L. Annenberg, shortly will change its editorial policy and present the magazine as an all-picture publication, similar to *Life* and *Look*, but continuing as a radio publication.

LEO SAYS:
Variety says the No. 1 showmanship station in New York is WHN.
WHN DIAL 1010
AFFILIATED with M-G-M • LOEW'S

Citizens Attack Airing of Rail Fire; Program Shifted

The Philip Morris program ran into a crescendo of trouble with officials of the Rock Island R.R., the Bureau of Explosives, the legal department of NBC, and a committee of protesting citizens of Willard, Kan., as a result of its scheduled re-enactment of a railroad fire in that city last Tuesday. The protests resulted in a cancellation of the dramatization and the substitution of another.

Each Tuesday a portion of the program is devoted to a dramatization entitled "The Thrill of the Week." The incidents, authored by Charles Martin, of the Biow Co., agency handling the account, are based on actual events.

When news of the scheduled dramatization reached Willard, a group of citizens of that city wrote a letter of protest to NBC and to the agency, objecting generally to the dramatization and specifically to making Frank Stone, Jr. the hero of the episode. The credit should be bestowed, they wrote, upon several others who helped to extinguish the fire after a derailment.

Railroad Also Annoyed

Moreover, the Rock Island R. R. requested the cancellation on the grounds that the railroad would be put in an unfavorable and unjust light. The Bureau of Explosives objected because firearms were used to help extinguish the fire in the oil tanks. This method, while often effective, is frowned on by the bureau.

Meanwhile, Stone, selected by Martin as the hero of the event, had been brought to New York and rehearsed in his role. When the controversy flared about the ears of Martin and the agency, he was returned to Kansas and Dene Aborgast, a 14-year-old hero of Durbin, W. Va., was hastily summoned to New York to re-enact the event that brought him into the limelight.

When queried, Martin said, "We are still convinced that we had every legal right to go ahead with the dramatization. Rather than create ill-will toward our sponsor's product, however, we agreed to the cancellation."

To Air Easter Services

Easter Sunrise Services from the Hollywood Bowl will be broadcast over the Mutual network, 8 to 9 A.M., E.S.T., March 28. The Don Lee network will feed the program over the coast-to-coast Mutual web.

P. A. Anguish

A letter to all radio agencies by station representatives Paul H. Raymer & Co. has caused untold anguish in the press departments at the agencies.

Raymer & Co., representing KSTP, Minneapolis-St. Paul, wrote that the station and the agency clients with programs on this station, are not getting the proper publicity breaks in the papers in that city, due to a dearth of material sent out. The press divisions at all the agencies state that if the papers there were to use half of the releases sent them, they would have to print extra sections.

Sobol, Growers Set Contracts with WHN

New business placed at WHN yesterday included contracts for a program sponsored by Sobol Bros. Service Stations, Inc., and another for the Western Growers Protective Ass'n.

Through J. Stirling Getchell, Sobol Bros. will broadcast six 15-minute programs a week during the day; three 15-minute programs a week during the evening; and six five-minute late evening programs. All 15-minute programs will consist of United Press News dispatches and Associated Recordings. The five-minute programs will consist entirely of United Press news. Programs will start March 15. The contract is for 52 weeks.

For Western Growers, Ida Bailey Allen will present her "Home-Makers on the Air" Mondays, Wednesdays and Fridays from 10:30 to 11:30 A.M. The contract, for 13 weeks, was placed through J. Walter Thompson.

Mrs. Wayne Mohr to Speak

Mrs. Wayne Mohr, educational chairman of the Greater Detroit M.P. Council and film chairman of the Parent-Teacher Ass'ns of Detroit, will be guest on the Michigan WCTU broadcast of Thursday, March 18 from 1:15 to 1:30 P.M., E.S.T. from the studios of CKLW. Mrs. Mohr will speak on the subject "Motion Pictures and the Community."

The Press Again

"Congratulations on the excellent radio page you are now getting out. I have followed it with interest since its appearance and profited by it. You can guess its value to a radio editor who is not in close contact with usual sources of radio news."—*R. Ormond Marrion*, radio editor, *Victoria (B. C.) Daily Times*.

"A very satisfactory effort. It is informative and that, after all, is what I believe you stress in the preparation."—*Patricia Lorimer*, radio editor, *Newark Star-Eagle*.

"I wish to congratulate you upon the fine work being carried on by your radio department. I have a feeling of being 'lost' when I am unable to get a chance to see your radio page each day. I realize that you carry reliable first-hand news and it is with that thought in mind that I look toward *Motion Picture Daily* as my chief source of information."—*Norman E. Reck*, radio editor, *Ridgewood (N. J.) Herald*.

◂ Radio Personals ▸

ANNE TEEMAN, network actress, has joined the "Girl Interne" cast on WHN. . . . Frank Parker will guest appear on the Ben Bernie program April 6, from Florida. Jean Dickinson, NBC star, will sing with the San Carlo Co. in Denver April 7. . . . Thomas L. Stix, of the Henry Souvaine office, left by plane yesterday for California. . . . Maurice Barrett of the WHN production department is readying a series of Gilbert and Sullivan programs for his station. . . .

✚

Emery Deutsch will be Marion Cole's guest on the latter's program on WMCA Tuesday. . . . Fred Pflugfelder, director of N. W. Ayer's radio department, is expected back at his desk after an extended business and vacation trip. . . . Ed Ettinger, who wrote scripts for Al Jolson when the latter originally went on the air several years ago, leaves for California to take up the script writing duties for Jolson's present series. . . . WOR will have a "coach and four," complete in every detail, prancing up and down 5th Ave. during the Easter Parade. Cobina Wright, Jerome Zerbe, Jr., and Dave Driscoll will broadcast a description of the parade from 12:15 to 12:30 P. M., Easter Sunday. . . .

✚

Lois Wilson will be the guest of Jeff Sparks on WOR's "Varieties" program this Sunday at 3 P.M. . . . Paul Whiteman will lead concert orchestras in Baltimore and Washington March 16 and 17 before returning to New York. . . . Film studios are said to be conducting special surveys of radio script shows with an eye toward picturizing them. . . . Raphael and Jack Feeney will make guest appearances on the Schaefer "Nine O'clock Revue." . . . Ernst Lubitsch will join Marlene Dietrich and Herbert Marshall on the "Lux" program Monday night. . . . Roy Atwell, stuttering comedian, will fly from New York for his appearance in Hollywood on Jack Oakie's program March 16. . . . Helen Menken and Margalo Gillmore will offer a scene from "Mary of Scotland" on Kate Smith's series March 18. . . . Lupe Velez will join Eddie Cantor's program March 14 for a guest spot. . . . Jessie Royce Landis will be Crosby Gaige's "Kitchen Cavalcade" guest March 15. . . . DON SEARLE of WIBW, Topeka, Kan., is a visitor to New York, conferring with executives of CBS.

✚

Dot Haas, of WOR's press staff, ill with grippe. . . . Fred E. Fuller, the Brooklyn salesman who met the Royal Family while shopping at the British Empire Exposition, will describe his reactions of the meeting on Benay Venuta's WOR program this Sunday at 8 P. M. . . . Ralph Wonders, ex-CBS artist bureau head now vacationing in Florida will join Rockwell-O'Keefe on his return to New York.

Racing to WOR-Mutual

For the second consecutive season, WOR-Mutual will broadcast exclusively from the five New York racing tracks during the coming season.

January Air Ads Totaled $10,369,556

WASHINGTON, March 11. — Total broadcast advertising in January amounted to $10,369,556, a decrease of 6.7 per cent from the December level but 29.1 per cent above the gross time sales for January, 1936, it was announced today by the National Ass'n of Broadcasters.

"Although all advertising media experienced the downward seasonal trend during January," it was commented, "radio broadcasting declined to the least extent when compared with December. Advertising in national magazines declined 26.1 per cent, national farm papers, 14.2 per cent, and newspapers, 25.3 per cent."

Figures compiled by the N. A. B. place national network advertising in January at $6,061,387 against $6,185,441 in December; regional networks, $92,169 against $99,416; national non-network, $2,313,700 against $2,461,200, and local, $1,902,300 against $2,373,000.

In the non-network field, gross time sales of stations of 250 to 1,000 watts were greatest, amounting to $1,839,900 against $2,122,500 in December, followed by stations over 1,000 watts with $1,823,100 against $1,983,600, and 100-watt stations with $553,000 against $728,600. In this same group, geographically, the North Central area was the most important with $1,564,700 against $1,854,900 in December followed by the New England-Middle Atlantic area, $1,097,900 against $1,270,900; the South-Atlantic-South Central area, $783,000 against $915,500, and the Pacific and Mountain area, $770,400 against $793,400.

A survey of the advertising types on national non-network and local stations showed that gross time sales for electrical transcriptions dropped from $1,165,920 in December to $900,980 in January; live talent programs from $2,356,090 to $2,222,990; records from $100,810 to $89,310, and announcements from $1,211,880 to $1,002,720.

"Radio Clinic" Is Revised

WBNX's much criticized "Radio Clinic" will be presented this Sunday at 5:30 P. M., under a revised setup calculated to eliminate those features declared to be objectionable.

The program will be under the direction of a bacteriologist and instead of having patients parade before the microphone with their ills, there will be dramatization by a professional cast.

Will Broadcast Nature Study

BOSTON, March 11.—"The Old Naturalist," a new series of nature study programs by members of the faculty and student body of Massachusetts State College will be started over WAAB and the Colonial Network beginning March 19 from 2:30 to 2:45 P. M., E. S. T. The program will be heard every Friday afternoon.

Boston to Get Morning Recitals

BOSTON, March 11.—Morning organ recitals at 9 o'clock, E. S. T., will be given by Stanley Schultz of WORL, starting March 15 from the Paramount.

Saerchinger Quits CBS European Post

Cesar Saerchinger, European director for CBS, yesterday cabled his resignation to the network headquarters in New York. He will be succeeded by Edward R. Murrow, present director of Talks for CBS.

Saerchinger's resignation takes effect as of May 1. He plans to return to America to pursue a literary career, after spending 18 years abroad as a newspaperman and network representative. He was appointed to his present post in 1930.

Saerchinger is the author of a musical encylopedia and other musical works. He was stationed for years in Berlin as foreign service editor of *Musical Courier,* and later in London as correspondent for several American newspapers.

Murrow formerly was president of the National Student Federation and assistant director of the Institute of International Education.

Shannon Allen Made WPA Radio Assistant

WASHINGTON, March 11.—The appointment of Shannon Allen as assistant director of the WPA educational radio project in the office of education was announced today by Secretary of the Interior Ickes.

Allen, who is now on leave from his position as night manager of NBC's Washington division, will undertake the duties of editor of the script and editorial divisions, succeeding Leo S. Rosencrans, who resigned to take a position with Wilding Motion Pictures, Inc.

Hearst Seeks Four More Air Stations

(Continued from page 1)

receipt of applications for new stations from the Standard Life Insurance Co. of the South, Jackson, Miss., 1,420 kilocycles, 100 watts night, 250 watts day; Spartanburg Jr. Chamber of Commerce, 1,420 kilocycles, 100 watts night, 250 watts day, and Southern Broadcasting Corp., New Orleans, (amended) for the facilities of WJBW, 1,200 kilocycles, 100 watts night, 250 watts day.

An application also has been received from WGL, Fort Wayne, Ind., for an increase of day power to 250 watts.

The commission today ordered a hearing on the application of the Watertown Broadcasting Corp., Watertown, N. Y., for a new station on 1,420 kilocycles, 100 watts night, 250 watts day.

Skillet Sisters in Series

East and Dumpke, the "Sisters of the Skillet," will begin a new three-time weekly series for the Kellogg Co. on WJZ, beginning April 12, from 7:45 to 8 P.M., E.S.T. Kenyon and Eckhardt, Inc., is the agency.

Shift Winchell's Program

Beginning Sunday, Walter Winchell's program will precede, not follow, the "Rippling Rhythm Revue," which features the orchestra of Shep Fields, Judy Cannova, and Frank Parker. Both series are sponsored by the Jergens Co. Lennen and Mitchell handle the account.

Sitting Ushers

Houston, March 11. — Twelve pretty ushers of the Horwitz Homefolks Theatres are staging the first Houston sit down strike.

The girls, sitting in the arcade of the Uptown and Iris in their striking satin uniforms of green, white and black, display placards demanding "Saturdays off." They work 44 hours per week, but must report a part of each day.

It couldn't possibly be a publicity stunt, Will Horwitz insists.

Rumor Film Combine Is Planned in China

(Continued from page 1)

such a deal. It is generally believed that a combine of this sort would serve to force down film costs and admission prices.

There have been definite indications that the Government is showing increased interest in the development of production in China. Considerable equipment has been purchased in recent months by the Government for use in its educational work. The recent departure for the United States of T. J. Holt, general manager of Shanghai Amusements, operators of two first runs and a second run here, is thought in some quarters to have a bearing on the plan. Holt's visit will be for the purpose of studying American production for possible application in China. He is acting in a semi-official capacity.

"Love Is News" Hits $45,000 at the Roxy

(Continued from page 1)

Crawford, the Radio Ramblers, Lucille Page and Freddie Craig, Jr., are being held a second week.

"Fire Over England" ended a week at the Music Hall with about $63,000. "Romeo and Juliet" garnered a weak $30,000 in its first week at popular prices at the Capitol. "Woman of Glamour" at the Criterion did about $10,000.

Para. B'way Loss Cited

The net loss of Paramount Broadway Corp. for the period from July 1 to Dec. 31, 1935, amounted to $166,536.22. This loss was not for the entire year of 1935, as indicated in an item in MOTION PICTURE DAILY, in which the annual 1936 report of Paramount Broadway was published.

Will Open Denver Club

DENVER, March 11.—New club rooms of the Rocky Mountain Screen Club will be opened with a formal entertainment March 20 in the Cosmopolitan Hotel. The rooms have been remodeled and contain a library, writing room and bar.

Wins $10,000 Prize

BOSTON, March 11. — Rudolph Bruce, checker for M-G-M, today won the $10,000 first prize in a cartoon contest sponsored by the Boston *Herald Traveler.*

Catholics to Review Films in Australia

(Continued from page 1)

exhibitors and the full cooperation of the industry has been promised.

The committee has stated that the gradings of the American Legion of Decency and the decisions of the Commonwealth films censor, Cresswell O'Reilly, will be accepted. Since Australian-made pictures are uncensored before presentation in New South Wales, the committee has requested the right to preview all such films and include them in the list of general gradings. The chairman of the central committee is Monsignor King, O. B. E.

The wording of the pledge has yet to be drafted, but it is understood that its phraseology will be on similar lines to that of the American Legion of Decency. Some months will elapse before the plan is in full operation.

The latest issue of the Catholic Directory shows that Catholics in Australia now number 1,250,000, or nearly 20 per cent of the population.

Select Hubbard's First

HOLLYWOOD, March 11.—"With the Tide," Robert Louis Stevenson's adventure tale of the South Seas, will be Lucian Hubbard's first assignment as Paramount associate producer. The film will be done in Technicolor. Frances Farmer will have the lead. Henry Hathaway is the tentative choice for director.

Turnquist Post Set

BOSTON, March 11. — Elmer Turnquist has been named permanent Boston manager for Imperial Pictures. He was promoted from booker to temporary manager on the resignation of Leo Britton. Jack Hill assumes Turnquist's position as booker.

Arthur New LeBaron Aid

HOLLYWOOD, March 11. — George Arthur, head of the Paramount studio cutting department, has been named editorial assistant to William LeBaron. Charles West succeeds him in the cutting department.

Wilkins Joins Republic

HOLLYWOOD, March 11.—Paul Wilkins, with M-G-M for 28 years and recently associated casting director, has signed as casting director for Republic.

Pick "Carnival Queen"

HOLLYWOOD, March 11.—Universal has changed "Love in the Mud" to "Carnival Queen." The film is to go into production soon. The change was made because the original title was used in the published version of the story.

Retitle "Years So Long"

HOLLYWOOD, March 11.—"Make Way for Tomorrow" has been picked as the release title of "The Years Are So Long" by Paramount.

G. N. to Have 20 "A's"

HOLLYWOOD, March 11.—Grand National plans to make 20 "A" pictures next year. Edward L. Alperson, president, is expected to leave for New York next week. He is now working out a new deal with Douglas MacLean, producer, for four pictures annually.

"LOVE IS NEWS"

AT BOX OFFICES EVERYWHERE!

NEWS in NEW YORK! Held over at the Roxy . . . an S. R. O. hit!

NEWS in ALBANY! Smash run bigger than "Girls' Dormitory!"

NEWS in MEMPHIS! Great business topped "Road to Glory," "Ladies in Love."

NEWS in RICHMOND! Beat swell "Pigskin Parade" gross at Capitol.

NEWS in ST. LOUIS! Opening days leading "Girls' Dormitory."

NEWS in DETROIT! Sensational opening tops "Pigskin Parade!"

NEWS in DAYTON! Opened bigger than "On the Avenue."

NEWS in MIAMI! Grand! Beats "One in A Million" opening!

NEWS in LOS ANGELES! Smash day-and-date run at Chinese and State!

and

"NANCY STEELE IS MISSING" PROVES PRE-RELEASE SMASH HIT AT RIVOLI NEW YORK!

—as predicted by Variety Daily: "Should warrant exceptional box-office tribute!"

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE

Alert, Intelligent and Faithful Service to the Industry in All Branches

MOTION PICTURE DAILY

The Leading Daily Newspaper of the Motion Picture Industry

VOL. 41. NO. 60 NEW YORK, SATURDAY, MARCH 13, 1937 TEN CENTS

Moves Begun For Raising Scales Here

Seek Five and 10-Cent Increases Generally

Moves are under way to increase admissions five and 10 cents in the Greater New York territory, it was learned yesterday.

Loew's and RKO, which already have boosted prices in some sections, are reported behind the move. Several leading independent circuits have been approached and have shown a willingness to fall in line with the trend.

However, no blanket moves are being taken until the smaller, unaffliated circuits are influenced to hike tariffs.

According to reports, no general meeting will be held on the matter, but each circuit will be asked individually to tip the scales slightly upward. It is felt that the time is now ripe for such a move and if the plan is successful it will be in full swing by the beginning of next season.

Increases are contingent on the sections in which theatres are situated. In some neighborhoods, exhibitors are being asked to change week day admissions from 35 to 40 cents; in other spots, operators are being approached to tip the 40 cents admission to 50 cents.

Expect Poster Men To Reelect Libros

Simon Libros of Philadelphia is scheduled to be reelected president of National Poster Service Renters Ass'n today or tomorrow. Le Roy Kendis of Cleveland, vice-president, and George P. Aarons of Philadelphia, secretary and treasurer, are also expected to be continued in their posts for another year.

About 50 members of the association, representing every key center,

(*Continued on page* 3)

CBS Gross for '36 Up to $27,800,000

The CBS annual report shows a time sale gross of $27,800,000 for 1936. The net profit for the year was $3,755,522.99.

This is equivalent to $4.41 per share on the 852,335 shares outstanding. The dividends aggregated $2,812,705.50, or $3.30 per share, representing the largest dividend ever paid

(*Continued on page* 4)

More Radio—Page 4

Miami Reservations Pass the 700 Mark

MIAMI, March 12.—Hotel reservations sufficient to accommodate more than 700 persons during the M. P. T. O. A. national convention opening at the Miami-Biltmore next Tuesday had been made up to early this morning. The number is expected to be increased by more than 100 additional reservations in the next four days.

The Miami-Biltmore and Roney-Plaza report a total of 287 reservations up to today. The Everglades reported 78 reservations.

Charles B. McCabe, publisher of the *N. Y. Daily Mirror,* has been invited to address the convention. Charles Edison, assistant Secretary of the Navy, one of the speakers scheduled for the Thursday business session, will be unable to attend because of the demands of official business in Washington. Warner Baxter and Evelyn Herbert will attend the convention, joining the Hollywood contingent which is expected here Monday or Tuesday.

PHILADELPHIA, March 12.—Lewen Pizor, president of the U. M. P. T. O. of Eastern Pennsylvania, Southern Jersey and Delaware, leaves Sunday for the M. P. T. O. A. convention in Miami. Since the local body is not affiliated with the M. P. T. O. A., Pizor will attend as an unofficial observer from this territory, instead of as a delegate.

CEA Welcomes Call For Talk With KRS

By BRUCE ALLAN

LONDON, March 12.—The Council of the Cinematograph Exhibitors' Ass'n has officially welcomed the suggestion of Dr. Burgin, Parliamentary spokesman for the Board of Trade, that the C. E. A. and the Kinematograph Renters Society (distributors) form a joint trade council for the development of new policies.

D. E. Griffiths has been reelected president of the K. R. S.

Warners Win Jersey Race by Single Day

PHILADELPHIA, March 12.—An interesting race for theatre openings in Vineland, N. J., was won yesterday by Warners by the margin of one day.

Their ace house in this South Jersey town, the Grand, which has been completely rebuilt, opened yesterday. Today Eugene Mori's independent house, the Landis, an entirely new project, made its bow, making two theatre premieres within 24 hours.

Spurred by the construction of the Landis, Warners rushed the Grand into operation, finishing it in 55 days.

On the Woodpile

Houston, March 12.—Friday night at the Iris has become wood-sawing night for women —literally. Women from the audience are invited to enter a wood sawing contest on the stage. Logs and hand saws are provided, and the first to saw through the log receives $5. The Iris is crowded each week. The idea is original with Will Horwitz, operator of the Homefolks Theatres circuit of subsequents.

Production Holds Pace; 36 in Work

HOLLYWOOD, March 12.—Production activity here maintained its pace, with 36 features in work, the same number as during the previous week. Three shorts, also equalling last week's figure, were in production. Eight features were completed, comparing with eight in the previous period. Work was started on eight features and three shorts.

In preparation were 22 features and seven shorts. In the process of editing were 57 features and 14 shorts.

In work Warners had seven and Universal, 20th Century-Fox, M-G-M and Paramount had six each. Radio started shooting two features and

(*Continued on page* 3)

Buffalo Sentiment Against Bank Night

BUFFALO, March 12.—A majority of exhibitors here are opposed to Bank Night and all other games of chance in theatres. Few managers feel there is enough profit to warrant their continuation, but individual managers are unwilling to call a halt because of fear of competition.

Vincent McFaul of Shea Theatres, Inc., agrees with MOTION PICTURE DAILY's stand on this question, but says games of chance cannot be done

(*Continued on page* 3)

Century Curtailing Long Island Games

Century Circuit has curtailed chance games in its Nassau and Suffolk County theatres, it was stated yesterday by an executive of the circuit. The move follows the stand taken recently by Loew's, RKO and Skouras in eliminating them in all of its local units.

No decision has been reached on dropping games from Century's Brooklyn houses, although this will most likely follow as soon as competitive theatres decide to oust Bank Night, Screeno, Lucky and other games.

Radio Plans Increase in Film Budgets

Spitz Says 48 Features On Next Schedule

RKO Radio Pictures will "substantially increase" its production and individual picture budgets for the 1937-'38 season, Leo Spitz, president, said yesterday. The company will schedule 48 features for the coming season.

Questioned concerning the number of pictures which would be designated for the higher budget brackets, Spitz said that there would be "a greater number than ever" in this category but that the total would vary in accordance with available material and production values as disclosed while a picture is in work. In this respect, he said flexible budgets would be maintained in order that pictures which revealed exceptional possibilities would have the benefit of additional appropriations.

Spitz avoided the use of the terms "A" and "B" pictures, stating that these trade designations are being taken up by the public to the disadvantage of theatres and individual productions. Spitz illustrated his point by relating that after attending a preview of an important picture during his recent Hollywood visit, a friend, who was not a member of the industry, was curious to know

(*Continued on page* 3)

Wisconsin Delaying Allied Theatre Bill

MILWAUKEE, March 12.—The Senate Committee on State and Local Government has reserved decision on Allied's bill for banning theatre ownership by distributors.

Opposition to the bill was voiced yesterday at a hearing by Ben Miller, representing 20th Century-Fox and the Warner and Saxe circuits and organized labor. Union representatives

(*Continued on page* 3)

Caffey Studies Roxy Bondholders' Dissent

Federal Court Judge Francis G. Caffey, took under advisement after a hearing yesterday the rights of Roxy bondholders who have deposited their bonds with the Pounds Committee to file dissent from the proposed plan of reorganization.

Of the outstanding first mortgage bonds amounting to $3,600,000, bonds amounting to $2,332,000 are deposited

(*Continued on page* 2)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Mines Bureau Films Shown 84,783 Times

Washington, March 12.—Films of mineral production from the Bureau of Mines were shown last year to 7,252,000 persons on 84,783 occasions, the Dept. of the Interior stated today.

A total of 57 subjects are covered by the 3,000 reels now in the film library of the bureau. They cover various activities of the mining and oil industry, both here and abroad, a number of them being devoted to the subject of safety in mining operations. With a few exceptions, all of the pictures are silent. All are available in both 16 mm. and 35 mm. widths.

Technical in nature, the bureau's films are used chiefly by educational institutions, engineers, scientific societies and similar organizations.

G. T. E. Sets Dividend

General Theatres Equipment Corp. has declared a dividend of 25 cents a share on the outstanding stock, payable March 31 to stockholders of record March 24. The company paid $2 in 1936. Earl G. Hines, president, indicated that the company expects to pay interim dividends during the year and a final at the close of the year.

Purely Personal

Edward L. Hyman of Century Circuit has changed his vacation plans and now intends to leave by car next Friday for Miami and then to Havana. Previously he had an itinerary for a southern tour worked out.

•

Phyllis Gilman, one of the 10 models en route to the coast to appear in "Walter Wanger's Vogues of 1938," yesterday announced her engagement to Lou Holtz in Chicago.

•

Norman H. Moray, in charge of Vitaphone sales, now on a tour of the country, arrives in Vancouver tomorrow and will leave for Seattle Monday.

•

J. J. Fitzgibbons, of Famous Players Canadian, was in town yesterday en route to Miami for the M. P. T. O. A. and Paramount meetings.

•

Paul Graetz of Paris Export Co. is here from Paris and plans to spend another two weeks in town looking for product.

•

Wolf Cohen, Canadian district manager for Warners, returned to Toronto last night after a short visit here.

•

Fay Bainter is due Monday from the RKO studios on the coast. Miss Bainter stopped off at Mexico City.

•

Sally Victor, designer for Walter Wanger, left for the coast via American Airlines yesterday.

•

Herb Ochs, western division sales head for Warners, left for Miami yesterday. Vacation.

•

Harry Pimpstein, RKO attorney, returned yesterday from a short trip to Philadelphia.

•

J. H. Carroll took a plane to the 20th Century-Fox coast lot yesterday.

•

Charles McCarthy sails Thursday on a 20-day Caribbean cruise.

•

Bob Goldstein sails for London April 1.

Herbert Depew, former vice-president and sales manager of the Acousticon division of Dictograph Products, has been named head of expense control and personnel of Jam Handy, Detroit.

•

Frank M. Snell, vice-president of Condor Pictures, leaves for the coast today for a series of production talks with George Hirliman and Michael Hoffman.

•

Vernon H. Adams has joined Leon Bamberger's staff at RKO, handling special educational groups, civic centers and other institutional publicity.

•

Harry Bryman, former Trinidad manager for M-G-M, is on the *Queen Mary* bound for a vacation in England.

•

Joseph Hoffman's and Monroe Shaff's original, "She's Got That Swing," has been purchased by Radio.

•

. . . Cincinnati

L. B. Wilson, circuit operator of Covington, Ky., and head of station WCKY, came home for a brief stay, and returned to Florida to finish his vacation.

Elmer Shard is remodeling the Monte Vista, neighborhood house, a unit of his local circuit of four.

George Gomersoll, Universal exchange, is confined to his home with an attack of the flu.

•

. . . Denver

Harry and Mrs. Huffman have returned from Mexico City.

Gus Kohn spending considerable time in Arizona, dude ranching and golf practicing.

L. L. Dent, head of Westland Theatres and Larry Starsmore, manager in Colorado Springs, in town for a few days.

Dave Cockrill, owner of the Denham, has taken over the Alpine, a neighborhood house.

Harry Marcus, Allied Exchange owner, has left on a six-week auto tour.

J. B. Melton has left the hospital and is around again.

Out Hollywood Way

Hollywood, March 12.—Recent arrivals included Igor Stravinsky, who is here for Paramount conferences which may lead to his association with the company as director, composer or actor. He is the guest of Boris Morros.

Al Jolson, Frank McHugh and Pat O'Brien are on the entertainment committee for the dinner-dance to be given by the Warner Studio Club at the Biltmore Bowl April 1.

B. G. DeSylva back at work after siege of flu . . . Monta Bell at work on his first as producer for Columbia, "For Tonight Only". . . Sonja Henie building up show for resumption of her tour before starting on "Thin Ice" for 20th Century-Fox . . . E. B. Derr started "Beyond Victory" at Nogales, Ariz., March 8 . . . Wallace Beery, Ken Maynard, Henry King and Leroy Prinz enter their planes in air race to Ensenada, Mexico, March 20-21 . . . Walter Wanger borrows Warner Baxter for "Walter Wanger's Vogues of 1937".

Radio starts preparing "Ballyhoo Artists," an original by Arthur T. Horman, as starring vehicle for Fred Stone . . . Universal rushing "Oh, Doctor," so Donrue Leighton can be cast in "As Good as Married". . . Ulric Sterndorff, Warner writer, entertaining his father, Prof. George Sterndorff of the University of Leipsig.

To Show Musical Short

Hollywood, March 12.—"Reflection," first of a series of 13 shorts in color with musical backgrounds completed by Featurettes, Inc., will be previewed tomorrow night at the Egyptian.

Caffey Studies Roxy Bondholders' Dissent

(*Continued from page 1*)

with the committee. Bondholders holding $200,000 of the deposited bonds have filed dissent.

Harold P. Seligson, counsel for the Tipton Bondholders' Committee contended that bondholders should have the right to dissent and argued that a copy of the report should be mailed to all security holders. He based his argument on the fact that Roxy earnings have increased substantially in the past two months and indicated that unless a better offer were presented his committee would favor the continued operation of the Roxy by Howard S. Cullman, present trustee.

Judge Caffey said that he didn't regard the terms of the Pound deposit agreement as binding on the court. He said he feared further correspondence with security holders would not be useful and might delay the proceedings unnecessarily. The Pound committee declared that the deposit bondholders who have not filed dissent should be bound unless they can give sufficient reason for failure to file their dissent in time.

Adjourn Dillingham Sale

The hearing on the public sale of film, stage and radio rights to various properties of the late Charles Dillingham's estate, scheduled for yesterday, was adjourned by Referee in Bankruptcy John Joyce to April 6. The adjournment was requested by Irving Trust Co., which is handling the estate.

Technicolor Defense Opens

Los Angeles, March 12.—Trial of of the suit brought by Tricolor against Technicolor charging infringement of a patent was continued today with Technicolor opening its defense by denying the charges. Photography experts stated that cameras embodying the basic principles of the Jones patent (controlled by Tricolor) were in use in America, England and France for two years prior to the issuance of the Jones patent and declared the Tricolor action to be "an attempt to levy tribute upon the industry for something which Tricolor did not originate."

Samuel S. McKeown, assistant professor of physics at California Tech, fortified by a battery of diagrams and cameras, testified all day.

The case recessed until March 16.

Convert More Para. Stock

Paramount reported to the N. Y. Stock Exchange yesterday that an additional $962,700 of first preferred stock and $1,000 second preferred were converted into 67,479 shares of common stock during February. The conversions reduced the outstanding first preferred from 172,223 shares on Jan. 30 to 162,955 shares on Feb. 27.

Astor Closes 2 Deals

Astor Pictures has closed distribution deals on the Tom Tyler reissues with B. N. Judell, Inc., in Chicago, St. Louis and Milwaukee territories and with Big Feature Rights in Cincinnati, Indianapolis and Louisville.

Handle Monogram Films

London, March 12.—Pathe has arranged a deal here whereby it will handle all Monogram product in England.

Radio to Increase Budgets for Films

(Continued from page 1)

whether the previewed picture was an "A" or a "B" production.

Spitz said that no successor to M. H. Aylesworth as chairman of the board of RKO was likely to be named in advance of the final stages of the company's reorganization, at which time the new board of directors would be composed.

Errol Signed by RKO

Hollywood, March 12. — Leon Errol has been signed by Radio for a series of four comedies.

Buffalo Sentiment Against Bank Night

(Continued from page 1)

away with in Buffalo unless all exhibitors agree.

Joe Schuchert, Jr., manager of the Columbia and the Colonial, says he holds Bank Night only because of competition. He states, however, that attendance is dropping off and that it is a question of time when the prizes will be a thing of the past.

A. C. Behling, manager of the Ellen Terry and the Sylvia, says: "I do not approve of Bank Night. The theatre is no place for gambling. People come to see pictures and they get their money's worth." Nicholas Bazil, owner of a chain of 13 neighborhood houses, opposes Bank Nights, but holds Cash Bonus Nights.

George Gammel, manager of the New Ariel, the Unity, and the Seneca, favors Bank Night and says: "I make money at it and I will continue to hold Bank Nights even if the other theatres stop."

To Fight Chance Games

Sacramento, March 12.—The California Congress of Parents and Teachers, who yesterday defeated a Senate measure, today promised their backing to bills prohibiting chance games in theatres.

Expect Poster Men To Reelect Libros

(Continued from page 1)

are in attendance at the New Yorker Hotel, where the three-day annual convention opened yesterday.

Among topics discussed yesterday was the development of new ideas in the poster field. Paramount last year inaugurated its own poster renting service and Warners will adopt a similar plan on May 2.

College Has Film Series

A new film appreciation series, designed for laymen, will be offered by the Film and Sprockets Society of City College, on five evenings between March 19 and May 14. The series is sponsored by the college art department and was prepared with the assistance of the Museum of Modern Art Film Library.

Bruce Won Second Prize

Boston, March 12.—Rudolph Bruce, M-G-M checker, won the second prize of $2,000 in the cartoon contest sponsored by the Boston *Herald-Traveler,* and not first prize as was indicated in Motion Picture Daily yesterday.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Outcasts of Poker Flats"

(Radio)

Hollywood, March 12.—As a better-than-average B film based on two Bret Harte stories, this should satisfy in the secondary field for which it is intended. The presence of Preston Foster, Jean Muir, Virginia Weidler and Margaret Irving in the cast should insure some attention in the larger spots. This yarn combines drama and romance with action, melodrama and comedy. Well staged, the picture offers some worthy performances and moves in a mood appealing to family audiences.

Foster and Miss Irving, as gamblers, enjoy success as little Miss Weidler, an orphan, is considered their lucky charm. With the coming of Van Heflin, a preacher, and Miss Muir, a teacher, the citizens of Poker Flats come to look upon Foster and his murdering minions as a menace to the town's good name and progress. The romantic conflict between Miss Irving and Miss Muir arises when Miss Weidler is placed in the teacher's charge. A series of killings leads to the organization of vigilantes who drive Foster and his outcasts from the Flats. Trapped in a blizzard, Miss Irving dies of exposure and Foster commits suicide. The way is made clear for the romance between Miss Muir, who loved Foster dearly, and Heflin. Poker Flats visions a new and more peaceful future.

Retaining the Harte story-telling technique which blends human interest with drama, the screenplay by John Twist and Harry Segal has introduced several modern touches to give the film interesting punch. Handling the players, the theme and the situations dexterously, Christy Cabanne's direction is pointed to give the film character and the appeal intended by the producers.

Production Code Seal No. 3,035. Running time, 72 minutes. "G."

"Let's Get Married"

(Columbia)

Hollywood, March 12.—Giving promise in the early stages of more interesting material and greater entertainment value than finally results, this film emerges as run-of-the-mill program fare, suitable for dual bills and subsequent houses.

The good cast has Ralph Bellamy, Walter Connolly, Raymond Walburn, Reginald Denny and Ida Lupino, who, in her efforts to play the spitfire daughter of wealth and political boss antecedents, tends to overact. The promise of interesting material on the operation of the weather bureau is not quite fulfilled, as Miss Lupino, daughter of Political Boss Connolly, meets Bellamy, meteorologist, when his newly-invented balloon instrument lands on her head.

From that point there is romantic complication and an amusing touch or two, as Connolly wants to send Denny to Congress and marry him to Miss Lupino, she wants to marry Bellamy, and misunderstandings arise between the two, as Bellamy is angered by Connolly's delving after weather forecasts, with an eye on the effect of rain on the coming election.

It all comes out in the end, with Bellamy's invention proving a success, rain coming to save the day for Connolly and Denny, Bellamy getting the girl, and Connolly marrying Denny's mother. Alfred E. Green directed from a screenplay by Ethel Hill and a story by A. H. Z. Carr.

Production Code Seal No. 3,047. Running time, 68 minutes. "G."

Wisconsin Delaying Allied Theater Bill

(Continued from page 1)

asserted circuits paid better wages and provided better working conditions than the independents.

Against Standees Bill

Kansas City, March 11.—The Committee on Criminal Justice of the Missouri House has recommended that the bill banning sales of tickets to standees do not pass.

Woolf Buys Circuit

London, March 12.—C. M. Woolf's General Cinema Finance Corp. has purchased the James circuit of 15 houses. The deal included two studios on Oxford St.

Ad Guild Film Plans To Be Outlined Soon

Activities of the American Advertising Guild in so far as they concern the film industry are expected to be announced within the next few weeks.

About 50 film men have been attending the weekly sessions of the guild, the last being held Thursday night at Steinway Hall. As soon as a film division is set up, it is planned to seek minimum hours and salaries for all exploitation, advertising and publicity employes.

"Earth" Bookings 23

Additional roadshow bookings have been set for the "The Good Earth" in Oakland, Cal., and New Orleans. This brings the total bookings to 23.

Production Holds Pace; 36 in Work

(Continued from page 1)

Selznick International, Goldwyn and Columbia one each.

Features started were: "Empty Holsters" and "In the Deep South," Warners; "Broadway Melody" and "Madame Walewska," M-G-M; "The Prisoner of Zenda," Selznick International; "She Had to Eat," 20th Century-Fox; "The Cop," Universal; "Mountain Music," Paramount.

Of the features just finished Columbia had three, M-G-M, Republic, Radio, 20th Century-Fox and Warners one each. Of those started, Warners and M-G-M had two each, Paramount, Selznick International, 20th Century-Fox and Universal, one each.

In the shorts group Columbia had one starting; two in preparation and four editing; M-G-M, one started, one shooting, three in preparation and six editing; Radio, one finished, one starting, one shooting, one in preparation and two editing; Roach, one starting, one shooting, one in preparation, two editing; Warners, one finished.

S.A.G. Cites Porter

Hollywood, March 12.—Porter Hall, for his portrayal of the killer in "The Plainsman," has received the Screen Actors' Guild award for the best performance during the month of January.

Approve Sunday Films

Wolfeboro, N. H., March 12.—Sunday films have been approved by voters here by a margin of 83 votes.

Flash Preview

"Razumov"—Picturization of Joseph Conrad's "Under Western Eyes," this is a story of the workings of Russian revolutionists in 1910. It is profound, though tragic.

This film will be reviewed in full in a coming issue of Motion Picture Daily.

Wall Street

Marked Gains Revive Board

	High	Low	Close	Net Change
Columbia	35¼	34⅝	35¼	+ ⅝
Columbia, pfd.	43⅜	43⅜	43⅜	—1⅝
Consolidated	4¾	4⅝	4⅝	.....
Consolidated, pfd.	15⅞	15¾	15⅞	.....
Eastman Kodak	166½	166½	166½	—1½
Eastman, pfd.	159½	159½	159½	.....
Gen. T. Equip.	30	28¾	30	+1⅝
Loew's, Inc.	78⅞	78	78	—1¼
Paramount	25⅜	24⅜	25¼	+ ⅛
Paramount 2 pfd.	22⅞	22	22½	+ ⅛
Pathe Film	8¾	8⅜	8¾	+ ¼
RKO	8⅝	8½	8⅝	+ ⅛
20th Century-Fox.	39¾	36½	39⅜	+2½
20th Century, pfd.	48½	45¼	48½	+3
Universal, pfd.	98	95	95	—3
Warner Bros.	15⅝	15	15½	+ ½

Losses Spot Curb

	High	Low	Close	Net Change
Grand National	3	2¾	2⅞	— ⅛
Sentry Safety	¾	¾	¾	— ⅛
Sonotone	2	1⅞	1⅞	.....
Technicolor	23⅝	22½	22⅝	— ⅜
Trans-Lux	4¾	4⅝	4⅝	— ¼
Universal Pict.	12½	12	12	—2

Little Bond Movement

	High	Low	Close	Net Change
Loew's 3½s '46	98¾	98¾	98¾	.....
Paramount Pict. 6s '55	100⅛	100⅛	100⅛	.....
Warner Bros. 6s '39 wd	97½	97½	97½	— ¼

(Quotations at close of March 12)

◀ Radio Personals ▶

ERNEST V. HEYN, editor of *Screen Guide,* leaves that magazine next week to assume editorship of the Macfadden screen and radio magazines. . . . Al Shayne, currently heard on WHN, yesterday signed an NBC Artists Bureau contract. . . . Easter benedictions by Pope Pius will be carried on all networks at approximately 5 A. M., E.S.T., Easter Sunday morning. . . . Elsa Maxwell and George Hicks will broadcast a description of the Easter Parade on Fifth Ave. for NBC, 12:20 to 1 P.M., E.S.T., on the Red network. . . .

✚

Floyd Gibbons will have the "Three Marshalls" as his guest stars on his CBS program tonight. . . . Local sports columnists, including Lew Burton of the *American,* Jimmy Powers of the *News,* Lawrence Robertson of the *World-Telegram,* and Stanley Woodward of the *Herald-Tribune* will substitute for Dick Fishell on the latter's program on WMCA while he vacations. . . . Bobby Hayes' orchestra returns to the NBC airwaves with a nightly series of dance programs from the Hotel Edison. . . . Kenneth Roberts, CBS announcer, will play the juvenile lead in "Hitch Your Wagon," forthcoming legitimate production. . . .

✚

Bea Lillie and Bert Lahr will offer excerpts from "The Show Is On" over NBC-Red tomorrow at 8 P. M., E. S. T. . . . Charlie Stark takes over the "Early Risers" club on WMCA Monday morning. Stark handled a show similar to this in Philadelphia before joining WMCA, and had a big following. . . . Duke Ellington will have a WOR-Mutual wire beginning March 17. . . . Master Records has signed Baby Rose Marie, Red Nichols and Judy, Zeke and Annie. . . . Alice Faye will appear on Jack Oakie's "College" this Tuesday. . . . Joe Boley, WMCA staff announcer, takes over the morning news broadcasts beginning Monday, replacing Bob Carter, chief announcer, who is giving up all morning assignments.

✚

Al Deane, Paramount's director of foreign publicity, has written a book on air "spelling bees," which will be on sale March 18. Stokes is the publisher. . . . Margaret Anglin will guest appear on the Hammerstein "Music Hall" series this Tuesday. . . . Sid Skolsky joins Lupe Velez as Cantor's guest tomorrow. . . . Teddy Bergman, having completed a transcription series for Bigelow-Sanford Carpet Co., leaves with his wife Tuesday for a two-week vacation cruise. . . . Henry Fonda, from Hollywood, joins Walter O'Keefe on Rudy Vallee's air show Thursday evening. . . .

✚

Franklin P. Adams, columnist auditioning for a commentator's role along the Woollcott lines. . . . The vacationing Phil Lord returns to his "We, the People" program March 24. . . . Mary Danis rejoins Enoch Light's orchestra on a Mutual wire after a year's absence, due to illness. . . . Aline McMahon, of the screen, will play the lead in a short drama on Joe Cook's "Shell Show" program tonight. . . . Jessie Royce Landis will guest appear on Crosby Gaige's NBC program March 15. . . .

Western Canada Asks American Net Hookup

REGINA, Sask., March 12.—When the Board of Governors of the Canadian Broadcasting Corp. meets in Western Canada this spring representations will be made to the board to alter its rules so that a prairie station might link with an American broadcasting company.

Station CJRM in Regina and Moose Jaw is eager to get a link with Columbia, and Columbia, it is reported, would like a station in the northwest.

Originally, there was to have been a meeting of the board of governors of the government-owned system in Regina March 15, but because of the need of many files and technical experts it is to be held later in Ottawa.

Court Decides WMCA Must Furnish Detail

Justice Charles B. McLaughlin in N. Y. Supreme Court ruled yesterday that the Knickerbocker Broadcasting Co., Inc., should furnish a bill of particulars in support of its defense of a $10,000 suit brought against Knickerbocker by Damskov, Inc. Damskov charges that Knickerbocker violated an agreement of Feb. 20, 1935, whereby it was to grant the plaintiff three programs a week over WMCA and advertise its reducing products, when on May 17, 1935, it refused to permit the advertising to continue.

Knickerbocker in reply to the suit alleged that under the F. C. C. rules it was privileged to discontinue any advertising which it deemed "not creditable" to the station. The defendant must now supply the plaintiff with particulars in support of that defense.

Music League Going On the Air April 8

The National Music League makes its first entry into radio on WOR beginning Thursday, April 8, from 8 to 8:30 P. M., E.S.T., at which time the first in a series of 13 broadcasts will be presented.

The series will be entitled "Music and You." The performances will include symphonic, operatic, choral, instrumental and chamber music. Distinguished guest artists are promised through the cooperation of the artists' advisory committee of the league.

Cobb Program to Quit Air

"Paducah Plantation," starring Irvin S. Cobb and sponsored by Oldsmobile, will vacate the networks following the April 17 broadcast. The series is currently heard Saturdays at 10:30 P. M., E.S.T., on the NBC-Red. D. P. Brother & Co., Detroit, is the agency.

Corliss Program Shifted

"Husbands and Wives," now heard from 9:30 to 10 P.M., E.S.T. on the NBC-Blue, each Tuesday, shifts to a new time, 8 to 8:30 P.M., E.S.T., effective with the April 6 broadcast. The day and network remain the same. Lamont Corliss is the sponsor. J. Walter Thompson is the agency.

E. J. Rosenberg Flies East

HOLLYWOOD, March 12.—E. J. Rosenberg, having completed tentative plans for the production here of a series of Warner air shows on film, left by plane tonight for New York. He will return in 30 days.

Criticize Programs

St. Louis, March 12.—Programs on various local stations were severly criticized in a recent issue of the St. Louis Better Business Bureau Bulletin because of false and misleading claims made in the sponsors' commercial messages. Censure was mainly directed at cut-rate furniture dealers whose air advertising copy did not check up with facts unearthed by investigators of the bureau.

Will Hear Brooklyn Radio Case March 18

By CLARENCE LINZ

WASHINGTON, March 12.—Arguments in the socalled Brooklyn case will be heard before the F.C.C. on March 18, it was declared today by the commission.

In this case, Stations WVFW, WARD, WLTH and WBBC share time on 1,400 kilocycles, each having power of 500 watts. WVFW and WBBC each is seeking the facilities of the other three stations; WEVD, New York, now on 1,300 kilocycles, which it shares with three other stations, is seeking the facilities of all four Brooklyn stations; WARD and WLTH are seeking to assign their licenses to the Kings Broadcasting Corp., and the *Brooklyn Daily Eagle* is seeking a construction permit for a new station and the facilities of all four Brooklyn stations. All the parties involved will be heard by the F.C.C. on the date set.

Next week, commission examiners will hold hearings on applications for five new stations, as follows:

March 15—H. O. Davis, Mobile, Ala., 10 kilocycles, 250 watts night and 500 watts day; Waterloo *Times-Tribune* Publishing Co., Waterloo, Ia., 1,370 kilocycles, 100 watts day, and Horald Tomas, Pittsfield, Mass., 1,310 kilocycles, 100 watts night and 250 watts day.

March 16—Arthur H. Croghan, Minneapolis, 1,310 kilocycles, 100 watts day, and Troy Broadcasting Co., Inc., Troy, N. Y., 950 kilocycles, 1,000 watts day.

Grace Moore to "Speedshow"

A last minute switch in plans places Grace Moore on the Nash "Speedshow" instead of in the Sunday night period currently occupied by "Do You Want to Be an Actor," for which she had originally been considered.

Miss Moore will take over the program from Floyd Gibbons March 20. The broadcasts will emanate from New York and later from Hollywood. J. Walter Thompson is the agency.

The agency is now having trouble with the coast branch of the musicians union, which refuses to allow Lopez to bring his band from California.

Ruth Series Starts April 14

Sinclair Oil Co's. new series with Babe Ruth in the starring role will open Wednesday, April 14, from 10:30 to 10:45 P. M., E.S.T. and will be broadcast over 60 CBS stations. Joe Hill, of the Federal agency's radio department will probably do the scripts with the assistance of a local sports writer.

CBS Gross for '36 Up to $27,800,000

(Continued from page 1)

by the network. Profits for 1935 were $2,810,078.70.

Profit from operations for the year, as of January 2, 1937, was $4,354,746.-31, after provision for depreciation of $485,478.76.

Total current and working assets were $6,675,631.68, of which $1,663,-669.12 is on hand. Total current liabilities were $3,104,451.97, of which $2,086,659.77 are accounts payable and sundry accruals.

Because of capital commitments during the year and projects for 1937, 25 percent of the 1936 earnings were set aside as additions to surplus. This amounted to $943,000.

Mutual Closes Deal For the Coronation

The Mutual network yesterday closed a deal with the BBC for coverage on the Coronation. Mutual listeners will hear the broadcast exactly as it will be received by listeners throughout the British Empire. NBC and CBS are sending their own individual staffs and equipment to cover the event.

Plan Coronation Talks

Blevins Davis, of the Yale drama department, today will confer with two sponsors for guest appearances on their programs with talks on the coming coronation. Davis is considered one of America's outstanding authorities on English coronation history.

Summer Programs a Worry

Major worry at Young and Rubicam these days is the task of selecting substitute material for the Jack Benny, Fred Allen and Phil Baker programs, all of which fade from the air late in June for the summer period.

That at least one of the new shows will originate in Hollywood is indicated by the presence there of William Stuhler, agency executive who left New York two weeks ago essentially to audition artists and programs for one or more of the vacating shows. Definite word is expected from Stuhler within the next week or so.

Last summer Julia Sanderson and Frank Crumit substituted for Phil Baker; Stoopnagle and Budd replaced Fred Allen, and Tim and Irene filled in the Benny spot.

Gluskin on Murray Program

Lud Gluskin has won the bandleader's berth on the forthcoming Ken Murray program, which bows in on CBS March 31. Practically every topflight band leader in radio was reported to have won this assignment prior to Gluskin's acceptance.

To Expand "Musical Americana"

"Musical Americana," the weekly CBS concert series, will be expanded to a half-hour presentation from 10:30 to 11 P. M., E. S. T., starting March 16. The series was originally scheduled to begin March 9, but was postponed. Freddie Rich will conduct.

Kreymbourg in WPA Post

Alfred Kreymbourg has been appointed associate director of the radio division of the WPA Theatre project. He will supervise all educational and cultural radio programs.

Alert,
Intelligent
and
Faithful
Service to
the Industry
in All
Branches

MOTION PICTURE DAILY

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

VOL. 41. NO. 61 NEW YORK, MONDAY, MARCH 15, 1937 TEN CENTS

Atlas Limiting Film Interest To Para., RKO

Holdings Were Valued at $6,551,992 January 31

The entire investment of the Atlas Corp. in the amusement industry has been concentrated in RKO and Paramount, it is disclosed in a report covering the securities in the investment company's portfolio as of Jan. 31, which was made public Saturday.

The market value of the Atlas investments in the two companies on that date aggregated $6,551,992. The Atlas investment in RKO represented $5,239,847 of this amount, consisting of 263,493 shares of RKO common stock having a valuation as of Jan. 31 of $2,338,503; $2,128,597 principal amount of fully paid RKO six per cent debentures, having a market value of $2,522,387; $36,000 of part paid six per cent debentures, having a market value of $42,660, and a purchased unsecured claim against RKO listed at $336,297.

In addition, Atlas holds an option to purchase for $6,000,000 prior to next Dec. 31, RCA's remaining investment in RKO, consisting of 605,731 shares of RKO common and $4,893,327 principal amount of six per cent debentures. Lehman Bros. and other banking interests have a participation with Atlas in this option.

The Atlas investment in Paramount, on Jan. 31, consisted of 6,000 shares of first preferred stock having a market value of $1,182,095, and 5,100 shares of second preferred, having a market value of $130,050, or a total investment of $1,312,145.

Divorce Measure Up In Michigan Shortly

Detroit, March 14.—Allied's bill for divorcement of production and distribution from exhibition will be introduced in the Michigan legislature within the next two weeks, according to H. M. Richey, general manager of the local Allied unit.

Previously it was announced the bill would not go to the Michigan legislature until later in the year, if at all.

W. E. '36 Net Jumps Up to $18,698,049

Striking gains for 1936 are reported by Western Electric. The net, all of which was carried to surplus, was $18,698,049. For 1935 it was $2,620,279.

The company also reports that at

(*Continued on page 2*)

Governor Speaks

Tallahassee, Fla., March 14.—Gov. Fred P. Cone told Florida Taxpayers' Ass'n: "I'm not going to sign any sales tax and they might as well not come up here hollering for it. That's the cockeyed truth."

The Governor spoke as an association committee presented to him a set of recommendations "to assist and encourage tax reduction."

Bolte Wins Ruling In Cocalis Action

Supreme Court Justice Shientag of the Bronx has handed down a decision against Sam D. Cocalis in the suit filed by John Bolte, a partner in the Springer & Cocalis circuit, for breach of contract.

According to Bolte's deal with the S. & C. circuit, the latter group could not build a theatre within a mile of the Burke in the Bronx. Cocalis, with Dave Rosenzweig and George Gulkis, erected the Melba shortly after the agreement, which Bolte claimed was within the mile distance. The court so held.

As a result of the decision, Cocalis has withdrawn from the Melba and day-and-day privileges with the Allerton have been rescinded. Justice

(*Continued on page 2*)

Debenture Holders Permit Woolf Deal

By BRUCE ALLAN

London, March 14.—The likelihood that the Gaumont British distribution arrangement with C. M. Woolf's General Film Distributors will go through as planned was indicated in a statement issued by Isidore Ostrer. He declared that he had received a letter from the Law Debenture Corp., which is acting as trustee for the G. B. debenture holders, and which had objected to the deal, to the effect

(*Continued on page 7*)

Poster Men Wind Up Three-Day Meet Here

Members of National Poster Service Renters Ass'n ended a three-day convention at the New Yorker last night, following which delegates from out-of-town cities left for home.

The production of accessories on Warner pictures was discussed. The association now is making its own posters and window cards on Paramount films. Warners on May 2 will inaugurate a service renting plan on posters similar to that adopted by Paramount last year.

National Plan For Stage Put Before Equity

Harding Favors Subsidy Or Federal Project

Extension of the theatre on a national basis either by direct subsidy or through a professionally guided adaptation of the Federal Theatre Project is proposed by Alfred Harding of Actors' Equity Ass'n. in a report with recommendations recently submitted to the Equity council following his return from a five-month study of the theatre in Central Europe. The report is published in the current issue of *Equity Magazine* and is to be considered by the council in the near future.

Harding also urges Equity to sponsor a move in New York to make the professional theatre available to school children in order to awaken the interest of oncoming generations in the stage and its wares. The move should be conducted in cooperation with the League of N. Y. Theatres, the theatrical unions and school authorities, Harding suggests.

Referring to the type of entertainment which might be employed in the

(*Continued on page 2*)

Regional Meetings Are Set This Year

Regional sales meetings will be the rule, rather than the exception, for most major companies this spring and summer, it was indicated on Saturday by representatives of large distribution organizations.

While several companies have not made final decisions yet, it appears fairly certain at this time that all but one or two of the eight major distributors will follow the regional meeting plan during May and June. Most plans call for a coast, central and eastern meeting, although several companies may hold only two meetings, one in Hollywood and the other in New York.

Consolidated Deal With M-G-M Is Near

After months of negotiations, Consolidated has virtually completed a deal for the current M-G-M lineup. Terms have been set, but no contracts have been signed. This formality is expected this week.

Two pictures have been spot booked in Consolidated houses. They are "Born to Dance" and "Camille."

MPTOA Turns Out Strongest Draw in Years

Expect 1,000 Delegates, Friends and Others

By RED KANN

Miami, March 14.—The M. P. T. O. A. national convention opening at the Miami Biltmore here on Tuesday promises to be one of the best attended industry gatherings in many years on the basis of the number of early arrivals and the volume of hotel reservations.

Every incoming train and plane over the weekend added its quota to the large delegation of theatre and film men which has been on the scene for several days. Even so, arriving delegates and visitors are not expected to reach the greatest volume until Monday. A registration of 800 is being predicted by convention managers, while more than 100 additional industry members, either vacationing here or drawn by the M. P. T. O. A. meeting, are expected to put in appearances at the convention hotel during the three-day sessions, swelling the total number of convention visitors to approximately 1,000.

Delegations from New England, New York, Pennsylvania and Washington, numbering about 200, arrived over the weekend. More than 150 delegates and convention visitors were already in Miami and vicinity. Large delegations from all sections of the south, far west and middle west are en route here today and will arrive tomorrow and Tuesday.

Accommodations at the Miami Biltmore, Casa Loma and Roney-Plaza are practically exhausted. All available exhibit space has been utilized.

Attendance at the meeting will be swelled by the presence of more than 80 Paramount theatre partners and

(*Continued on page 6*)

Imperial Completes Financial Structure

The financing plans for Imperial Distributing Corp. were revealed on Saturday by M. D. Kopple, described by the company as an investment counsel and attorney. There will be authorized for immediate issuance 500,000 shares of an original 1,000,000 share issue. A portion of the 500,000-share issue will be for public subscription, it was indicated.

Imperial will have available a work-

(*Continued on page 2*)

Radio News—Page 7

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
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MOSCOW: Petrovski Per 8; Beatrice Stern, Repsentative.
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RIO DE JANEIRO: Caixa Postal 3358; A. Weissman, Representative.
ROME: Viale Gorizia; Vittorio Malpassuti, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragner Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Nuestiftgasse, 55; Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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SMPE in Theatre Study

The Society of M. P. Engineers, through its Projection Practice Committee, has undertaken a nationwide theatre survey to obtain data on screens, projection angles, types of projection light sources, and similar conditions. It is planned eventually to develop a standard for various types of theatres. Harry Rubin, committee chairman, is in charge of the study.

The Atlantic Coast Section of the S. M. P. E. will hold its monthly meeting at the Hotel Pennsylvania on Wednesday evening. S. K. Wolf, president, will deliver a paper.

Goodrich, Writer, Dead

HOLLYWOOD, March 14.—John Fish Goodrich, veteran film writer, died here following an abdominal operation. Goodrich was a dialogue writer and assisted on "Fast Life," "The Love Racket," "Green Stockings," "Lillies of the Field" and "The Flirting Widow." He was married.

Dr. Elihu Thomson Dies

SWAMPSCOTT, Mass., March 14.—Dr. Elihu Thomson, one of the founders of G. E., died here Friday at his home. He was 83 years old. Surviving are his widow, and three sons by a previous marriage, Royand D., Malcolm and Donald T. Thomson.

National Plan For Stage Put Before Equity

(*Continued from page 1*)

suggested extensions of the stage, Harding observes that "It certainly would not be a theatre built for Broadway or to Broadway specifications." He advocates drama in the national tradition, history and spirit for the great American masses to whom the modern theatre is either not available or offers nothing.

The subject of extending the theatre in America and gaining new patronage for it has been, and still is, under consideration by Equity, the League of N. Y. Theatres and the Dramatists' Guild. To all appearances, Harding's proposals are the most concrete yet advanced among the three groups.

Equity's quarterly membership meeting, scheduled for next Friday at the Astor, will elect a nominating committee of six, which, with three members selected by the council, will nominate a slate of officers and councillors of Equity for the coming year. The election will take place at the annual meeting in June. The Friday meeting will also vote on several proposed amendments regulating membership voting by mail.

Favors Some Alien Legislation

Commenting on the Dickstein Alien Actor bill, currently up for hearing in Washington, the magazine states that "Equity believes the control of alien actors in America both advisable and necessary. It does not believe the bill now before Congress either satisfactory as legislation or adequate to accomplish its purpose."

While offering its endorsement of the Child Labor Act, *Equity* states that "it seems unthinkable that children should be eliminated from the theatre altogether," and asserts its intention of opposing such a possibility when "the time comes to draft legislation under the amendment."

The organization's policy on the WPA Federal Theatre Project favors restriction of its personnel to professionals in need of such employment. Non-professionals should be transferred to some other project, *Equity* says, and professionals not in need of relief should make way for those who do.

Expressing its satisfaction with the way in which regulations governing Sunday legitimate performances are working, Equity proposes to continue the present regulations indefinitely.

W. E. '36 Net Jumps Up to $18,698,049

(*Continued from page 1*)

the close of the year the company's plants were operating on a five-day, 40-hour week at 53 per cent of capacity. At the end of 1935 it was operating at 27 per cent of capacity. The number of employes at the end of the year was 34,004, compared with 21,033 at the beginning of the year and with 17,148 in June, 1933.

Total sales were $146,420,868, more than $40,000,000 above the previous year. The surplus at the end of the year was $15,130,951. Assets and liabilities were listed at $275,419,319.

Bolte Wins Ruling In Cocalis Action

(*Continued from page 1*)

Shientag, in handing down his decision, intimated that Bolte could bring suit for damages.

It was reported late Saturday that Bolte will make an effort to break away from the Springer & Cocalis group. Cocalis recently built the Craft in opposition to Bolte's Wakefield, and Bolte last week opened the new Kimball, a 600-seat theatre in Yonkers, where Cocalis has been operating for some time.

Several exchange managers and exhibitors testified at the court hearings. The late Jack W. Springer's estate and Matty Kutinsky cannot be sued in the event Bolte brings an action for damages, the judge ruled, as neither were directly interested in the Melba and accrued no benefits. Milton Hart was attorney for Bolte and William Connolly for Cocalis.

Cut Seattle Paramount Claim

The claim of the Seattle First National Bank against Paramount Publix Corp. was reduced on Saturday by Federal Court Judge Alfred C. Coxe from $1,420,000 to $60,000. Paramount Publix will pay this by issuing new debentures amounting to $30,000 and first preferred stock for the remaining $30,000. The claim is based on a guarantee of lease made by the Seattle Theatre Corp., a wholly owned subsidiary of Paramount Publix, on the Paramount Theatre Bldg. in Seattle. The lease was made on Feb. 1, 1926.

Warners File Suit Answer

Warners, First National, Vitaphone and Vitagraph filed their answer on Saturday in the $15,000 suit brought by Mary McFadden charging plagiarism of the title "Girl Trouble." The answer denied that the plaintiff owns the title "Girl Trouble" and also sets forth that the title had been used previously and is now public property.

Hear Columbia Case Today

NEW ORLEANS, March 14.—The suit for an injunction to restrain Columbia from delivering "Theodora Goes Wild," to opposition houses sought by the United Circuit here will be heard tomorrow. Columbia had asked more time to file briefs.

Fuller Trial Due Today

NEW ORLEANS, March 14.—The suit of George Fuller against seven major film companies claiming conspiracy, is expected to be tried in U. S. District Court here tomorrow.

Imperial Completes Financial Structure

(*Continued from page 1*)

ing capital of approximately $1,250,000, with a balance of 500,000 shares held available by bankers for the further expansion of the corporation. The company's board of directors will consist of nine members, two of whom will represent the banking underwriters, together with four industry figures in addition to the present directors, William M. Pizor, E. J. Smith and Lewen Pizor.

The company is in the process of completing its national exchange setup, with the intention of opening 26 branch offices eventually in key cities.

Purely Personal

HERBERT J. OCHS, Warner southern and western sales manager, has left on a southern trip. He will stop in Miami, New Orleans and Atlanta, and will be gone about two weeks.

●

LEOPOLD STOKOWSKI is en route east to complete special arrangements with RCA Photophone for recording the musical sequences for his Universal film, "100 Men and a Girl."

●

CECIL BERNSTEIN left for a cruise to Havana late last week to be gone about 10 days. He will return to New York for about a week prior to his return to London.

●

SIG WITTMAN, Universal district manager, is considering moving his office from the New York exchange to the home office.

●

BILL SCULLY, Loew's district manager, is due back late this week from Miami, where he has been vacationing.

●

MACK D. WEINBERGER arrives in Chicago today for a meeting of General Pictures' midwest franchise holders.

●

A. H. SCHWARTZ and MITCHELL KLUPT will return today from Lake Placid where they spent the past four days.

●

SAMUEL S. KESTENBAUM, ad production manager for Grand National, today celebrates his seventh wedding anniversary.

●

JACK HALEY, who formerly supervised distribution of Ford commercial films, has joined JAM HANDY in Detroit.

●

BOB RITCHIE and BENNY THAU headed west Saturday for the M-G-M lot.

Flash Previews

"When Love Is Young"—Virginia Bruce in a story of a small town girl who makes good in the city. Good music, direction and acting.

"The Crime Nobody Saw"—Patterned on the familiar "Seven Keys to Baldpate" theme, this has Lew Ayres, Eugene Pallette and Benny Baker.

"Midnight Taxi"—Another Federal agent story, this time with Brian Donlevy, offering plenty of action and novelty.

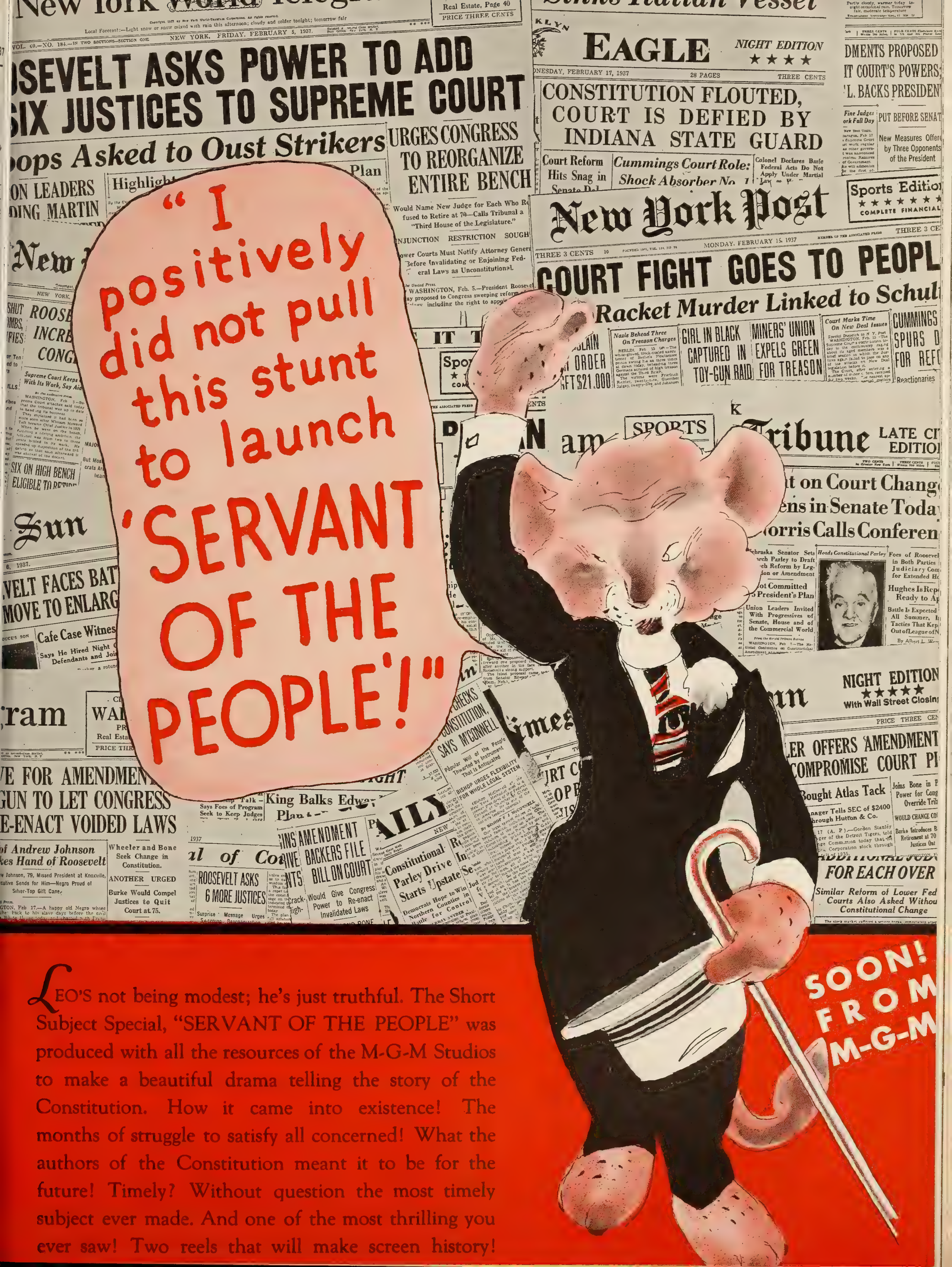
These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Film Critic to Coast

PITTSBURGH, March 14.—Karl Krug, critic and columnist for the afternoon *Sun-Telegraph*, left by plane for the coast yesterday to do a series of interviews and studio stories for his paper. It will be his first visit to Hollywood.

"Stage Door" Departs

"Stage Door" closed Saturday at the Music Box after a run of 169 performances. The play opened Oct. 21.


"I positively did not pull this stunt to launch 'SERVANT OF THE PEOPLE'!"
SOON! FROM M-G-M
ROOSEVELT ASKS POWER TO ADD SIX JUSTICES TO SUPREME COURT
Troops Asked to Oust Strikers
URGES CONGRESS TO REORGANIZE ENTIRE BENCH
EAGLE NIGHT EDITION
CONSTITUTION FLOUTED, COURT IS DEFIED BY INDIANA STATE GUARD
Cummings Court Role: Shock Absorber
New York Post
COURT FIGHT GOES TO PEOPLE
Racket Murder Linked to Schultz
GIRL IN BLACK CAPTURED IN TOY-GUN RAID
MINERS' UNION EXPELS GREEN FOR TREASON
Tribune LATE CITY EDITION
Sun
ROOSEVELT FACES BATTLE ON MOVE TO ENLARGE
Cafe Case Witness
CHECKS CONSTITUTION, SAYS McCONNELL
King Balks Edward Plan
AMENDMENT BACKERS FILE BILL ON COURT
ROOSEVELT ASKS 6 MORE JUSTICES
Constitutional Parley Drive Starts Upstate
MOVE FOR AMENDMENT BEGUN TO LET CONGRESS RE-ENACT VOIDED LAWS
NIGHT EDITION With Wall Street Closing
FOR EACH OVER

LEO'S not being modest; he's just truthful. The Short Subject Special, "SERVANT OF THE PEOPLE" was produced with all the resources of the M-G-M Studios to make a beautiful drama telling the story of the Constitution. How it came into existence! The months of struggle to satisfy all concerned! What the authors of the Constitution meant it to be for the future! Timely? Without question the most timely subject ever made. And one of the most thrilling you ever saw! Two reels that will make screen history!

" History is

ade at Night"

MPTOA Turns Out Strongest Draw in Years

(*Continued from page 1*)

operators, home office and studio executives, most of whom are scheduled to arrive tonight. The Paramount theatre men will convene in their own three-day meeting starting Thursday at the Roney-Plaza.

The M. P. T. O. A. gathering will be comprised of representatives of approximately 3,000 theatres in all sections of the U. S. and Canada. In addition, distributors from major and independent companies, studio executives and players, executives and representatives of equipment, supply and theatre furnishings concerns will attend. The visitors' list will be swelled by family members and friends of those who are here on convention business and are combining the event with winter vacations in this popular Florida resort.

Business and Pleasure to Combine

The convention business program is liberally interspersed with social and recreational affairs in order to make the most of the convention's locale. Sightseeing tours, golf tournaments, beach parties, dinner and dancing parties, deep sea fishing excursions, yachting and speedboat regattas and Tropical Park racing are some of the diversions held out by the convention arrangements committee to lure delegates, their families and friends.

The convention proper is not scheduled to get under way until Tuesday afternoon. It will be preceded by a morning meeting of the M. P. T. O. A. executive committee at which officers will be nominated. The annual election will be held at the meeting of the board of directors which follows the executive committee meeting.

HARRY L. HOPKINS, WPA administrator, who is expected to arrive here during the week, has been invited to deliver an address to the convention on Thursday.

MPTOA Meet Draws 21 Display Booths

MIAMI, March 14.—The convention hall of the Miami Biltmore is fringed with 21 display booths, all of which are being utilized by industrial concerns for exhibition of their newest designs of theatre equipment, furnishings and supplies, during the M. P. T. O. A. convention, opening here on Tuesday.

A list of the 21 exhibiting firms follows: Forest Mfg. Corp., Belleville, N. J.; International Seat Corp., Union City, Ind.; Paramount Pictures, Inc., Wenzel Co., Chicago; Wagner Sign Service, Inc., New York; Motiograph, Inc., Chicago; National Screen Service, New York; Hollywood Advertising Co., New York; General Register Corp., New York; Hurley Screen Co., Inc., and C. S. Ashcraft Mfg. Corp., Long Island City; National Carbon Co., Inc. (occupying three display booths); Dictograph Products, New York; RCA Mfg. Co., Camden, N. J., and Electrical Research Products, Inc., New York.

Varied Three-Day Program Lined Up for Miami Meet

Miami, March 14.—Following is the complete business and social program for the three-day M. P. T. O. A. national convention which opens at the Miami Biltmore here on Tuesday.

Tuesday

9:00 A.M.—Registration.

10:00 A.M.—Sightseeing tour of Miami and environs. Private cars will leave the Miami Biltmore at 10 A.M. for a two-hour tour of Coral Gables, Miami, Miami Beach, Hialeah, Pan-American Airport, Biscayne Bay and Indian River.

10:30 A.M.—Meeting of the executive committee.

12:30 P.M.—Annual meeting of the directors in the Army and Navy Room of the Miami Biltmore Country Club, adjoining the hotel. This is an executive session for M. P. T. O. A. officers and directors only.

2:30 P.M.—Business Session in the ballroom of the Miami Biltmore Country Club, which will be used as the convention hall for all business sessions of the convention.

Convention called to order at 2:30 P.M. by Mitchell Wolfson, general chairman, convention arrangements committees.

Invocation, Rev. Leslie Barnett, Coral Gables Congregational Church.

Address of welcome, Gov. Fred P. Cone.

Address of welcome to Miami by Mayor A. D. H. Fossey.

Response to address of welcome, M. A. Lightman, past president, M. P. T. O. A.

Annual report of the president, E. L. Kuykendall.

Annual report of the secretary, Morris Loewenstein, Oklahoma City.

Annual report of the general counsel, Edward G. Levy, New Haven.

Announcement of special convention committees.

Report of the committee on convention arrangements.

Adjourn for committee meetings.

Evening

9:00 P.M.—Reception to delegates, members, friends and guests of M. P. T. O. A., sponsored by the officers and directors in the patio of the Miami Biltmore Hotel.

Wednesday

10:30 A.M.—Business Session in the convention hall. A demonstration of new methods in lighting for theatres, Francis M. Falge, engineering division, General Electric Co.

"The Forgotten Audience Among the Deaf in Theatres," Dan D. Halpin, vice-president, Dictograph Products Co., Inc.

"Modern Theatre Fronts and Their Influence on Attendance," E. L. Patton, Pittsburgh Plate Glass Co.

"Proper Maintenance of Sound Equipment," E. M. Hartley, manager, Photophone Division, RCA Mfg. Co.

"Modern Functional Design of Motion Picture Theatres," Ben Schlanger, architect.

"What Air Conditioning Means to the Box Office," L. L. Lewis, Carrier Corp., Newark.

"Improvement in Theatre Seating," Raymond S. Reed, Heywood-Wakefield Co.

11:00 A.M.—Luncheon and beach party for the women at the Roney Plaza Cabana Sun Club. Special luncheon at the Cafe de la Paix, 11:30 to 1 P.M., afternoon on the beach.

12:30 P.M.—Official convention luncheon on the south terrace of the Miami Biltmore.

2:30 P.M.—Business session in the convention hall.

Merchandising motion picture entertainment.

What the distributor can do to help sell the show.

A discussion of new ideas in advertising and exploitation, use of advertising accessories, press sheets, lobby display, radio advertising, theatre fronts, mailing and newspaper space.

Address by Col. Carl Byoir, public relations counsel, New York.

"Theatre Advertising in Newspapers," Hal Kopplin, Wometco Theatres, Miami.

"Winning New Patrons," Roy L. Smart, Wilby-Kincey Management Co., Charlotte, N. C.

"The Value of a Theatre to the Community," M. A. Lightman, Malco Theatres, Memphis.

"Systematizing Theatre Operation," Brownie Akers, Griffith Amusement Co., Oklahoma City, Okla.

"Theatre Operation in England," Percy Phillipson, president, Automaticket, Ltd., London.

"The Economic Level of Admission Scales," Arthur H. Lockwood, Capitol, Middletown, Conn.

"Worthy Attractions vs. Star Values," H. J. Griffith, Griffith Amusement Co., Oklahoma City.

"Training a Theatre Staff," Sonny Shepherd, Lincoln Theatre, Miami.

"Theatre Insurance and Accident Prevention," Henry Anderson, Insurance Department, Paramount Theatres, New York.

Evening

No convention affairs. All of the famous Miami cafes will have special St. Patrick's Day parties. The Miami Biltmore Hotel offers a St. Patrick's Day dinner and ball with special music and entertainment in the main dining room.

Thursday

10:30 A.M.—Business session in the convention hall. Reports of special convention committees. Following each committee report there will be an open forum for discussion of the subject covered by the committee reporting.

Report of committee on music tax, Charles W. Picquet, chairman.

Report of committee on unfair trade practices, O. C. Lam, chairman.

Report of committee on conciliation and arbitration, Lewen Pizor, chairman.

Report of committee on radio and non-theatrical competition, John C. Stapel, chairman.

Report of committee on entertainment values, Walter Vincent, chairman.

Report of committee on public relations and community affairs, M. A. Lightman, chairman.

Report of committee on labor relations, Fred Wehrenberg, chairman.

Report of committee on legislation and taxation, Roy L. Walker, chairman.

Report of committee on resolutions, Edward G. Levy, chairman.

2:30 P.M.—Business session in the convention hall.

Address by Adolph Zukor.

Address by J. Edgar Hoover, Federal Bureau of Investigation, Dept. of Justice.

Address by Charles Edison, Assistant Secretary of the Navy.

Address by Jesse H. Jones, chairman Reconstruction Finance Corp. and treasurer Will Rogers Memorial Commission, Washington.

Addresses by the following have been tentatively scheduled: Robert H. Jackson, Assistant U. S. Attorney General; Senator James J. Davis of Pennsylvania, and Sol A. Rosenblatt, attorney and former deputy administrator of the NRA film code.

Unfinished business.

Installation of officers, Fred Wehrenberg, chairman board of directors.

Convention adjourns sine die.

Evening

7:30 P.M.—Convention banquet and dancing, main dining room of the Miami-Biltmore. Water carnival and aquatic show; grandstand, Miami-Biltmore outdoor exhibition pool from 9:15 P.M. to 11:15 P.M.

Supper dance and special entertainment program, main dining room of the Miami-Biltmore, from 11:30 P.M.

Friday

10:00 A.M.—Golf tournament at the Miami-Biltmore Golf and Country Club. Major Albert Warner, chairman.

There also will be available for non-golfers bathing at the Roney-Plaza Cabana Sun Club or at the Miami-Biltmore outdoor pools and sun beach. Deep sea fishing at the Key Largo Anglers' Club. Annual yacht and motorboat regatta on Biscayne Bay. Racing at Tropical Park.

Wall Street

Gains Continue Lightly on Board

	High	Low	Close	Net Change
Columbia	35¼	35	35	— ¼
Consolidated Film.	5	4¾	4¾	+ ⅛
Consolidated, pfd..	16⅞	15⅞	16¾	+ ⅞
Eastman Kodak..	166½	166½	166½	.....
Eastman, pfd......	159½	159½	159½	.....
General Theatre Equipment	31⅛	31⅛	31⅛	+1⅛
Loew's, Inc........	78¼	77¾	78¼	+ ¼
Loew's, Inc., pfd..	107	107	107	+ ¼
Paramount	25⅛	24⅞	25	— ¼
Paramount 2 pfd..	22¾	22½	22¾	+ ¼
Pathe Film.......	8⅝	8½	8½	— ¼
RKO	8¾	8½	8⅝	.....
20th Century-Fox.	40⅞	40	40¼	+ ⅞
20th Century, pfd.	50	40¼	50	+1½
Warner Bros......	15⅞	15¼	15¼	— ¼

Little Curb Movement

	High	Low	Close	Net Change
Grand National...	3	2⅞	3	+ ⅛
Sentry Safety......	¾	¾	¾	.....
Sonotone	2	1⅞	1⅞	.....
Technicolor	23⅝	21¾	22½	— ⅞
Trans Lux........	4⅝	4⅝	4⅝	.....

Bonds Off

	High	Low	Close	Net Change
Loew's 3½s '46...	98½	98¼	98¼	— ½
Paramount Pictures 6s '55.....	100⅛	100⅛	100⅛	.....
RKO 6s '41 pp....	115	115	115	—2½
Warner Bros. 6s '39 wd...........	97	96	96	—1½

(Quotations at close of March 13.)

◂ Radio Personals ▸

FRANK BLACK, musical director of NBC, will deliver a lecture on music in Pittsburgh March 20. . . . "Two Tickets to Romance," an original vehicle, will be offered by Jessica Dragonette on her "Beauty Box" program Wednesday . . . Richard Crooks, absent from the "Voice of Firestone" program since January, returns to the series tonight at 8:30 P.M., E.S.T. . . . Lillian Gish will be the principal guest on "Showboat" Thursday evening. . . . Hal Janis will substitute for Dick Fishell as WMCA special events director while the latter vacations in Florida. . . .

✚

WHN will carry the Hickory House broadcasts beginning this week . . . Marion Melton is Irving Aaronson's new vocalist. . . . Basil Rathbone and Harriet Hilliard will be Bing Crosby's guests on the "Music Hall" program Thursday night. . . . Frank A. Buck will be the star of the Fisher Body Craftsman's Guild broadcast on CBS Wednesday evening at 7:30 P.M., E.S.T. . . . Andy Iona and his Hawaiians return to the Al Pierce program tomorrow. . . . Next Sunday marks Phil Baker's fourth anniversary on the air. . . .

✚

Reinald Werrenrath will be the guest speaker at the Ad Club luncheon Thursday. WMCA will air the talk.

Sinatra on Cycle Program

The Cycle Trades of America's program which bows in on the NBC-Blue April 1 from 7:15 to 7:30 P. M., E.S.T., will feature Ray Sinatra's orchestra and guest artists each week. Frank Parker will head the guest procession. He will be followed by Ruth Etting, Fibber McGee and Molly, Hildegarde, Jean Ellington and the Revelers, Mary Small and the "Tune Twisters," and "Honey Boy and Sassafras."

The series will be known as the "All Star Cycle." Southmayd, Inc., New York, is the agency. There will be a repeat broadcast for the west coast.

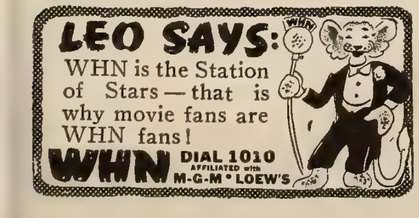
Buckeye Net to Start

COLUMBUS, March 14.—The Buckeye network will start tomorrow with Crazy Water Crystals as the first commercial to be signed. The program, originating at WHKC here, will consist of Hank and Slim and their Georgia Crackers, and will be aired six days a week.

In addition to the local station, WKBN, Youngstown, WJAV and WHK, Cleveland, are the basic outlets of the web.

Sets Time Signal Deal

Dutchland Farms, through the Ingalls agency, has contracted for time signals over WOR, beginning tomorrow. Signals will be read Tuesdays and Thursdays.



LEO SAYS:
WHN is the Station of Stars — that is why movie fans are WHN fans!
WHN DIAL 1010
AFFILIATED with M-G-M • LOEW'S

"Interesting"

"I have frequently noted the space your publication gives to the cooperation of screen and radio and find it interesting"—*Darryl F. Zanuck,* vice-president in charge of production, 20th Century-Fox.

Start "All Star Varieties"

"All Star Varieties," an electrically transcribed program, begins on WOR tomorrow from 11:30 to 11:45 A. M., E.S.T.

There will be 39 of these broadcasts, under the sponsorship of Norge dealers.

Among those who will be heard on the program will be: Freddie Martin, Kay Kyser, Little Jack Little, Ray Noble, Jimmy Dorsey, Connie Boswell, Frances Fay, Mildred Bailey and the Mills Brothers. The comedians and specialty acts include Tom Howard and George Shelton, Ken Murray, Tony Wons, Tim and Irene, Mitzi Green.

Shift Spitalny Time

Phil Spitalny's all-girl orchestra, sponsored by the General Electric Corp. and currently heard Mondays at 4 P. M., E.S.T., on the NBC-Red, will be heard at a new time beginning April 26. The new period will be 9:30 to 10 P. M., E.S.T., same day and network. Maxon, Inc., is the agency.

Mutual to Salute KWK

Mutual salutes KWK, its St. Louis affiliate, on the latter's 10th anniversary, March 17, at 9:30 P. M., E.S.T., and again at 11:30 P. M., with top notch WOR programs.

Stokowski Back March 26

Leopold Stokowski will return to the Friday evening Philadelphia Orchestra series on CBS, March 26. He replaces Eugene Ormandy as conductor.

Dolph Thornburgh Assistant

HOLLYWOOD, March 14.—John M. Dolph, formerly Pacific sales manager of CBS, on Saturday was named assistant to Donald W. Thornburgh, CBS vice-president here. Henry Jackson succeeds Dolph.

Wonders to Change

Ralph Wonders, ex-CBS artists bureau head now vacationing in Florida, will join Rockwell-O'Keefe on his return to New York.

Debenture Holders Permit Woolf Deal

(*Continued from page 1*)

that the plan had been submitted to counsel and "the opinion was that nothing has arisen to justify intervention by us as trustees."

The only possible obstacle now existing to the Ostrer-executed maneuver, which entailed the Woolf deal and the declaration of a preference dividend by the directorate, is the proposed action of Charles Nordon, representing a group of ordinary shareholders, to seek an injunction restraining the board from payment of the dividend. Nordon contends the board plans to use borrowed money to pay the dividend.

Union Power Series Is Called Excellent

ST. LOUIS, March 14.—Union Electric Power & Light Co. has begun a new air show Sunday nights at 6:30 o'clock with a half-hour program in a new series of "The Land We Live In," which bids fair to rank with the better programs in network broadcasting.

The series is devoted to the presentation of the history of St. Louis, with its people of earlier days; their struggles and achievements, and their efforts and sacrifices which have made St. Louis an important city. The first presentation deals with that part of the Revolutionary War which took place here. Howard Barlow has arranged the musical score and the dramatic script is under the supervision of Bradford Simpson.

N. O. Union to Broadcast

NEW ORLEANS, March 14.—The first labor broadcast here will be heard tomorrow over stations WBNO, beginning the week of March 15, with a half hour of labor education, sponsored by the *Federationist*, a weekly paper edited by W. L. Donnels, Tuesdays, Thursdays and Saturday nights.

Renew Roebuck Program

Sears Roebuck renews "Gambling's Bargains" on WOR, beginning March 23. The program is heard Tuesday, Thursdays and Saturdays at 8:15 A. M. The deal was handled direct.

Smith Heads WTAM Sales

CHICAGO, March 14.—W. W. (Bud) Smith, of the NBC sales force and former manager of WTAM, has been appointed sales manager, succeeding G. B. McDermott, who has been made a national sales representative of NBC managed and operated stations.

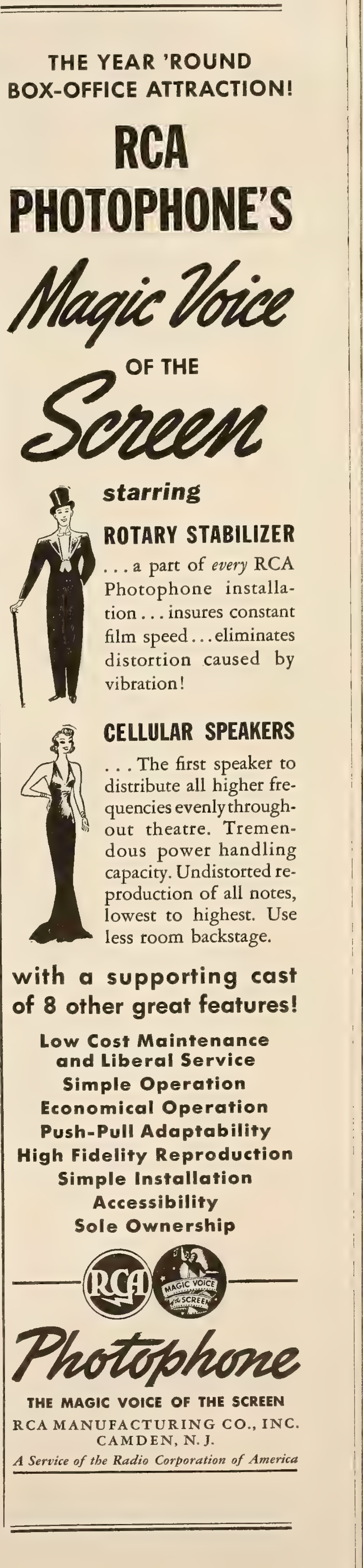
Legion Approves 11 Of 13 New Pictures

Of 13 new pictures reviewed and classified by the National Legion of Decency for the current week, seven were approved for general patronage, four for adults and two importations were called objectionable in part. The new pictures and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Blende Passagier" (German), "China Passage," "The Crime Nobody Saw," "A Family Affair," "El Octavo Mandamiento" (Spanish), "Sohn der Weissen Berg" (German), "Quality Street." Class A-2, Unobjectionable for Adults—"Dead Yesterday," "Her Husband Lies," "That I May Live," "You're in the Army Now." Class B, Objectionable in Part—"Monte Criollo" (Spanish), "Liebesgeschichten von Boccaccio" (German).

RKO Game in Cleveland

CLEVELAND, March 14.—Although it was announced all RKO houses throughout the country were immediately discontinuing Bank Night following the MOTION PICTURE DAILY editorial, titled "Every Night But Show Night," the policy is still in use at the Lincoln, local RKO subsequent run house where it is now in its 92nd consecutive week.



THE YEAR 'ROUND BOX-OFFICE ATTRACTION!

RCA PHOTOPHONE'S
Magic Voice
OF THE
Screen

starring

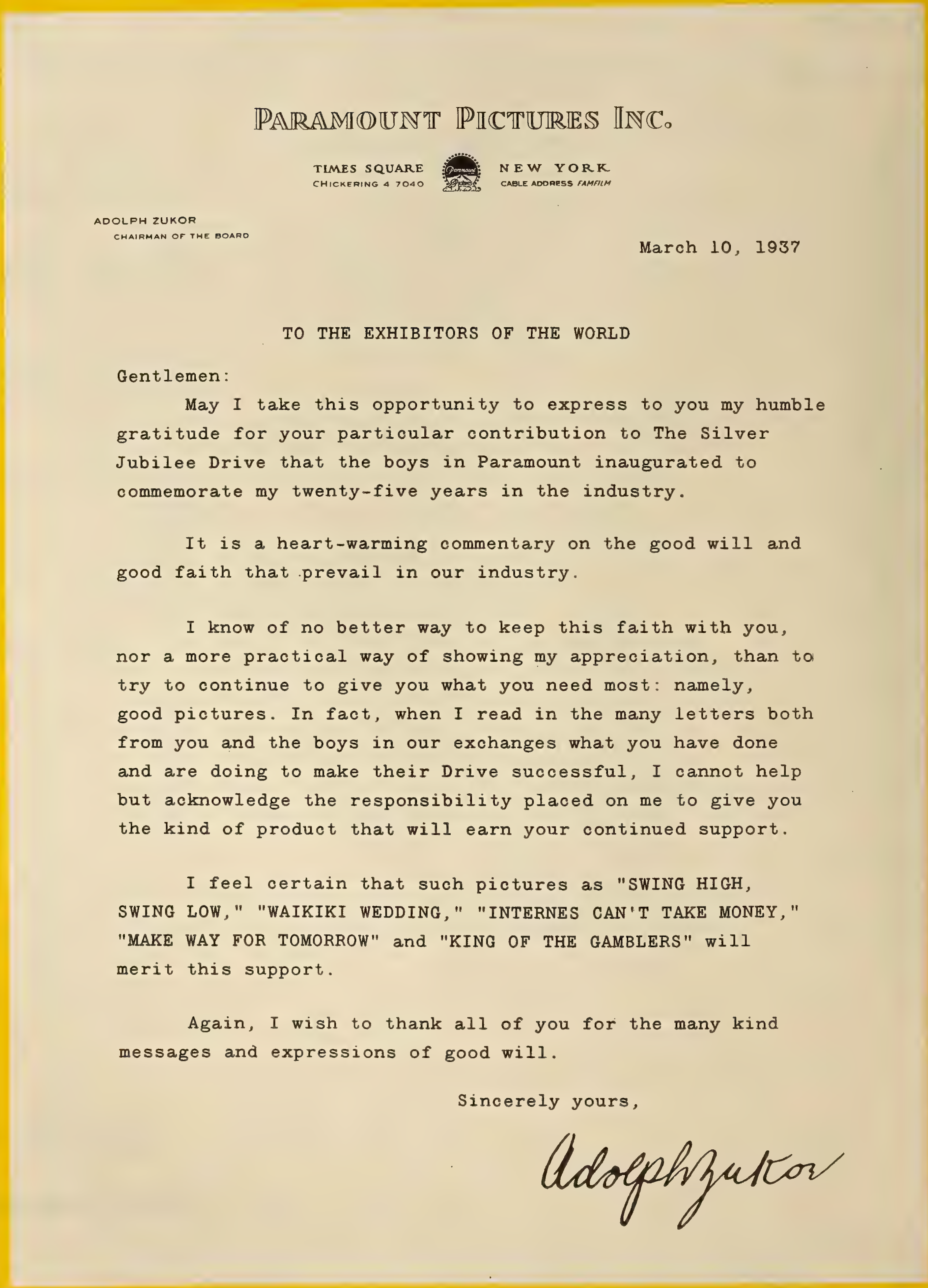
ROTARY STABILIZER
. . . a part of *every* RCA Photophone installation . . . insures constant film speed . . . eliminates distortion caused by vibration!

CELLULAR SPEAKERS
. . . The first speaker to distribute all higher frequencies evenly throughout theatre. Tremendous power handling capacity. Undistorted reproduction of all notes, lowest to highest. Use less room backstage.

with a supporting cast of 8 other great features!

Low Cost Maintenance and Liberal Service
Simple Operation
Economical Operation
Push-Pull Adaptability
High Fidelity Reproduction
Simple Installation
Accessibility
Sole Ownership

Photophone
THE MAGIC VOICE OF THE SCREEN
RCA MANUFACTURING CO., INC.
CAMDEN, N. J.
A Service of the Radio Corporation of America



PARAMOUNT PICTURES INC.

TIMES SQUARE NEW YORK
CHICKERING 4 7040 CABLE ADDRESS FAMFILM

ADOLPH ZUKOR
CHAIRMAN OF THE BOARD

March 10, 1937

TO THE EXHIBITORS OF THE WORLD

Gentlemen:

May I take this opportunity to express to you my humble gratitude for your particular contribution to The Silver Jubilee Drive that the boys in Paramount inaugurated to commemorate my twenty-five years in the industry.

It is a heart-warming commentary on the good will and good faith that prevail in our industry.

I know of no better way to keep this faith with you, nor a more practical way of showing my appreciation, than to try to continue to give you what you need most: namely, good pictures. In fact, when I read in the many letters both from you and the boys in our exchanges what you have done and are doing to make their Drive successful, I cannot help but acknowledge the responsibility placed on me to give you the kind of product that will earn your continued support.

I feel certain that such pictures as "SWING HIGH, SWING LOW," "WAIKIKI WEDDING," "INTERNES CAN'T TAKE MONEY," "MAKE WAY FOR TOMORROW" and "KING OF THE GAMBLERS" will merit this support.

Again, I wish to thank all of you for the many kind messages and expressions of good will.

Sincerely yours,

Adolph Zukor

SPECIAL
AIR
EDITION
MPTOA
CONVENTION

MOTION PICTURE DAILY

VOL. 41. NO. 61 NEW YORK, MONDAY, MARCH 15, 1937 TEN CENTS

SPECIAL
AIR
EDITION
MPTOA
CONVENTION

Atlas Limiting Film Interest To Para., RKO

Holdings Were Valued at $6,551,992 January 31

The entire investment of the Atlas Corp. in the amusement industry has been concentrated in RKO and Paramount, it is disclosed in a report covering the securities in the investment company's portfolio as of Jan. 31, which was made public Saturday.

The market value of the Atlas investments in the two companies on that date aggregated $6,551,992. The Atlas investment in RKO represented $5,239,847 of this amount, consisting of 263,493 shares of RKO common stock having a valuation as of Jan. 31 of $2,338,503; $2,128,597 principal amount of fully paid RKO six per cent debentures, having a market value of $2,522,387; $36,000 of part paid six per cent debentures, having a market value of $42,660, and a purchased unsecured claim against RKO listed at $336,297.

In addition, Atlas holds an option to purchase for $6,000,000 prior to next Dec. 31, RCA's remaining investment in RKO, consisting of 605,731 shares of RKO common and $4,893,327 principal amount of six per cent debentures. Lehman Bros. and other banking interests have a participation with Atlas in this option.

The Atlas investment in Paramount, on Jan. 31, consisted of 6,000 shares of first preferred stock having a market value of $1,182,095, and 5,100 shares of second preferred, having a market value of $130,050, or a total investment of $1,312,145.

Divorce Measure Up In Michigan Shortly

Detroit, March 14.—Allied's bill for divorcement of production and distribution from exhibition will be introduced in the Michigan legislature within the next two weeks, according to H. M. Richey, general manager of the local Allied unit.

Previously it was announced the bill would not go to the Michigan legislature until later in the year, if at all.

W. E. '36 Net Jumps Up to $18,698,049

Striking gains for 1936 are reported by Western Electric. The net, all of which was carried to surplus, was $18,698,049. For 1935 it was $2,620,279.

The company also reports that at

(*Continued on page 2*)

Governor Speaks

Tallahassee, Fla., March 14.—Gov. Fred P. Cone told Florida Taxpayers' Ass'n: "I'm not going to sign any sales tax and they might as well not come up here hollering for it. That's the cockeyed truth."

The Governor spoke as an association committee presented to him a set of recommendations "to assist and encourage tax reduction."

Bolte Wins Ruling In Cocalis Action

Supreme Court Justice Shientag of the Bronx has handed down a decision against Sam D. Cocalis in the suit filed by John Bolte, a partner in the Springer & Cocalis circuit, for breach of contract.

According to Bolte's deal with the S. & C. circuit, the latter group could not build a theatre within a mile of the Burke in the Bronx. Cocalis, with Dave Rosenzweig and George Gulkis, erected the Melba shortly after the agreement, which Bolte claimed was within the mile distance. The court so held.

As a result of the decision, Cocalis has withdrawn from the Melba and day-and-day privileges with the Allerton have been rescinded. Justice

(*Continued on page 2*)

Debenture Holders Permit Woolf Deal

By **BRUCE ALLAN**

London, March 14.—The likelihood that the Gaumont British distribution arrangement with C. M. Woolf's General Film Distributors will go through as planned was indicated in a statement issued by Isidore Ostrer. He declared that he had received a letter from the Law Debenture Corp., which is acting as trustee for the G. B. debenture holders, and which had objected to the deal, to the effect

(*Continued on page 7*)

Poster Men Wind Up Three-Day Meet Here

Members of National Poster Service Renters Ass'n ended a three-day convention at the New Yorker last night, following which delegates from out-of-town cities left for home.

The production of accessories on Warner pictures was discussed. The association now is making its own posters and window cards on Paramount films. Warners on May 2 will inaugurate a service renting plan on posters similar to that adopted by Paramount last year.

National Plan For Stage Put Before Equity

Harding Favors Subsidy Or Federal Project

Extension of the theatre on a national basis either by direct subsidy or through a professionally guided adaptation of the Federal Theatre Project is proposed by Alfred Harding of Actors' Equity Ass'n. in a report with recommendations recently submitted to the Equity council following his return from a five-month study of the theatre in Central Europe. The report is published in the current issue of *Equity Magazine* and is to be considered by the council in the near future.

Harding also urges Equity to sponsor a move in New York to make the professional theatre available to school children in order to awaken the interest of oncoming generations in the stage and its wares. The move should be conducted in cooperation with the League of N. Y. Theatres, the theatrical unions and school authorities, Harding suggests.

Referring to the type of entertainment which might be employed in the

(*Continued on page 2*)

Regional Meetings Are Set This Year

Regional sales meetings will be the rule, rather than the exception, for most major companies this spring and summer, it was indicated on Saturday by representatives of large distribution organizations.

While several companies have not made final decisions yet, it appears fairly certain at this time that all but one or two of the eight major distributors will follow the regional meeting plan during May and June. Most plans call for a coast, central and eastern meeting, although several companies may hold only two meetings, one in Hollywood and the other in New York.

Consolidated Deal With M-G-M Is Near

After months of negotiations, Consolidated has virtually completed a deal for the current M-G-M lineup. Terms have been set, but no contracts have been signed. This formality is expected this week.

Two pictures have been spot booked in Consolidated houses. They are "Born to Dance" and "Camille."

MPTOA Turns Out Strongest Draw in Years

Expect 1,000 Delegates, Friends and Others

By **RED KANN**

Miami, March 14.—The M. P. T. O. A. national convention opening at the Miami Biltmore here on Tuesday promises to be one of the best attended industry gatherings in many years on the basis of the number of early arrivals and the volume of hotel reservations.

Every incoming train and plane over the weekend added its quota to the large delegation of theatre and film men which has been on the scene for several days. Even so, arriving delegates and visitors are not expected to reach the greatest volume until Monday. A registration of 800 is being predicted by convention managers, while more than 100 additional industry members, either vacationing here or drawn by the M. P. T. O. A. meeting, are expected to put in appearances at the convention hotel during the three-day sessions, swelling the total number of convention visitors to approximately 1,000.

Delegations from New England, New York, Pennsylvania and Washington, numbering about 200, arrived over the weekend. More than 150 delegates and convention visitors were already in Miami and vicinity. Large delegations from all sections of the south, far west and middle west are en route here today and will arrive tomorrow and Tuesday.

Accommodations at the Miami Biltmore, Casa Loma and Roney-Plaza are practically exhausted. All available exhibit space has been utilized.

Attendance at the meeting will be swelled by the presence of more than 80 Paramount theatre partners and

(*Continued on page 6*)

Imperial Completes Financial Structure

The financing plans for Imperial Distributing Corp. were revealed on Saturday by M. D. Kopple, described by the company as an investment counsel and attorney. There will be authorized for immediate issuance 500,000 shares of an original 1,000,000 share issue. A portion of the 500,000-share issue will be for public subscription, it was indicated.

Imperial will have available a work-

(*Continued on page 2*)

Radio News—Page 7

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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ROME: Viale Gorizia; Vittorio Malpassuti, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragner Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Nuestiftgasse, 55; Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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SMPE in Theatre Study

The Society of M. P. Engineers, through its Projection Practice Committee, has undertaken a nationwide theatre survey to obtain data on screens, projection angles, types of projection light sources, and similar conditions. It is planned eventually to develop a standard for various types of theatres. Harry Rubin, committee chairman, is in charge of the study.

The Atlantic Coast Section of the S. M. P. E. will hold its monthly meeting at the Hotel Pennsylvania on Wednesday evening. S. K. Wolf, president, will deliver a paper.

Goodrich, Writer, Dead

HOLLYWOOD, March 14.—John Fish Goodrich, veteran film writer, died here following an abdominal operation. Goodrich was a dialogue writer and assisted on "Fast Life," "The Love Racket," "Green Stockings," "Lillies of the Field" and "The Flirting Widow." He was married.

Dr. Elihu Thomson Dies

SWAMPSCOTT, Mass., March 14.—Dr. Elihu Thomson, one of the founders of G. E., died here Friday at his home. He was 83 years old. Surviving are his widow, and three sons by a previous marriage, Royand D., Malcolm and Donald T. Thomson.

National Plan For Stage Put Before Equity

(*Continued from page* 1)

suggested extensions of the stage, Harding observes that "It certainly would not be a theatre built for Broadway or to Broadway specifications." He advocates drama in the national tradition, history and spirit for the great American masses to whom the modern theatre is either not available or offers nothing.

The subject of extending the theatre in America and gaining new patronage for it has been, and still is, under consideration by Equity, the League of N. Y. Theatres and the Dramatists' Guild. To all appearances, Harding's proposals are the most concrete yet advanced among the three groups.

Equity's quarterly membership meeting, scheduled for next Friday at the Astor, will elect a nominating committee of six, which, with three members selected by the council, will nominate a slate of officers and councillors of Equity for the coming year. The election will take place at the annual meeting in June. The Friday meeting will also vote on several proposed amendments regulating membership voting by mail.

Favors Some Alien Legislation

Commenting on the Dickstein Alien Actor bill, currently up for hearing in Washington, the magazine states that "Equity believes the control of alien actors in America both advisable and necessary. It does not believe the bill now before Congress either satisfactory as legislation or adequate to accomplish its purpose."

While offering its endorsement of the Child Labor Act, *Equity* states that "it seems unthinkable that children should be eliminated from the theatre altogether," and asserts its intention of opposing such a possibility when "the time comes to draft legislation under the amendment."

The organization's policy on the WPA Federal Theatre Project favors restriction of its personnel to professionals in need of such employment. Non-professionals should be transferred to some other project, *Equity* says, and professionals not in need of relief should make way for those who do.

Expressing its satisfaction with the way in which regulations governing Sunday legitimate performances are working, Equity proposes to continue the present regulations indefinitely.

W. E. '36 Net Jumps Up to $18,698,049

(*Continued from page* 1)

the close of the year the company's plants were operating on a five-day, 40-hour week at 53 per cent of capacity. At the end of 1935 it was operating at 27 per cent of capacity. The number of employes at the end of the year was 34,004, compared with 21,033 at the beginning of the year and with 17,148 in June, 1933.

Total sales were $146,420,868, more than $40,000,000 above the previous year. The surplus at the end of the year was $15,130,951. Assets and liabilities were listed at $275,419,319.

Bolte Wins Ruling In Cocalis Action

(*Continued from page* 1)

Shientag, in handing down his decision, intimated that Bolte could bring suit for damages.

It was reported late Saturday that Bolte will make an effort to break away from the Springer & Cocalis group. Cocalis recently built the Craft in opposition to Bolte's Wakefield, and Bolte last week opened the new Kimball, a 600-seat theatre in Yonkers, where Cocalis has been operating for some time.

Several exchange managers and exhibitors testified at the court hearings. The late Jack W. Springer's estate and Matty Kutinsky cannot be sued in the event Bolte brings an action for damages, the judge ruled, as neither were directly interested in the Melba and accrued no benefits. Milton Hart was attorney for Bolte and William Connolly for Cocalis.

Cut Seattle Paramount Claim

The claim of the Seattle First National Bank against Paramount Publix Corp. was reduced on Saturday by Federal Court Judge Alfred C. Coxe from $1,420,000 to $60,000. Paramount Publix will pay this by issuing new debentures amounting to $30,000 and first preferred stock for the remaining $30,000. The claim is based on a guarantee of lease made by the Seattle Theatre Corp., a wholly owned subsidiary of Paramount Publix, on the Paramount Theatre Bldg. in Seattle. The lease was made on Feb. 1, 1926.

Warners File Suit Answer

Warners, First National, Vitaphone and Vitagraph filed their answer on Saturday in the $15,000 suit brought by Mary McFadden charging plagiarism of the title "Girl Trouble." The answer denied that the plaintiff owns the title "Girl Trouble" and also sets forth that the title had been used previously and is now public property.

Hear Columbia Case Today

NEW ORLEANS, March 14.—The suit for an injunction to restrain Columbia from delivering "Theodora Goes Wild," to opposition houses sought by the United Circuit here will be heard tomorrow. Columbia had asked more time to file briefs.

Fuller Trial Due Today

NEW ORLEANS, March 14.—The suit of George Fuller against seven major film companies claiming conspiracy, is expected to be tried in U. S. District Court here tomorrow.

Imperial Completes Financial Structure

(*Continued from page* 1)

ing capital of approximately $1,250,000, with a balance of 500,000 shares held available by bankers for the further expansion of the corporation. The company's board of directors will consist of nine members, two of whom will represent the banking underwriters, together with four industry figures in addition to the present directors, William M. Pizor, E. J. Smith and Lewen Pizor.

The company is in the process of completing its national exchange setup, with the intention of opening 26 branch offices eventually in key cities.

◂ Purely Personal ▸

HERBERT J. OCHS, Warner southern and western sales manager, has left on a southern trip. He will stop in Miami, New Orleans and Atlanta, and will be gone about two weeks.

•

LEOPOLD STOKOWSKI is en route east to complete special arrangements with RCA Photophone for recording the musical sequences for his Universal film, "100 Men and a Girl."

•

CECIL BERNSTEIN left for a cruise to Havana late last week to be gone about 10 days. He will return to New York for about a week prior to his return to London.

•

SIG WITTMAN, Universal district manager, is considering moving his office from the New York exchange to the home office.

•

BILL SCULLY, Loew's district manager, is due back late this week from Miami, where he has been vacationing.

•

MACK D. WEINBERGER arrives in Chicago today for a meeting of General Pictures' midwest franchise holders.

•

A. H. SCHWARTZ and MITCHELL KLUPT will return today from Lake Placid where they spent the past four days.

•

SAMUEL S. KESTENBAUM, ad production manager for Grand National, today celebrates his seventh wedding anniversary.

•

JACK HALEY, who formerly supervised distribution of Ford commercial films, has joined JAM HANDY in Detroit.

•

BOB RITCHIE and BENNY THAU headed west Saturday for the M-G-M lot.

Flash Previews

"When Love Is Young"—Virginia Bruce in a story of a small town girl who makes good in the city. Good music, direction and acting.

"The Crime Nobody Saw"—Patterned on the familiar "Seven Keys to Baldpate" theme, this has Lew Ayres, Eugene Pallette and Benny Baker.

"Midnight Taxi"—Another Federal agent story, this time with Brian Donlevy, offering plenty of action and novelty.

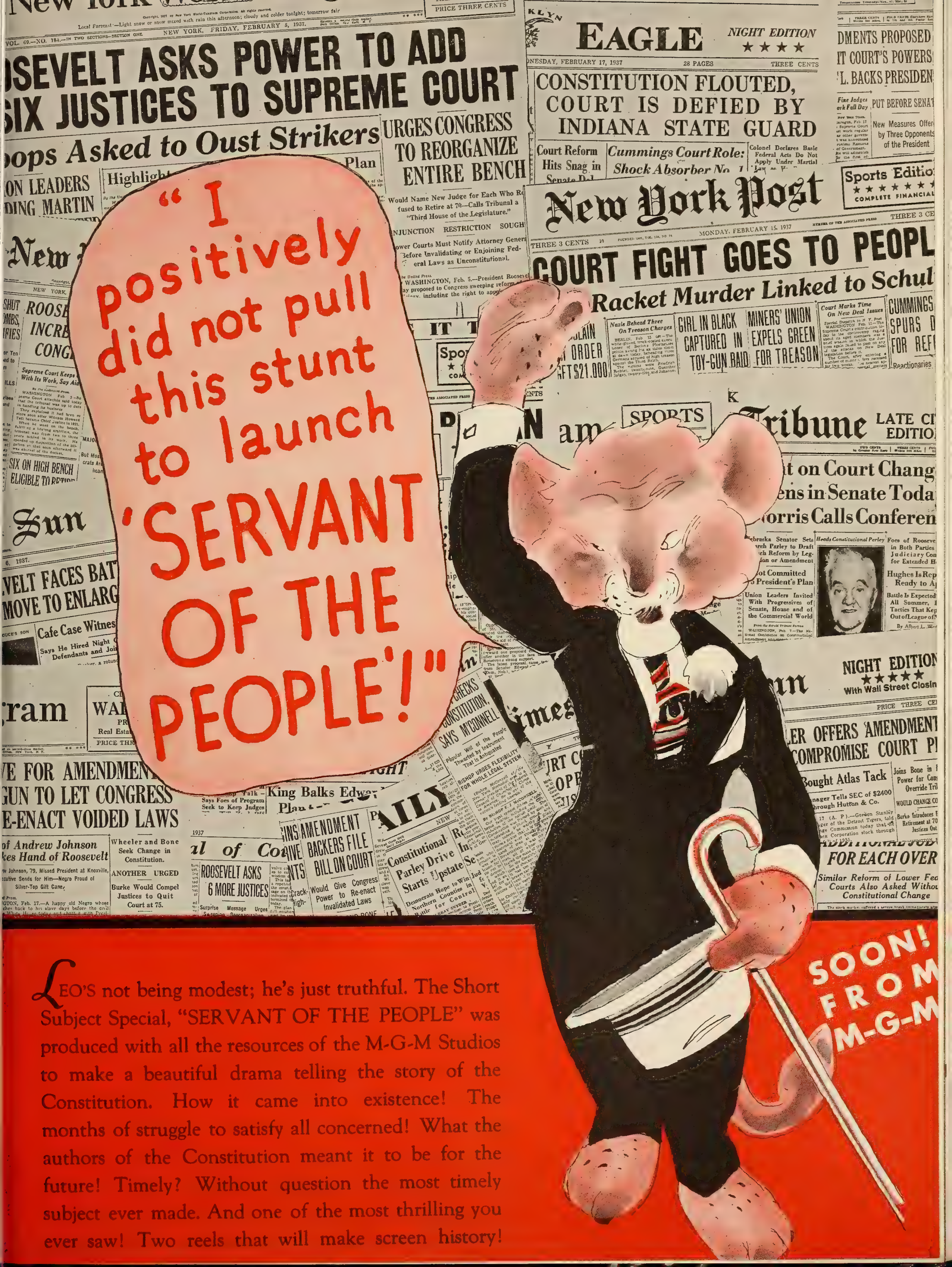
These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Film Critic to Coast

PITTSBURGH, March 14.—Karl Krug, critic and columnist for the afternoon *Sun-Telegraph,* left by plane for the coast yesterday to do a series of interviews and studio stories for his paper. It will be his first visit to Hollywood.

"Stage Door" Departs

"Stage Door" closed Saturday at the Music Box after a run of 169 performances. The play opened Oct. 21.


"I positively did not pull this stunt to launch 'SERVANT OF THE PEOPLE'!"
ROOSEVELT ASKS POWER TO ADD SIX JUSTICES TO SUPREME COURT
Troops Asked to Oust Strikers
URGES CONGRESS TO REORGANIZE ENTIRE BENCH
EAGLE NIGHT EDITION
CONSTITUTION FLOUTED, COURT IS DEFIED BY INDIANA STATE GUARD
New York Post
COURT FIGHT GOES TO PEOPLE
Racket Murder Linked to Schultz
GIRL IN BLACK CAPTURED IN TOY-GUN RAID
MINERS' UNION EXPELS GREEN FOR TREASON
Tribune
Sun
ROOSEVELT FACES BATTLE ON MOVE TO ENLARGE COURT
Cafe Case Witness
SIX ON HIGH BENCH ELIGIBLE TO RETIRE
MOVE FOR AMENDMENT BEGUN TO LET CONGRESS RE-ENACT VOIDED LAWS
ROOSEVELT ASKS 6 MORE JUSTICES
AMENDMENT BACKERS FILE BILL ON COURT
CHECKS CONSTITUTION, SAYS M'CONNELL
Constitutional Parley Drive Starts Upstate
NIGHT EDITION With Wall Street Closing
MILLER OFFERS AMENDMENT COMPROMISE COURT PLAN
ADDITIONAL JUDGE FOR EACH OVER 70
SOON! FROM M-G-M

*L*EO'S not being modest; he's just truthful. The Short Subject Special, "SERVANT OF THE PEOPLE" was produced with all the resources of the M-G-M Studios to make a beautiful drama telling the story of the Constitution. How it came into existence! The months of struggle to satisfy all concerned! What the authors of the Constitution meant it to be for the future! Timely? Without question the most timely subject ever made. And one of the most thrilling you ever saw! Two reels that will make screen history!

" History is M

de at Night"

MPTOA Turns Out Strongest Draw in Years

(*Continued from page* 1)

operators, home office and studio executives, most of whom are scheduled to arrive tonight. The Paramount theatre men will convene in their own three-day meeting starting Thursday at the Roney-Plaza.

The M. P. T. O. A. gathering will be comprised of representatives of approximately 3,000 theatres in all sections of the U. S. and Canada. In addition, distributors from major and independent companies, studio executives and players, executives and representatives of equipment, supply and theatre furnishings concerns will attend. The visitors' list will be swelled by family members and friends of those who are here on convention business and are combining the event with winter vacations in this popular Florida resort.

Business and Pleasure to Combine

The convention business program is liberally interspersed with social and recreational affairs in order to make the most of the convention's locale. Sightseeing tours, golf tournaments, beach parties, dinner and dancing parties, deep sea fishing excursions, yachting and speedboat regattas and Tropical Park racing are some of the diversions held out by the convention arrangements committee to lure delegates, their families and friends.

The convention proper is not scheduled to get under way until Tuesday afternoon. It will be preceded by a morning meeting of the M. P. T. O. A. executive committee at which officers will be nominated. The annual election will be held at the meeting of the board of directors which follows the executive committee meeting.

HARRY L. HOPKINS, WPA administrator, who is expected to arrive here during the week, has been invited to deliver an address to the convention on Thursday.

MPTOA Meet Draws 21 Display Booths

MIAMI, March 14.—The convention hall of the Miami Biltmore is fringed with 21 display booths, all of which are being utilized by industrial concerns for exhibition of their newest designs of theatre equipment, furnishings and supplies, during the M. P. T. O. A. convention, opening here on Tuesday.

A list of the 21 exhibiting firms follows: Forest Mfg. Corp., Belleville, N. J.; International Seat Corp., Union City, Ind.; Paramount Pictures, Inc., Wenzel Co., Chicago; Wagner Sign Service, Inc., New York; Motiograph, Inc., Chicago; National Screen Service, New York; Hollywood Advertising Co., New York; General Register Corp., New York; Hurley Screen Co., Inc., and C. S. Ashcraft Mfg. Corp., Long Island City; National Carbon Co., Inc. (occupying three display booths); Dictograph Products, New York; RCA Mfg. Co., Camden, N. J., and Electrical Research Products, Inc., New York.

Varied Three-Day Program Lined Up for Miami Meet

Miami, March 14.—Following is the complete business and social program for the three-day M. P. T. O. A. national convention which opens at the Miami Biltmore here on Tuesday.

Tuesday

9:00 A.M.—Registration.

10:00 A.M.—Sightseeing tour of Miami and environs. Private cars will leave the Miami Biltmore at 10 A.M. for a two-hour tour of Coral Gables, Miami, Miami Beach, Hialeah, Pan-American Airport, Biscayne Bay and Indian River.

10:30 A.M.—Meeting of the executive committee.

12:30 P.M.—Annual meeting of the directors in the Army and Navy Room of the Miami Biltmore Country Club, adjoining the hotel. This is an executive session for M. P. T. O. A. officers and directors only.

2:30 P.M.—Business Session in the ballroom of the Miami Biltmore Country Club, which will be used as the convention hall for all business sessions of the convention.

Convention called to order at 2:30 P.M. by Mitchell Wolfson, general chairman, convention arrangements committees.

Invocation, Rev. Leslie Barnett, Coral Gables Congregational Church.

Address of welcome, Gov. Fred P. Cone.

Address of welcome to Miami by Mayor A. D. H. Fossey.

Response to address of welcome, M. A. Lightman, past president, M. P. T. O. A.

Annual report of the president, E. L. Kuykendall.

Annual report of the secretary, Morris Loewenstein, Oklahoma City.

Annual report of the general counsel, Edward G. Levy, New Haven.

Announcement of special convention committees.

Report of the committee on convention arrangements.

Adjourn for committee meetings.

Evening

9:00 P.M.—Reception to delegates, members, friends and guests of M. P. T. O. A., sponsored by the officers and directors in the patio of the Miami Biltmore Hotel.

Wednesday

10:30 A.M.—Business Session in the convention hall. A demonstration of new methods in lighting for theatres, Francis M. Falge, engineering division, General Electric Co.

"The Forgotten Audience Among the Deaf in Theatres," Dan D. Halpin, vice-president, Dictograph Products Co., Inc.

"Modern Theatre Fronts and Their Influence on Attendance," E. L. Patton, Pittsburgh Plate Glass Co.

"Proper Maintenance of Sound Equipment," E. M. Hartley, manager, Photophone Division, RCA Mfg. Co.

"Modern Functional Design of Motion Picture Theatres," Ben Schlanger, architect.

"What Air Conditioning Means to the Box Office," L. L. Lewis, Carrier Corp., Newark.

"Improvement in Theatre Seating," Raymond S. Reed, Heywood-Wakefield Co.

11:00 A.M.—Luncheon and beach party for the women at the Roney Plaza Cabana Sun Club. Special luncheon at the Cafe de la Paix, 11:30 to 1 P.M., afternoon on the beach.

12:30 P.M.—Official convention luncheon on the south terrace of the Miami Biltmore.

2:30 P.M.—Business session in the convention hall.

Merchandising motion picture entertainment.

What the distributor can do to help sell the show.

A discussion of new ideas in advertising and exploitation, use of advertising accessories, press sheets, lobby display, radio advertising, theatre fronts, mailing and newspaper space.

Address by Col. Carl Byoir, public relations counsel, New York.

"Theatre Advertising in Newspapers," Hal Kopplin, Wometco Theatres, Miami.

"Winning New Patrons," Roy L. Smart, Wilby-Kincey Management Co., Charlotte, N. C.

"The Value of a Theatre to the Community," M. A. Lightman, Malco Theatres, Memphis.

"Systematizing Theatre Operation," Brownie Akers, Griffith Amusement Co., Oklahoma City, Okla.

"Theatre Operation in England," Percy Phillipson, president, Automaticket, Ltd., London.

"The Economic Level of Admission Scales," Arthur H. Lockwood, Capitol, Middletown, Conn.

"Worthy Attractions vs. Star Values," H. J. Griffith, Griffith Amusement Co., Oklahoma City.

"Training a Theatre Staff," Sonny Shepherd, Lincoln Theatre, Miami.

"Theatre Insurance and Accident Prevention," Henry Anderson, Insurance Department, Paramount Theatres, New York.

Evening

No convention affairs. All of the famous Miami cafes will have special St. Patrick's Day parties. The Miami Biltmore Hotel offers a St. Patrick's Day dinner and ball with special music and entertainment in the main dining room.

Thursday

10:30 A.M.—Business session in the convention hall. Reports of special convention committees. Following each committee report there will be an open forum for discussion of the subject covered by the committee reporting.

Report of committee on music tax, Charles W. Picquet, chairman.

Report of committee on unfair trade practices, O. C. Lam, chairman.

Report of committee on conciliation and arbitration, Lewen Pizor, chairman.

Report of committee on radio and non-theatrical competition, John C. Stapel, chairman.

Report of committee on entertainment values, Walter Vincent, chairman.

Report of committee on public relations and community affairs, M. A. Lightman, chairman.

Report of committee on labor relations, Fred Wehrenberg, chairman.

Report of committee on legislation and taxation, Roy L. Walker, chairman.

Report of committee on resolutions, Edward G. Levy, chairman.

2:30 P.M.—Business session in the convention hall.

Address by Adolph Zukor.

Address by J. Edgar Hoover, Federal Bureau of Investigation, Dept. of Justice.

Address by Charles Edison, Assistant Secretary of the Navy.

Address by Jesse H. Jones, chairman Reconstruction Finance Corp. and treasurer Will Rogers Memorial Commission, Washington.

Addresses by the following have been tentatively scheduled: Robert H. Jackson, Assistant U. S. Attorney General; Senator James J. Davis of Pennsylvania, and Sol A. Rosenblatt, attorney and former deputy administrator of the NRA film code.

Unfinished business.

Installation of officers, Fred Wehrenberg, chairman board of directors.

Convention adjourns sine die.

Evening

7:30 P.M.—Convention banquet and dancing, main dining room of the Miami-Biltmore. Water carnival and aquatic show; grandstand, Miami-Biltmore outdoor exhibition pool from 9:15 P.M. to 11:15 P.M.

Supper dance and special entertainment program, main dining room of the Miami-Biltmore, from 11:30 P.M.

Friday

10:00 A.M.—Golf tournament at the Miami-Biltmore Golf and Country Club. Major Albert Warner, chairman.

There also will be available for non-golfers bathing at the Roney-Plaza Cabana Sun Club or at the Miami-Biltmore outdoor pools and sun beach. Deep sea fishing at the Key Largo Anglers' Club. Annual yacht and motorboat regatta on Biscayne Bay. Racing at Tropical Park.

Wall Street

Gains Continue Lightly on Board

	High	Low	Close	Net Change
Columbia	35¼	35	35	— ¼
Consolidated Film.	5	4¼	4¾	+ ⅛
Consolidated, pfd..	16⅞	15⅞	16¾	+ ⅞
Eastman Kodak..	166½	166½	166½	.....
Eastman, pfd......	159½	159½	159½	.....
General Theatre Equipment	31⅛	31⅛	31⅛	+1⅛
Loew's, Inc........	78¼	77¾	78¼	+ ¼
Loew's, Inc., pfd..	107	107	107	+ ¼
Paramount	25⅛	24⅞	25	— ¼
Paramount 2 pfd..	22¾	22½	22¾	+ ¼
Pathe Film.......	8⅝	8½	8½	— ¼
RKO	8¾	8½	8⅝	.....
20th Century-Fox.	40⅞	40	40¼	+ ⅞
20th Century, pfd.	50	40¼	50	+1½
Warner Bros......	15⅞	15¼	15¼	— ¼

Little Curb Movement

	High	Low	Close	Net Change
Grand National...	3	2⅞	3	+ ⅛
Sentry Safety......	¾	¾	¾	.....
Sonotone	2	1⅞	1⅞	.....
Technicolor	23⅝	21¾	22½	— ⅞
Trans Lux........	4⅝	4⅝	4⅝	.....

Bonds Off

	High	Low	Close	Net Change
Loew's 3½s '46...	98½	98¼	98¼	— ½
Paramount Pictures 6s '55.....	100⅛	100⅛	100⅛	.....
RKO 6s '41 pp....	115	115	115	—2½
Warner Bros. 6s '39 wd...........	97	96	96	—1½

(Quotations at close of March 13.)

◂ Radio Personals ▸

FRANK BLACK, musical director of NBC, will deliver a lecture on music in Pittsburgh March 20. . . . "Two Tickets to Romance," an original vehicle, will be offered by Jessica Dragonette on her "Beauty Box" program Wednesday . . . Richard Crooks, absent from the "Voice of Firestone" program since January, returns to the series tonight at 8:30 P.M., E.S.T. . . . Lillian Gish will be the principal guest on "Showboat" Thursday evening. . . . Hal Janis will substitute for Dick Fishell as WMCA special events director while the latter vacations in Florida. . . .

* * *

WHN will carry the Hickory House broadcasts beginning this week . . . Marion Melton is Irving Aaronson's new vocalist. . . . Basil Rathbone and Harriet Hilliard will be Bing Crosby's guests on the "Music Hall" program Thursday night. . . . Frank A. Buck will be the star of the Fisher Body Craftsman's Guild broadcast on CBS Wednesday evening at 7:30 P.M., E.S.T. . . . Andy Iona and his Hawaiians return to the Al Pierce program tomorrow. . . . Next Sunday marks Phil Baker's fourth anniversary on the air. . . .

* * *

Reinald Werrenrath will be the guest speaker at the Ad Club luncheon Thursday. WMCA will air the talk.

Sinatra on Cycle Program

The Cycle Trades of America's program which bows in on the NBC-Blue April 1 from 7:15 to 7:30 P. M., E.S.T., will feature Ray Sinatra's orchestra and guest artists each week. Frank Parker will head the guest procession. He will be followed by Ruth Etting, Fibber McGee and Molly, Hildegarde, Jean Ellington and the Revelers, Mary Small and the "Tune Twisters," and "Honey Boy and Sassafras."

The series will be known as the "All Star Cycle." Southmayd, Inc., New York, is the agency. There will be a repeat broadcast for the west coast.

Buckeye Net to Start

COLUMBUS, March 14.—The Buckeye network will start tomorrow with Crazy Water Crystals as the first commercial to be signed. The program, originating at WHKC here, will consist of Hank and Slim and their Georgia Crackers, and will be aired six days a week.

In addition to the local station, WKBN, Youngstown, WJAV and WHK, Cleveland, are the basic outlets of the web.

Sets Time Signal Deal

Dutchland Farms, through the Ingalls agency, has contracted for time signals over WOR, beginning tomorrow. Signals will be read Tuesdays and Thursdays.

LEO SAYS:
WHN is the Station of Stars — that is why movie fans are WHN fans!
WHN DIAL 1010 AFFILIATED with M-G-M • LOEW'S

"Interesting"

"I have frequently noted the space your publication gives to the cooperation of screen and radio and find it interesting"—*Darryl F. Zanuck,* vice-president in charge of production, 20th Century-Fox.

Start "All Star Varieties"

"All Star Varieties," an electrically transcribed program, begins on WOR tomorrow from 11:30 to 11:45 A. M., E.S.T.

There will be 39 of these broadcasts, under the sponsorship of Norge dealers.

Among those who will be heard on the program will be: Freddie Martin, Kay Kyser, Little Jack Little, Ray Noble, Jimmy Dorsey, Connie Boswell, Frances Fay, Mildred Bailey and the Mills Brothers. The comedians and specialty acts include Tom Howard and George Shelton, Ken Murray, Tony Wons, Tim and Irene, Mitzi Green.

Shift Spitalny Time

Phil Spitalny's all-girl orchestra, sponsored by the General Electric Corp. and currently heard Mondays at 4 P. M., E.S.T., on the NBC-Red, will be heard at a new time beginning April 26. The new period will be 9:30 to 10 P. M., E.S.T., same day and network. Maxon, Inc., is the agency.

Mutual to Salute KWK

Mutual salutes KWK, its St. Louis affiliate, on the latter's 10th anniversary, March 17, at 9:30 P. M., E.S.T., and again at 11:30 P. M., with top notch WOR programs.

Stokowski Back March 26

Leopold Stokowski will return to the Friday evening Philadelphia Orchestra series on CBS, March 26. He replaces Eugene Ormandy as conductor.

Dolph Thornburgh Assistant

HOLLYWOOD, March 14.—John M. Dolph, formerly Pacific sales manager of CBS, on Saturday was named assistant to Donald W. Thornburgh, CBS vice-president here. Henry Jackson succeeds Dolph.

Wonders to Change

Ralph Wonders, ex-CBS artists bureau head now vacationing in Florida, will join Rockwell-O'Keefe on his return to New York.

Debenture Holders Permit Woolf Deal

(*Continued from page* 1)

that the plan had been submitted to counsel and "the opinion was that nothing has arisen to justify intervention by us as trustees."

The only possible obstacle now existing to the Ostrer-executed maneuver, which entailed the Woolf deal and the declaration of a preference dividend by the directorate, is the proposed action of Charles Nordon, representing a group of ordinary shareholders, to seek an injunction restraining the board from payment of the dividend. Nordon contends the board plans to use borrowed money to pay the dividend.

Union Power Series Is Called Excellent

ST. LOUIS, March 14.—Union Electric Power & Light Co. has begun a new air show Sunday nights at 6:30 o'clock with a half-hour program in a new series of "The Land We Live In," which bids fair to rank with the better programs in network broadcasting.

The series is devoted to the presentation of the history of St. Louis, with its people of earlier days; their struggles and achievements, and their efforts and sacrifices which have made St. Louis an important city. The first presentation deals with that part of the Revolutionary War which took place here. Howard Barlow has arranged the musical score and the dramatic script is under the supervision of Bradford Simpson.

N. O. Union to Broadcast

NEW ORLEANS, March 14.—The first labor broadcast here will be heard tomorrow over stations WBNO, beginning the week of March 15, with a half hour of labor education, sponsored by the *Federationist*, a weekly paper edited by W. L. Donnels, Tuesdays, Thursdays and Saturday nights.

Renew Roebuck Program

Sears Roebuck renews "Gambling's Bargains" on WOR, beginning March 23. The program is heard Tuesday, Thursdays and Saturdays at 8:15 A. M. The deal was handled direct.

Smith Heads WTAM Sales

CHICAGO, March 14.—W. W. (Bud) Smith, of the NBC sales force and former manager of WTAM, has been appointed sales manager, succeeding G. B. McDermott, who has been made a national sales representative of NBC managed and operated stations.

Legion Approves 11 Of 13 New Pictures

Of 13 new pictures reviewed and classified by the National Legion of Decency for the current week, seven were approved for general patronage, four for adults and two importations were called objectionable in part. The new pictures and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Blende Passagier" (German), "China Passage," "The Crime Nobody Saw," "A Family Affair," "El Octavo Mandamiento" (Spanish), "Sohn der Weissen Berg" (German), "Quality Street." Class A-2, Unobjectionable for Adults—"Dead Yesterday," "Her Husband Lies," "That I May Live," "You're in the Army Now." Class B, Objectionable in Part—"Monte Criollo" (Spanish), "Liebesgeschichten von Boccaccio" (German).

RKO Game in Cleveland

CLEVELAND, March 14.—Although it was announced all RKO houses throughout the country were immediately discontinuing Bank Night following the MOTION PICTURE DAILY editorial, titled "Every Night But Show Night," the policy is still in use at the Lincoln, local RKO subsequent run house where it is now in its 92nd consecutive week.

THE YEAR 'ROUND BOX-OFFICE ATTRACTION!

RCA PHOTOPHONE'S

Magic Voice

OF THE

Screen

starring

ROTARY STABILIZER

. . . a part of *every* RCA Photophone installation . . . insures constant film speed . . . eliminates distortion caused by vibration!

CELLULAR SPEAKERS

. . . The first speaker to distribute all higher frequencies evenly throughout theatre. Tremendous power handling capacity. Undistorted reproduction of all notes, lowest to highest. Use less room backstage.

with a supporting cast of 8 other great features!

Low Cost Maintenance and Liberal Service
Simple Operation
Economical Operation
Push-Pull Adaptability
High Fidelity Reproduction
Simple Installation
Accessibility
Sole Ownership

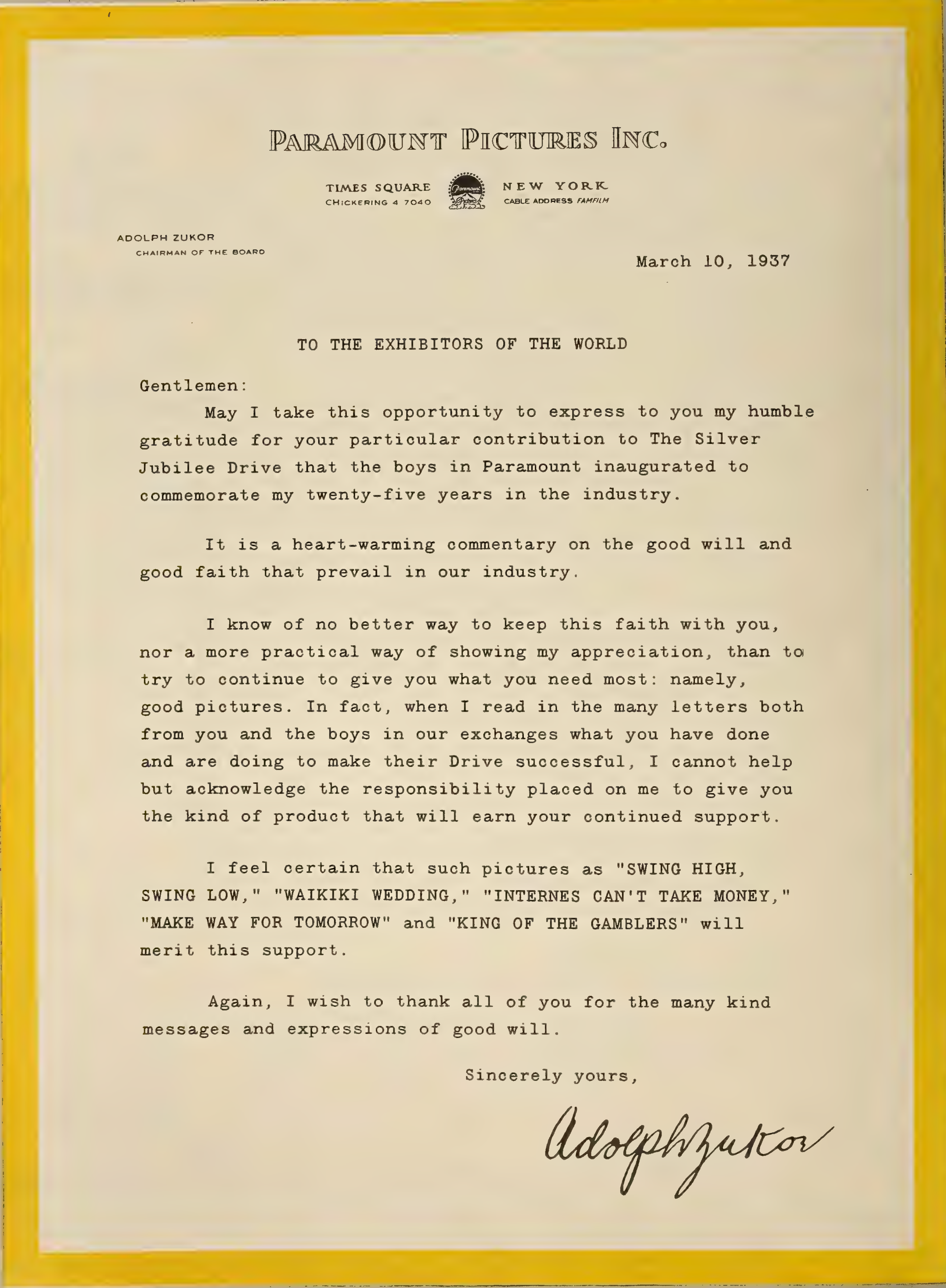
RCA MAGIC VOICE OF THE SCREEN

Photophone

THE MAGIC VOICE OF THE SCREEN

RCA MANUFACTURING CO., INC.
CAMDEN, N. J.

A Service of the Radio Corporation of America



PARAMOUNT PICTURES INC.

TIMES SQUARE
CHICKERING 4 7040

NEW YORK
CABLE ADDRESS *FAMFILM*

ADOLPH ZUKOR
CHAIRMAN OF THE BOARD

March 10, 1937

TO THE EXHIBITORS OF THE WORLD

Gentlemen:

May I take this opportunity to express to you my humble gratitude for your particular contribution to The Silver Jubilee Drive that the boys in Paramount inaugurated to commemorate my twenty-five years in the industry.

It is a heart-warming commentary on the good will and good faith that prevail in our industry.

I know of no better way to keep this faith with you, nor a more practical way of showing my appreciation, than to try to continue to give you what you need most: namely, good pictures. In fact, when I read in the many letters both from you and the boys in our exchanges what you have done and are doing to make their Drive successful, I cannot help but acknowledge the responsibility placed on me to give you the kind of product that will earn your continued support.

I feel certain that such pictures as "SWING HIGH, SWING LOW," "WAIKIKI WEDDING," "INTERNES CAN'T TAKE MONEY," "MAKE WAY FOR TOMORROW" and "KING OF THE GAMBLERS" will merit this support.

Again, I wish to thank all of you for the many kind messages and expressions of good will.

Sincerely yours,

Adolph Zukor

Alert, Intelligent and Faithful Service to the Industry In All Branches

MOTION PICTURE DAILY

The Leading Daily Newspaper of the Motion Picture Industry

VOL. 41. NO. 62 NEW YORK, TUESDAY, MARCH 16, 1937 TEN CENTS

Union Drive Flares Anew On 2 Fronts

Cleveland, New Haven Scene of Moves

Labor's drive to organize exchange employes flared into the open yesterday on two new fronts, when it was learned that employes of both Cleveland and New Haven exchanges were meeting with organizers for A. F. of L. affiliates.

Exchange employes in Cleveland met over the weekend and drafted new minimum wage scales and other employment terms. New Haven exchange employes will attend an organizing meeting in Trades Council Hall on Wednesday, plans for which were laid at a meeting with six exchange representatives and an A. F. of L. organizer here today. A competitive organizing move in New Haven is reported contemplated for next week by the C. I. O.

Similar exchange employe moves were launched earlier in Boston, Detroit and other cities.

According to reliable information, Cleveland shippers, poster clerks and inspectresses are now more than 90 per cent organized. Demands for a general pay increase, with a minimum scale of $40 for head shippers, $32.50

(Continued on page 16)

Reelect All Heads Of National Poster

All officers and members of the board of National Poster Service Renters were reelected for another year at the three-day convention held here at the New Yorker.

Simon Libros of Philadelphia is president, Le Roy Kendis of Cleveland, vice-president, and George P. Aarons of Philadelphia, secretary and treasurer. The board consists of Libros, Aarons, Louis Weinzimmer, Harry Shlit, E. R. Behrens and Irving Levin of Omaha.

It was decided at the sessions to

(Continued on page 14)

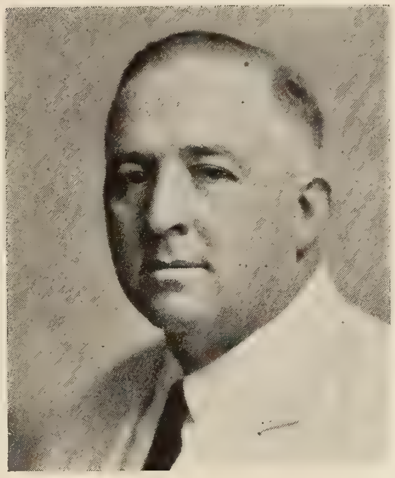
Bondy to Hear Plea On RKO Gold Notes

Federal Judge William Bondy today is scheduled to hear a petition by Irving Trust Co., RKO trustee, for leave to retire an outstanding $600,000 of the company's secured gold notes.

The petition is opposed by Atlas Corp., proponents of the RKO reorganization plan, and by RKO, both of whom assert that the company's

(Continued on page 2)

The President



E. L. Kuykendall of Columbus, Miss., who is again heading for reelection to the presidency of the M. P. T. O. A. which holds its convention in Miami beginning today. The election will be held there tomorrow morning, prior to the first business session of the three-day meeting.

Whiteman Supports Dickstein Measure

By BERTRAM F. LINZ

WASHINGTON, March 15.—Enactment of the Dickstein alien actor bill would quickly result in European countries lowering the barriers against American talent, it was predicted today by Paul Whiteman, orchestra leader, during an unheralded appearance before members of the House Immigration Committee.

In permitting Whiteman to make a statement, Chairman Dickstein explained that it was not in the nature of a formal hearing but that Whiteman had asked for an opportunity to be heard. Only a half-dozen members of the committee were present.

Declaring that "art is interna-

(Continued on page 16)

Beck Not to Return To MPPDA Position

James M. Beck, Jr., former M.P.P.D.A. representative in London, will not return to that post, it was stated at the organization's headquarters yesterday. Beck left London about three months ago following the death of his father, the late James M. Beck, former Pennsylvania Senator. No successor to Beck has been designated yet.

F. W. Allport of the M.P.P.D.A. is now in London on a special assignment and may remain until a permanent appointment there is made.

MPTOA WILL SEEK NEW TRADE TALKS

Expect New Concessions To Be Important Aim Of Convention

By RED KANN

MIAMI, March 15.—The M. P. T. O. A. is expected to declare for renewed trade practice conferences with distribution companies in an effort to obtain an extension of trade concessions obtained under its 10-point program during the winter, it was learned here today on the eve of the national exhibitor organization's three-day convention at the Miami-Biltmore.

While a change in the organization's policy of endeavoring to obtain trade practice reforms by negotiations is a possibility and undoubtedly will be given consideration, in view of its disappointment over distributor responses to the 10-point program, majority opinion holds that the present time is not the most favorable for adopting such a change.

A legislative program, it is pointed out, would eventually include regulation of exhibition as well as distribution and production, and for this reason an M. P. T. O. A. majority appears to favor that policy only as a last resort. A program of litigation is regarded as unwarranted in advance of a fair trial of the proposed local conciliation boards which, it is hoped in many quarters, may accomplish as much or more, and at considerably less expense than litigation. For these reasons, the convention probably will instruct M. P. T. O. A. officers to renew their efforts to obtain liberalized concessions from distributors, particularly with a view to obtaining an increase in the 10 per cent cancellation privilege and further elimination of the score charge.

The convention is expected to adopt a stand against cash games and giveaways, although no stronger action

(Continued on page 14)

Paramount Partners Hold Early Session

MIAMI BEACH, March 15.—Paramount's theatre partners, over 80 strong and gathered from all sections of the country, held a preliminary meeting at the Roney-Plaza this morning preparatory to the formal sessions, which start Thursday.

The business discussed was routine and described as devoid of interest except to those who attended. It will be followed by a second informal session tomorrow. The New York con-

(Continued on page 16)

All of Universal's Board Is Renamed

WILMINGTON, March 15.—All directors of Universal Pictures Co., Inc., were reelected for the ensuing year at the annual meeting of the company's stockholders held here today. The directors are J. Cheever Cowdin, Budd Rogers, William Freiday, Charles R. Rogers, Paul G. Brown and P. D. Cochrane, for the common stock; R. H. Cochrane, for the second preferred stock and J. Myer Schine and Willard S. McKay for the first preferred stock.

Universal Pictures Co. reported to the N. Y. Stock Exchange yesterday that Universal Corp., on Oct. 31, last, owned 100 per cent of the second preferred stock and approximately 91 per cent of the common. Gruntal & Co., Stock Exchange firm, owned 10.7 per cent of the first preferred.

The company reported that during the year ended Oct. 31 it paid James Whale, director, $105,000; Gregory La Cava, $102,250; Irene Dunne, $102,777, and to Standard Capital Co., $54,250 for the services of J. Cheever Cowdin, chairman.

U. A. Product Talks Completed on Coast

HOLLYWOOD, March 15.—Product talks were completed today by United Artists' executives with preparations for the spring sales convention, probably in Chicago, having been started.

George J. Schaefer will leave Wednesday or Friday, and Monroe Greenthal will take a plane east tomorrow. Arthur Kelly left Saturday. James Mulvey will depart tomorrow for Miami.

A tieup with Montgomery Ward has been arranged, it was stated, calling for full page ads in 800 papers in 600 cities and four pages in the Montgomery Ward catalogue.

"Good Earth" Pulls $17,100 Sixth Week

Approximately $17,100 was grossed by "The Good Earth" in its sixth week at two-a-day at the Astor. "Lost Horizon," current at the Globe on a similar policy, is expected to tally $18,000 for the second week.

"Her Husband Lies" has been booked into the Criterion starting tomorrow.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Vol. 41 March 16, 1937 No. 62

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Balsdon, Recovered, Is Due Back Sunday

George Balsdon, booker for National Theatres, who was seriously injured in an automobile accident on the coast several months ago, will return Sunday from Stockton, Cal., where he has been confined at St. Joseph's Hospital since the crash which resulted also in injuries to Sumner Gambee and Nick Turner.

Upon his arrival, Balsdon will enter a local hospital for observation. He is not expected to return to his desk for two or three months.

MITCHELL MAY, Jr. CO., INC.

•

INSURANCE
Specialists To The Motion Picture Industry

75 Maiden Lane, N. Y. City
510 W. 6th St., Los Angeles, Cal.

Out Hollywood Way

HOLLYWOOD, March 15. — MARY ASTOR's contract renewed by Columbia. . . . WILLIAM ARNOLD, 16-year-old son of EDWARD, to become an actor. . . . Radio takes up option on DIANA GIBSON. . . . JACK DAWN, makeup expert, gets long term contract at M-G-M. . . . HARRY SHERMAN recovers from injury received on location at Kernville.

ALAN MARSHAL, stage actor under contract to Selznick International, loaned to M-G-M for "Countess Walewska" and "Night Must Fall." TREM CARR to start "I Cover the War," next for JOHN WAYNE, within 10 days. . . . Paramount to start "Last Train from Madrid" March 20.

MADELEINE CARROLL to play opposite RONALD COLMAN in "The Prisoner of Zenda," Selznick International.

✚

Casting—GERTRUDE MICHAEL set for feminine lead in "There Goes My Girl," Radio . . . SYBIL JASON, MARCIA RALSON and HELEN VALKYS in "Santa Anita," short BOBBY CONNOLLY is directing for Warners . . . LOUIS CALHERN in "The Life of Emile Zola," Warners . . . HENRY OTTO in "The Singing Marine," same studio . . . MADELEINE CARROLL gets lead in "Personal History," Wanger.

✚

Story Buy—WILLIAM McGRAIL's "We Can Wait" acquired by FENN KIMBALL, president of General Pictures . . . DAVID O. SELZNICK acquires "Of Great Riches," by ROSE FRANKEN, and "The Earl of Chicago," by BROCK WILLIAMS . . . Radio buys "World of Women," by LIONEL HOUSER and "A Puzzle for Fools," by PATRICK QUENTIN.

✚

Writers—FELIX JOACHINSON at Universal for start of new contract . . . MALCOLM STUART BOYLAN and HARVEY GATES to adapt "The Real Glory" for SAMUEL GOLDWYN . . . FRED NIBLO, JR., gets one-year writing contract at Columbia; now working on "Flashing Skates" with GRACE NEVILLE . . . WILLIAM SLAVENS McNUTT starts at Radio April 15 . . . EARL FELTON at Columbia to work with the IRVING BRISKIN unit on "Campus Mystery" . . . ROY CHANSLOR doing script of "Lady Luck," Warners . . . GLADYS ATWATER collaborating with SOL ELKINS on "House in the Country," Radio.

✚

New Contracts—SAMMY LEE signed to do dance numbers for "New Faces of 1937," Radio . . . JANE YARBOROUGH and LESLIE GOODWINS, who write and direct shorts, get new one-year contracts to turn out six . . .

✚

Title Changes—Warners change "Mazurka" to "One Hour of Romance" and "The Hobo and the Heiress" to "Madcap Heiress."

✚

Directors—GEORGE H. MELFORD to direct "Jungle Menace," first of four serials to be produced by Columbia . . .

Expect ABP's Profit To Reach $6,250,000

LONDON, March 6.—A profit for the year approximating £1,250,000 ($6,250,000) is expected for the John Maxwell company, Associated British Pictures Corp.

Last year A.B.P. made £926,482 and paid 12½ per cent, a final dividend of 7½ per cent following an interim of five per cent. Profits for the first half of the current year were £150,000 and an interim of seven per cent was paid. In the expectation that profits will at least top the million-pound mark, the possibility of a final dividend of 10 per cent, making 17 for the year, is being discussed.

A.B.P. ordinaries, of five shillings par value, are currently quoted on the stock exchange at 15/9 to 16/3, after reaching 17/3, before all film values fell following newspaper stories of a production collapse.

Twickenham Assets Below Claim Total

LONDON, March 6.—At the creditors' meeting of Twickenham Film Studios, Ltd., it was revealed that against liabilities of £95,998 there were assets of £36,369, including £34,183 received by the sale of the studio. These are insufficient to meet the debenture claim fully and unsecured creditors will receive nothing. The company is in compulsory liquidation in the hands of the official receiver.

The associated J. H. Productions, Ltd., has liabilities of £269,409 and assets of £161,208 but certain films have still to be released.

New Erpi Equipment Now In 861 Theatres

Erpi has closed contracts with 861 theatres in this country for $1,500,000 worth of new Mirrophonic sound equipment since the improved system was introduced to the trade 27 weeks ago, C. W. Bunn, Erpi general sales manager, said yesterday. In addition, the company has shipped almost 200 Mirrophonic units to theatres in foreign countries, Bunn said.

The Erpi sales head estimated that two-thirds of the American installations were of complete new systems in reopened theatres, new theatres or houses which had previously used other makes of equipment. The remainder were modernizations of existing Erpi equipment. Installations have been made in 47 states. In England, where the new equipment was not introduced until Feb. 1, 70 theatres contracted for it during that month. In Mexico City, the First Circuit installed Mirrophonic in seven of its 10 houses, Bunn said.

"Such a record shows definitely the current condition of the industry," Bunn declared. "It represents an expenditure which the industry could not have made two or three years ago."

See 235 English Films

LONDON, March 6.—Investigating the possibility of a shortage of British films, after the limitation of G. B. production, the closure of the Twickenham studios and other production factors, the *Kinematograph Weekly* estimates that plans already definitely completed will guarantee at least 235 British features in 1937, against 208 in 1936.

Bondy to Hear Plea On RKO Gold Notes

(*Continued from page* 1)

cash position is not sufficiently strong to warrant the outlay at this time. The trustee's report of March 3 estimated that RKO had cash on hand amounting to $7,955,964.

Retirement of the secured notes is expected to raise the question of whether or not the RKO debentures would continue to have a second lien on the assets securing the gold notes. According to the indenture, the secured position of the debentures may end with the elimination of the prior notes.

Irving Trust Co., RKO trustee, contends that the interest saving involved warrants the immediate payment of the notes, which are held by the Bank of America National Ass'n.

Settle Claim on RKO

The claim of the Criterion Advertising Co. against RKO was settled yesterday by Federal Court Judge William A. Bondy for $337,024.

"Romeo" Winner of Australians Award

MELBOURNE, Feb. 15. (*By Air Mail Via London*)—The recently formed Film Critics' Guild of Australia has chosen "Romeo and Juliet" as the best film released in this market during 1936. Second place went to "The Story of Louis Pasteur," and then in order come "Fury" and "Dodsworth," with "Mr. Deeds Goes to Town," "The Petrified Forest" and "Mutiny on the Bounty" tieing for fifth place.

"Orphan of the Wilderness" was selected by the Guild as the best Australian picture produced last year. The Cinesound picture won narrowly from "Uncivilized," produced by Expeditionary Films and "Rangle River," Columbia.

New Enterprises

The following film and theatre companies have been incorporated. At Albany:

Jesse L. Kaufman, Inc., New York, theatrical business, by Jesse L. Kaufman, Chester A. Pearlman and Harry Weinberger.

Harkray, Inc., New York, theatrical business, by Gertrude Cone, Essie Burdman and Freda Jaret.

Richmond County Amusement Co., Inc., Richmond County, amusement business, by Samuel J. Ernstoff, Jacob J. Bobrow and Harrie Newman.

Babes In Arms, Inc., New York, theatrical business, by David Klinger, Russell H. Wilde and Howard A. Seitz.

Ilena Theatre Group, Inc., Bronx, operate theatres, by Ilena Frank, Morton Frank and Jacob Frank.

East 16th St. Theatre Corp., Brooklyn, exhibition, by Isidor M. Racer, Julius Celler and Aubrey G. Raven.

Krayhar, Inc., New York, operate theatres, by Gertrude Cone, Essie Burdman and Freda Jaret.

Timberg Gets Audition

REGINA, Sask., March 15.—Anders Timberg, Swedish tenor, told the MOTION PICTURE DAILY here he had been given an audition in Hollywood by M-G-M and that he would return from Montreal to Hollywood at the end of his Canadian tour to discuss terms.

Timberg sings in eight languages.

GET OUT THE
S.R.O. signs
Here we come!
"WAIKIKI WEDDING"
BING CROSBY · BOB BURNS
MARTHA RAYE · SHIRLEY ROSS
GEORGE BARBIER · LEIF ERIKSON
A Paramount Picture · Directed by Frank Tuttle
Paramount Pictures

'Horizon' Top In Frisco on Start of Run

San Francisco, March 15.—"Lost Horizon" got off to a fine start in its roadshow engagement at the Geary with a gross of $13,000 at $1.65 top.

"When You're in Love," on a dual with "Breezing Home," turned in an excellent $11,200 at the Orpheum. This was $1,700 to the good. "You Only Live Once" was in the money on a take of $7,500 at the United Artists. "Nancy Steele Is Missing" and "Wings of the Morning" were $1,200 over normal on a take of $14,200 at the Warfield.

Total first run business was $96,700. Average is $99,000.

Estimated takings:

Week Ending March 9:

"RACING LADY" (RKO)
"WEEKEND MILLIONAIRE" (G.B.)
EMBASSY—(1,400), 15c-30c-35c, 7 days. **Gross:** $2,700. (Average, $4,500)

"LOST HORIZON" (Col.)
(Roadshow)
GEARY — (1,400), 55c-88c-$1.10-$1.65, 7 days. **Gross:** $13,000. (Average, $10,000)

"WHEN'S YOUR BIRTHDAY" (RKO)
GOLDEN GATE—(2,850), 15c-30c-35c-40c-55c, 7 days. Stage: vaudeville. **Gross:** $16,800. (Average, $16,000)

"YOU LIVE ONLY ONCE" (U.A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days. **Gross:** $7,500. (Average, $6,000)

Week Ending March 10:

"LOVE IS NEWS" (20th-Fox)
"ONCE A DOCTOR" (W.B.)
FOX — (5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $16,300. (Average, $16,000)

"WHEN YOU'RE IN LOVE" (Col.)
"BREEZING HOME" (Univ.)
ORPHEUM — (2,440), 15c-30c-35c-40c, 7 days, 2nd week. **Gross:** $11,200. (Average, $9,500)

"READY, WILLING AND ABLE" (W.B.)
"MURDER GOES TO COLLEGE" (Para.)
PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $13,500. (Average, $13,000)

"THE GOOD EARTH" (M-G-M)
(Roadshow)
ST. FRANCIS—(1,400), 55c-88c-$1.10-$1.65, 7 days, 2nd week. **Gross:** $10,300. (Average, $10,000)

"NANCY STEELE IS MISSING"
(20th-Fox)
"WINGS OF THE MORNING" (20th-Fox)
WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $14,200. (Average, $13,000.

Week Ending March 12:

"REVOLUTIONISTS" (Amkino)
CLAY—(400), 15c-35c, 7 days. **Gross:** $1,200. (Average, $1,000)

To Drop St. Louis Shows

St. Louis, March 15.—Stage shows will be dropped by the Ambassador March 18, at the end of the Fred Waring engagement. This will leave only two houses regularly using acts. the second run St. Louis and the Garrick, a burlesque house.

G. N. Title Changes

Hollywood, March 15.—"When I'm with You," Victor Schertzinger's first for Grand National, has been retitled "Something to Sing About." Zion Myers' initial effort for the same company, formerly known as "The Thousand Dollar Bill," has been changed to "Small Town Boy."

Lee Reports Increase

Arthur Lee reports a 50 per cent increase in G.B. business for the past month in comparison to previous months.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"When Love Is Young"

(Universal)

Hollywood, March 15.—Giving a new twist to the small-town-girl-makes-good theme, this rates high in the entertainment category through excellent direction, performances and writing. The picture is a musical comedy suitable to all types of patronage and will fill the key spot on an average bill.

Virginia Bruce as the demure daughter of Swedish parents—Christian Rub and Greta Meyer—finds unromantic response in William Tannen and an unflattering prediction for her future in her school's annual class prophecy. Arriving in New York with Walter Brennan, her uncle, she is further disillusioned by an operatic music professor who holds no hope for her career. Kent Taylor, an alert publicity man for a Broadway show, later ballyhoos her as a goose girl, framing her into a march up Broadway with a flock of geese. He later arranges a radio job where she sings setting up exercises to early risers. This failing to pan out, Miss Bruce forces a showdown with Taylor who subsequently sees the emotional promise in the girl and sells her as the lead to Jack Smart, his boss.

She succeeds. Returning home for a visit, she finds her former lover not so hot and realizing her love for Taylor, she returns to New York in time to talk him out of quitting the show as a spite move.

Hal Mohr's first directorial job is excellent from the point of tempo, balanced situations and musical interludes. Eve Green and Joseph Fields did the sprightly screenplay from Eleanore Griffin's original. The supporting cast performances are above average including Jean Rogers and Nydia Westman.

Production Code Seal No. 2,989. Running time, 75 minutes. "G."

"The Crime Nobody Saw"

(Paramount)

Hollywood, March 15.—A formula murder mystery, which in its mechanical idea follows the technique made familiar by the "Seven Keys to Baldpate" and offers nothing new or particularly attractive from either an entertainment or commercial standpoint.

The playwrights, Lew Ayres, Eugene Pallette and Benny Baker, are stumped for a mystery crime idea. Then a real murder happens right before their noses. For a bit of novelty, the victim assumed to be a man, turns out to be a woman. There are a lot of weird goings on to demonstrate that the victim was both a masculine and feminine blackmailer. Then, with suspicion being diverted into the wrong channels, the playwright trio turns detective to pin the guilt on Colin Tapley. Nailing the culprit and so saving the innocent person, they also get the idea for their story.

As most murder mysteries do, the film moves along at a fair clip. There's the usual allotment of suspense and comedy, and, of course, a suggestion of romance. The quality of the film, however, restricts it to functioning only as a secondary attraction. Other than those mentioned, the players are Ruth Coleman, Vivienne Osborne and Howard Hickman. Charles Barton directed the Ellery Queen and Lowell Brentano original screenplay.

Production Code Seal No. 3,031. Running time, 60 minutes. "A."

"Midnight Taxi"

(Twentieth Century-Fox)

Hollywood, March 15.—Federal men in pursuit of a counterfeiter forms the basis of this film with plenty of action and novelty introduced throughout the chase.

Brian Donlevy, as the agent, works his way into the gang disguised as a cab driver with the object of locating the hidden printing plant rather than collaring the phoney money passers. Frances Drake, Alan Dinehart, and Gilbert Roland are the principal distributors. Donlevy cleverly relays his messages to his co-workers until his identity is discovered. When his doom seems sealed, Miss Drake twice rescues him and is given amnesty when the entire band is rounded up with Sig Rumann proved to be the master plate maker. Donlevy and Miss Drake are then free to conclude their romance.

Eugene Forde has directed speedily maintaining the proper suspense throughout. Paul Stanton, Harold Huber and Regis Toomey complete the well chosen cast. Lou Breslow and John Patrick wrote the screenplay from the story by Borden Chase. The picture should please generally as snappy action entertainment.

Production Code Seal No. 3,123. Running time, 70 minutes. "G."

(Additional Reviews on Page 13)

"Green Light" Top in Slump On the Coast

Los Angeles, March 15.—Grosses hit the skids last week with only "Green Light" making a showing. It went $500 over par on a $14,500 take at Warners' Hollywood and was $2,500 into the profit column on a gross of $14,500 at Warners' Downtown.

The only other house to get over normal was the Paramount with "When You're in Love" and "Borderland" and a stage show.

Total first run business was $98,799. Average is $104,700.

Estimated takings for the week ending March 10:

"THE GOOD EARTH" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 6th week. **Gross:** $14,000. (Average, $17,000)

"NANCY STEELE IS MISSING"
(20th-Fox)
"HEAD OVER HEELS IN LOVE" (G.B.)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $10,129. (Average, $12,500)

"SMALANNINGAR" (Swedish)
GRAND INTERNAT'L—(750), 35c-40c, 7 days. **Gross:** $1,900. (Average, $1,200)

"JOHN MEADE'S WOMAN" (Para.)
"MURDER GOES TO COLLEGE" (Para.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $6,500. (Average, $8,000)

"NANCY STEELE IS MISSING"
(20th-Fox)
"HEAD OVER HEELS IN LOVE" (G.B.)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $11,670. (Average, $14,000)

"JOHN MEADE'S WOMAN" (Para.)
"MURDER GOES TO COLLEGE" (Para.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $6,700. (Average, $8,000)

"WHEN YOU'RE IN LOVE" (Col.)
"BORDERLAND" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Rube Wolf and his orchestra, F. & M. revue. **Gross:** $18,500. (Average, $18,000)

"GREEN LIGHT" (F. N.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $14,500. (Average, $14,000)

"GREEN LIGHT" (F. N.)
WARNER BROS. (DOWNTOWN)—(3,400,) 30c-65c, 7 days. **Gross:** $14,500. (Average, $12,000)

Wall Street

Board Off; U Drop 2 Pts.

	High	Low	Close	Net Change
Columbia	34⅞	34⅞	34⅞	— ⅛
Columbia, pfd.	43½	43½	43½	+ ⅛
Consolidated	4¾	4¾	4¾	.....
Consolidated, pfd.	16⅝	16⅛	16⅛	— ⅝
Eastman Kodak	166½	166	166	.....
Gen. T. Equip.	31⅝	30⅝	30⅛	—1
Loew's, Inc.	78⅝	77¼	77½	— ¾
Paramount	24⅞	24	24¼	— ¾
Paramount 2 pfd.	22½	21¾	21¾	—1
Pathe Film	8½	8¼	8⅜	— ⅛
RKO	8¾	8⅝	8⅝	.....
20th Century-Fox.	40⅜	39¼	39⅞	— ⅜
20th Century, pfd.	49¾	49	49	—1
Universal, pfd.	94	93	93	—2
Warner Bros.	15¼	15	15	— ¼

Light Rise on Curb

	High	Low	Close	Net Change
Grand National	3	2⅞	2⅞	.....
Sentry Safety	⅞	⅞	⅞	+ ⅛
Sonotone	2	1⅞	2	+ ⅛
Technicolor	23½	22½	23½	+ ⅝
Trans-Lux	4¾	4⅝	4⅝	— ⅛

Little Bond Movement

	High	Low	Close	Net Change
Loew's 3½s '46	98½	98¼	98¼	— ⅝
Paramount B'way 3s '55	75	75	75	.....
Paramount Pict. 6s '55	100⅜	100⅛	100⅛	.....
Warner Bros. 6s '39 wd	96	95½	96	.....

(Quotations at close of March 15)

Bette's Back

..For GOOD!

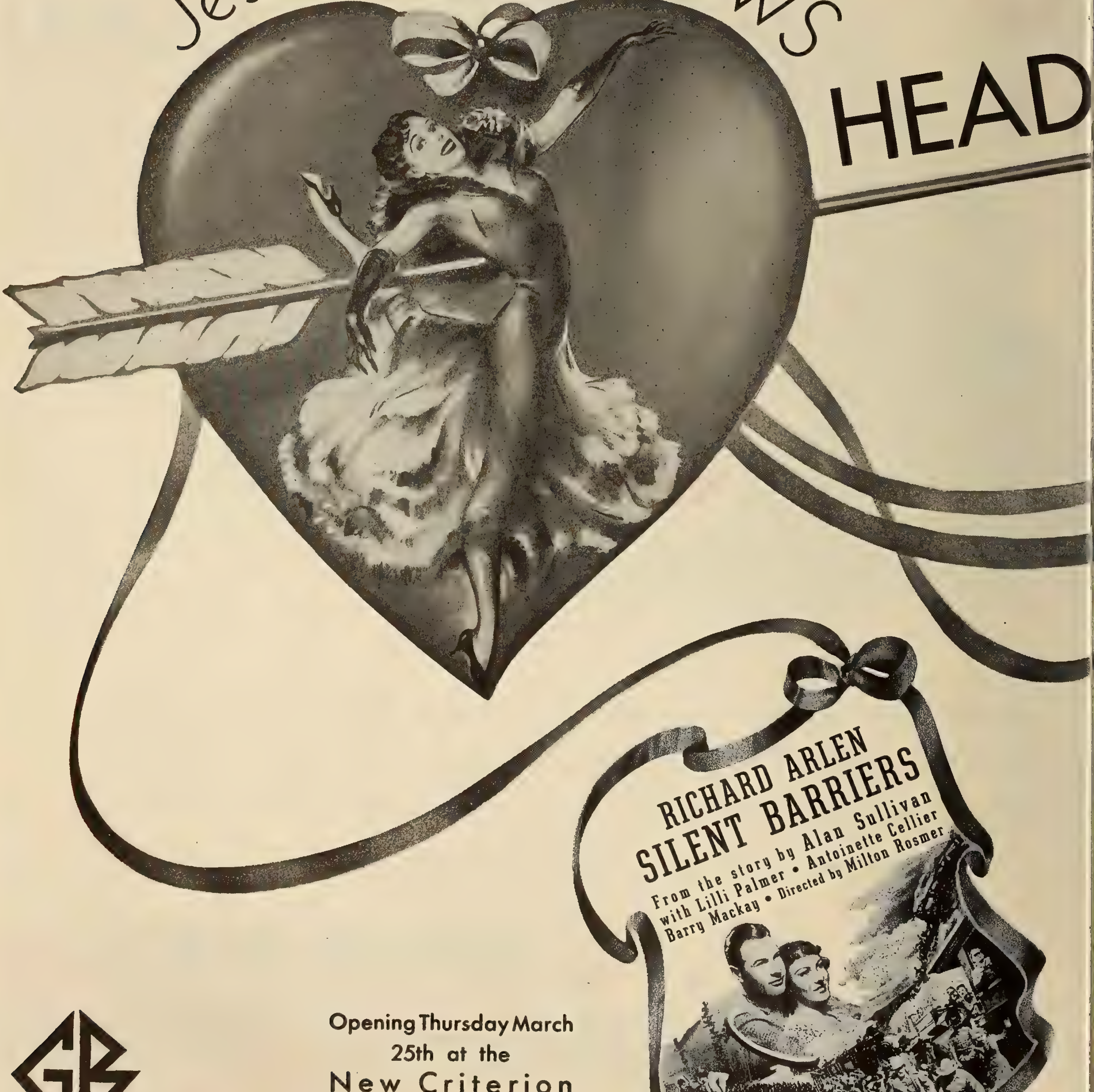
--As good as only *she* can be, in the first searing screen showing of the "wrong dames"-and (*an important angle*) what makes 'em that way! Set it in now and plan to set it up big to keep up with the great work of WARNER BROS.

BETTE DAVIS
in
"MARKED WOMAN"
with
HUMPHREY BOGART
LOLA LANE · ISABEL JEWELL · EDUARDO CIANNELLI
JANE BRYAN · ROSALIND MARQUIS · MAYO
METHOT · Allen Jenkins · John Litel · Ben Welden
Henry O'Neill · Directed by Lloyd Bacon · Songs by
Harry Warren & Al Dubin · A First National Picture

FIVE BLUE RIBBON

Jessie MATTHEWS

HEAD



RICHARD ARLEN

SILENT BARRIERS

From the story by Alan Sullivan
with Lilli Palmer • Antoinette Cellier
Barry Mackay • Directed by Milton Rosmer

GB

Canada Distributors
EMPIRE FILMS, Ltd.

Opening Thursday March 25th at the

New Criterion Theatre, New York

As a 2 a day Road Show Attraction . . . . $2.00 Top

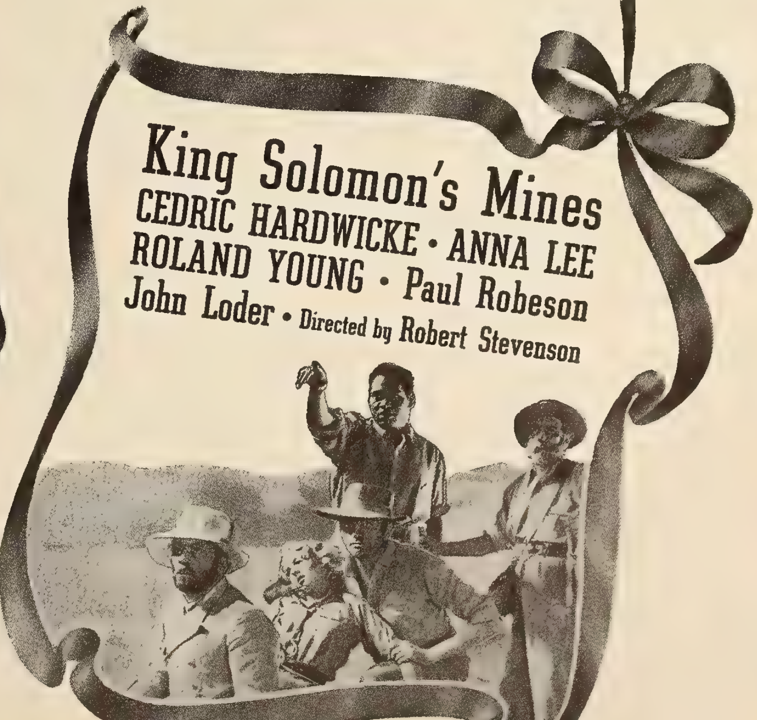
BOX-OFFICE WINNERS

OVER HEELS in LOVE

Song hits by
GORDON & REVEL
Directed by
SONNIE HALE

CICELY COURTNEIDGE
EVERYBODY DANCE
with ERNEST TRUEX • Directed by
Charles Reisner • Songs by Gordon & Revel

You're in the Army Now
WALLACE FORD
JOHN MILLS • ANNA
LEE • Grace Bradley
Frank Cellier
Directed by RAOUL
WALSH Maker of "What Price Glory" and "The Cockeyed World"



King Solomon's Mines
CEDRIC HARDWICKE • ANNA LEE
ROLAND YOUNG • Paul Robeson
John Loder • Directed by Robert Stevenson

"Horizon" in Fast Start at Philadelphia

PHILADELPHIA, March 15.—"Lost Horizon" turned in $15,500 for the first week of its roadshow engagement at the Chestnut. At this pace, the engagement looks sure for at least four weeks.

The other roadshow in town, "The Good Earth" at the Locust, showed strength. Though its third week gross dropped a trifle, its $13,500 still represents good profit.

On the whole, the week's business was strong. "Love Is News" got a strong $22,000 for a 10-day run at the Stanley and "When You're in Love" took an average $16,000 for its eight days at the Boyd.

The weather was cold, but excellent up to Wednesday night when snow put a crimp in business for the rest of the week.

Total first run business was $122,800. Average, exclusive of the two roadshows, is $93,250.

Estimated takings for the week ending March 11:

"MAID OF SALEM" (Para.)

ALDINE—(1,300), 40c-55c-65c, 10 days, 2nd week. **Gross:** $10,500. (Average, 7 days, $8,160)

"NO MAN OF HER OWN" (Para.)
(Revival)

ARCADIA—(600), 25c-40c-50c, 9 days. **Gross:** $4,300. (Average, 7 days, $2,800)

"WHEN YOU'RE IN LOVE" (Col.)

BOYD—(2,400), 40c-55c, 8 days. **Gross:** $16,000. (Average, 7 days, $14,000)

"LOST HORIZON" (Col.)
(Roadshow)

CHESTNUT—(1,350), 55c-86c-$1.14-$1.71, 7 days. **Gross:** $15,500.

"WE'RE ON THE JURY" (RKO)

EARLE — (2,000), 25c-40c-55c, 7 days. Stage: Jesse Owens and revue, band; Bert Walton, Clara and Sana Sisters. **Gross:** $14,500. (Average, $14,000)

"READY, WILLING AND ABLE" (W.B.)

FOX—(3,000), 40c-55c-65c, 7 days. Stage: Everett Marshall, Paul Remos, Stone and Lee, Sylvia Manon & Co. **Gross:** $14,000. (Average, $14,000)

"JOHN MEADE'S WOMAN" (Para.)
(2nd run)

KARLTON—(1,000), 25c-35c-40c, 7 days. **Gross:** $2,100. (Average, $4,000)

"GREEN LIGHT" (F.N.)
(2nd run)

KEITH'S—(2,000), 30c-40c-50c, 7 days. **Gross:** $3,500. (Average, $4,000)

"THE GOOD EARTH" (M-G-M)
Road show)

LOCUST — (1,300), 55c-86c-$1.14-$1.71, 7 days, 3rd week. **Gross:** $13,500.

"LOVE IS NEWS" (20th-Fox)

STANLEY — (3,700), 40c-55c, 10 days. **Gross:** $22,000. (Average, 7 days, $14,000)

"ESPIONAGE" (M-G-M)

STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,900. (Average, $7,000)

Radio Signs Six Pacts

HOLLYWOOD, March 15.—Radio has issued new contracts to three writers and three players. Victor Moore, Patricia Wilder and Maxine Jennings are the players. The writers are Edmund Hartman, Frank Wead and Joseph Milward.

Melton, Warners Part

HOLLYWOOD, March 15. — James Melton's contract with Warners has been amicably terminated. Inability to find a suitable vehicle for Melton led to the mutual decision to dissolve the pact, it was stated.

Lissauer to Marry

CLEVELAND, March 15.—Joe Lissauer, booker for the Libson-Skirball circuit will be married April 11 to Elaine Spungen of Fremont.

"Cheyney" Hit In Washington With $20,400

WASHINGTON, March 15. — "The Last of Mrs. Cheyney" went out front in a big way at Loew's Palace with a take of $20,400, over normal by $4,500. The picture was held.

"Cloistered" was good for $6,000 at the Rialto.

"The Plainsman," on the second week of a return engagement (having earlier had two weeks at Loew's Palace) held up to $4,000 at Loew's Columbia. Average is $3,600. "Ready, Willing and Able" at the Earle was good for $20,000, over par by $1,600. Eddy Duchin's orchestra helped.

Total first run business, excluding the Rialto, was $74,900. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending March 4:

"READY, WILLING AND ABLE" (W.B.)

EARLE—(2,218), 25c-77c, 7 days. Stage: Eddie Duchin & Orchestra, with Caligary Brothers, Gower & Jeanne; Bliss Lewis Ash; Jane Dover. **Gross:** $20,000. (Average, $18,400)

"JOHN MEADE'S WOMAN" (U.A.)

LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: "Fats" Waller & Orchestra, with Myra Johnson, Al Washington. **Gross:** $19,000. (Average, $20,900)

"THE PLAINSMAN" (Para.)

LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement, 2nd week). **Gross:** $4,000. (Average, first run, $3,600)

"THE LAST OF MRS. CHEYNEY"
(M-G-M)

LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $20,400. (Average, $15,900)

"CRACK-UP" (20th-Fox)

METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $4,700. (Average, $4,300)

Week Ending March 9:

"CLOISTERED" (Best)

RIALTO—(1,100), 15c-55c, 7 days. **Gross:** $6,000.

"WHEN'S YOUR BIRTHDAY?" (RKO)

RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $6,800. (Average, $10,600)

"Love News," Show Indianapolis Hit

INDIANAPOLIS, March 15.—"Love Is News" on the screen and Nils T. Granlund's "Broadway Midnight Follies" on the stage brought phenomenal business of $13,200 to the Lyric. The management added extra showings on two weekdays and set new weekday marks. The gross was $6,200 above the normal.

"On the Avenue" held up well in its second week at the Apollo, taking $4,500, which was $500 into the black. First runs found competition in a three-day stay of Katharine Hepburn in "Jane Eyre" at English's, which did sellout houses at fancy prices.

Total first run business was $28,800. Average is $21,000.

Estimated takings for the week ending March 5:

"ON THE AVENUE" (20th-Fox)

APOLLO—(1,100), 25c-40c, 7 days, 2nd week. **Gross:** $4,500. (Average, $4,000)

"JOHN MEAD'S WOMAN" (Para.)
"MEN ARE NOT GODS" (U. A.)

CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"WHEN YOU'RE IN LOVE" (Col.)
"WINNER TAKE ALL" (Col.)

LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $6,500. (Average, $6,000)

"LOVE IS NEWS" (20th-Fox)

LYRIC—(2,000), 25c-40c, 7 days. Stage: "N. T. G. Broadway Midnight Follies." **Gross:** $13,200. (Average, $7,000)

To Film "Rummies"

Akron, March 15. — "Movie tests" of automobile drivers suspected of intoxication are being inaugurated here.

Arrested suspects will be required to walk weaving lines painted on the floor at police headquarters, while a movie camera, under the rays of special lights, will record the degree of equilibrium maintained by the "walkee."

"You're in Love" Is $10,500 Denver Hit

DENVER, March 15.—"When You're in Love" played to standouts over the weekend at the Denver and rolled up a gross of $10,500, topping par by $3,000. It was moved to the Aladdin.

"John Meade's Woman" also was in the money with a take of $6,750, up by $1,750, at the Denham, and "Sea Devils" and "Don't Tell the Wife," on a dual at the Orpheum, went to $7,200.

Total first run business was $34,450. Average is $27,000.

Estimated takings for the week ending March 11:

"ON THE AVENUE" (20th-Fox)

ALADDIN—(1,500), 25c-40c-50c, 7 days, following a week at the Denver. **Gross:** $3,500. (Average, $3,000)

"GOD'S COUNTRY AND THE WOMAN"
(W. B.)

BROADWAY—(1,500), 25c-40c, 7 days, following a week each at the Denver and the Aladdin. **Gross:** $3,000. (Average, $2,000)

"JOHN MEADE'S WOMAN" (Para.)

DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $6,750. (Average, $5,000)

"WHEN YOU'RE IN LOVE" (Col.)

DENVER — (2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $10,500. (Average, $7,500)

"SEA DEVILS" (RKO)
"DON'T TELL THE WIFE" (RKO)

ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $7,200. (Average, $6,000)

"STOLEN HOLIDAY" (F. N.)
"ONCE A DOCTOR" (F. N.)

PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

"Strogoff" on Dual Big in Providence

PROVIDENCE, March 15.—The RKO Albee topped a fine week with "Michael Strogoff" on a dual with "Two Wise Maids," which caught $8,300, over by $1,300.

The Majestic was $1,100 over average at $8,100 with "Green Light," and Fay's was $100 to the good on a $7,100 take, having for its attractions "Fair Warning" and a stage revue.

The weather was cool and clear with major opposition coming from pro hockey and boxing.

Total first run business was $38,400. Average is $39,500.

Estimated takings for the week ending March 11:

"MICHAEL STROGOFF" (RKO)
"TWO WISE MAIDS" (Republic)

RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $8,300. (Average, $7,000)

"GREEN LIGHT" (F.N.)

MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $8,100. (Average, $7,000)

"FAIR WARNING" (20th-Fox)

FAY'S—(1,600), 15c-40c, 7 days. On stage: "Parisienne Creations," revue. **Gross:** $7,100. (Average, $7,000)

"JOHN MEADE'S WOMAN" (Para.)
"HAPPY-GO-LUCKY" (Republic)

STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,900. (Average, $6,500)

"ESPIONAGE" (M-G-M)
"FIND THE WITNESS" (Col.)

LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $8,000. (Average, $12,000)

"Don't Tell," Ritz Brothers Boston Smash

BOSTON, March 15.—"Don't Tell the Wife" with the Ritz Brothers on the stage took high honors at the RKO Boston with $31,000 this week. This was above average by $10,000.

"Camille," in its second week at the Loew's State, went $3,000 above average with a gross of $14,000. The same program, also in a second week, took $16,000 at the Loew's Orpheum, up by $4,000.

"On the Avenue," also in a second week at the RKO Memorial, grossed $14,000. Average is $12,000.

Total first run business was $111,300. Average is $88,500.

Estimated takings for the week ending March 5:

"THE GREAT O'MALLEY" (W.B.)
"CAREER WOMAN" (20th-Fox)

FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $5,500. (Average, $4,500)

"CAMILLE" (M-G-M)

LOEW'S ORPHEUM—(2,970), 25c-45c-65c, 7 days, 2nd week. **Gross:** $16,000. (Average, $12,000)

"CAMILLE" (M-G-M)

LOEW'S STATE—(3,537), 25c-45c-65c, 7 days, 2nd week. **Gross:** $14,000. (Average, $11,000)

"ON THE AVENUE" (20th-Fox)

RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days, 2nd week. **Gross:** $14,000. (Average, $12,000)

"READY, WILLING AND ABLE" (W.B.)

METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Louis Armstrong and band. **Gross:** $22,000. (Average, $22,000)

"THE GREAT O'MALLEY" (W.B.)
"CAREER WOMAN" (20th-Fox)

PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,800. (Average, $7,000)

"DON'T TELL THE WIFE" (RKO)

RKO BOSTON — (3,246), 35c-55c-75c, 7 days. Stage: Ritz Brothers. **Gross:** $31,000. (Average, $21,000)

"Black Legion" Is Best Houston Bet

HOUSTON, March 15.—"The Black Legion," at the Kirby for three days, made the best showing in a week of moderate business. The take was $3,000. Average for seven days is $5,000.

"More Than a Secretary" at the Metropolitan grossed $7,500 where par is $7,000. Other features lagged. "Maid of Salem" was $300 under the $7,000 average at the Majestic. "Espionage" at Loew's State was low at $6,000.

The weather was warm and rainy.

Total first run business was $27,200. Average is $26,000.

Estimated takings for the week ending March 4:

"THE BLACK LEGION" (W. B.)

KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $3,000. (Average, 7 days, $5,000)

"THE ALL-AMERICAN CHUMP"
(M-G-M)

KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,000. (Average, 7 days, $5,000)

"THE MAN WHO LIVED TWICE" (Col.)

KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average 7 days, $5,000)

"ESPIONAGE" (M-G-M)

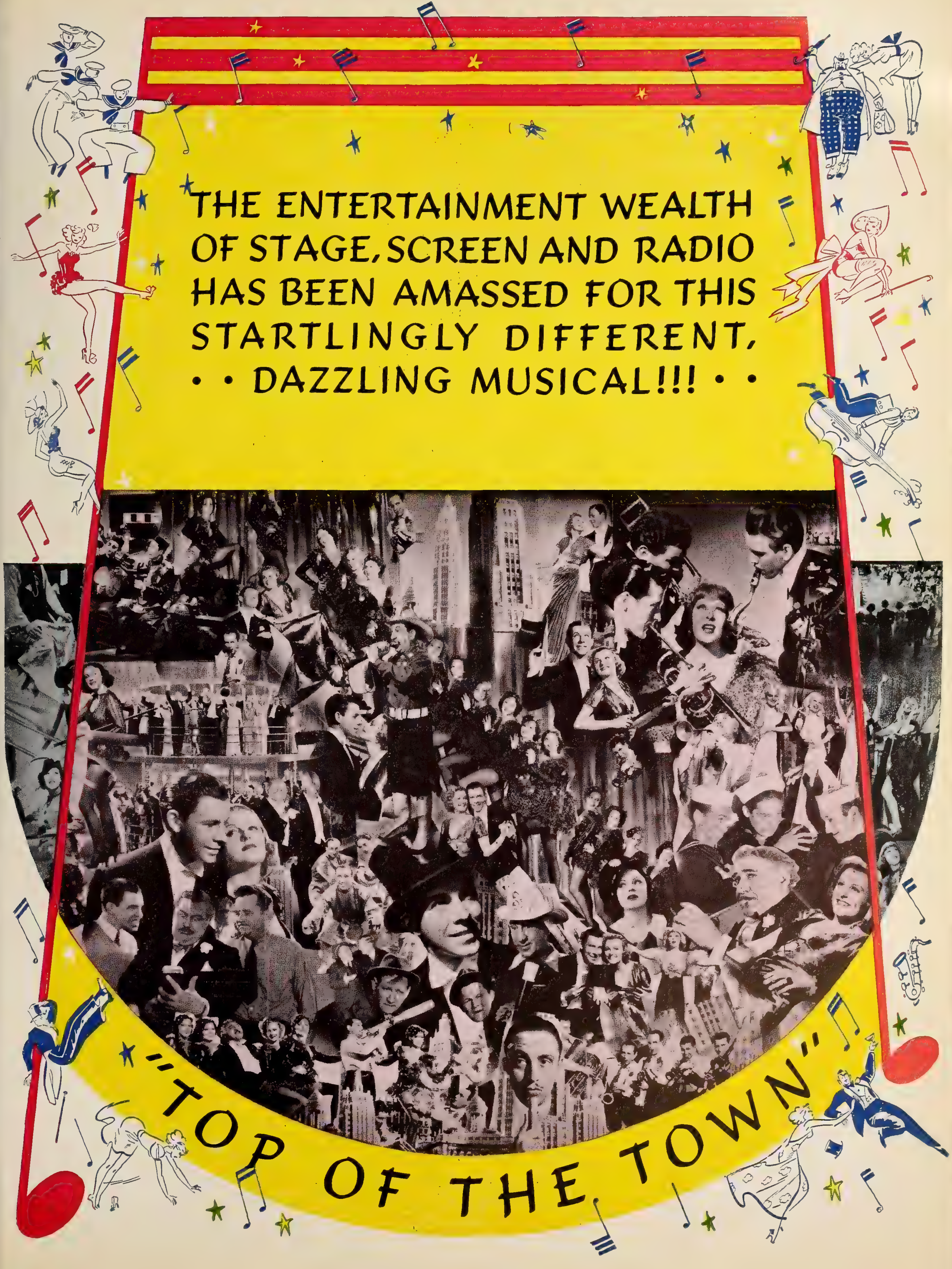
LOEW'S STATE—(2,700), 25c-50c, 7 days. **Gross:** $6,000. (Average, $7,000)

"MAID OF SALEM" (Para.)

MAJESTIC — (2,250), 25c-50c, 7 days. **Gross:** $6,700. (Average, $7,000)

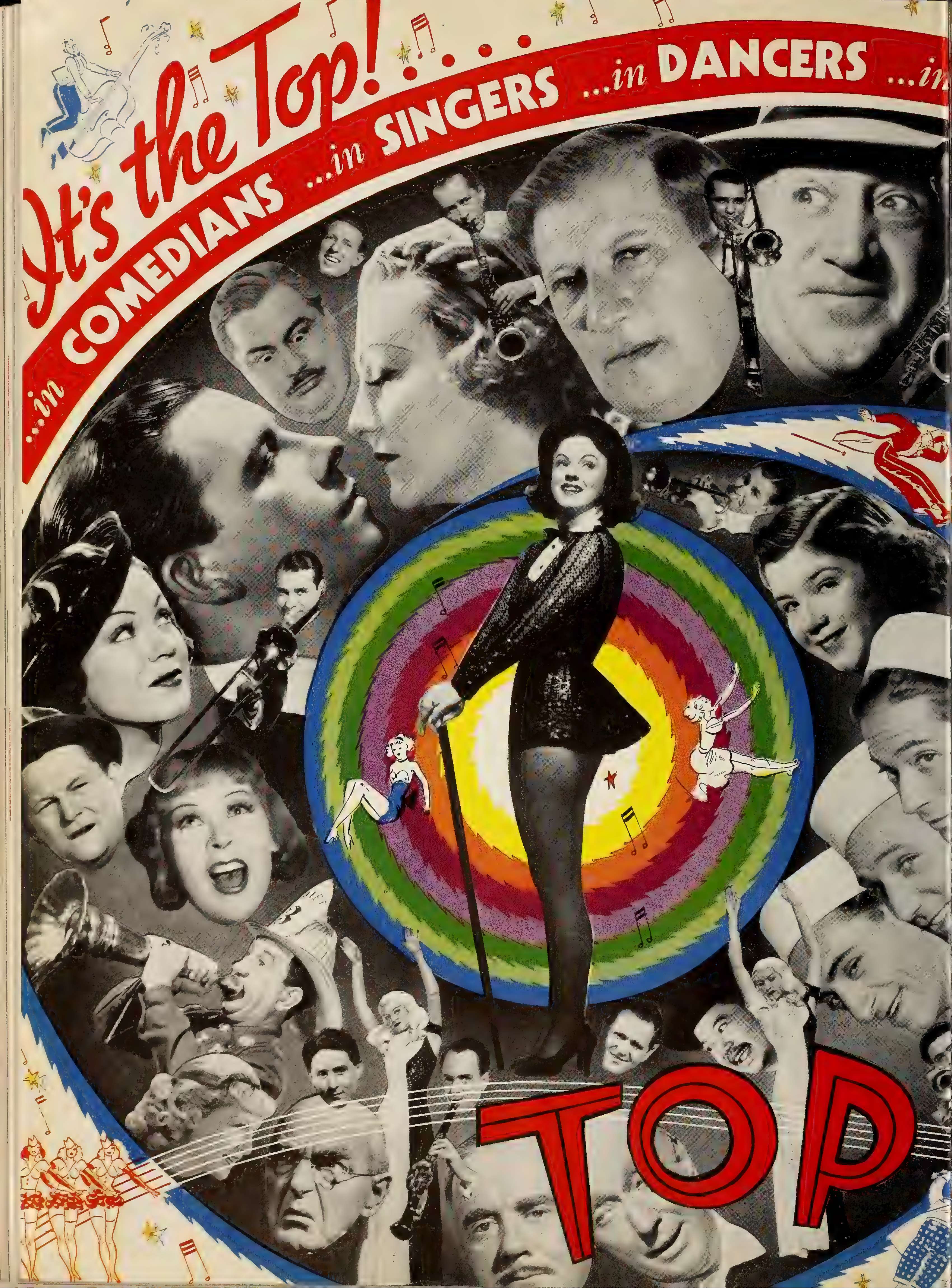
"MORE THAN A SECRETARY" (Col.)

METROPOLITAN — (2,600), 25c-50c, 7 days. **Gross:** $7,500. (Average, $7,000)



THE ENTERTAINMENT WEALTH OF STAGE, SCREEN AND RADIO HAS BEEN AMASSED FOR THIS STARTLINGLY DIFFERENT, • • DAZZLING MUSICAL!!! • •

"TOP OF THE TOWN"


It's the Top! . . . .
...in COMEDIANS ...in SINGERS ...in DANCERS ...in
TOP

...in *Everything!*

IRL SPLENDOR ...*in* ROMANTIC GLAMOUR

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THE CALIFORNIA COLLEGIANS

★ And a giant cast of 350 in a gay, many-ringed circus of love and laughs, unforgettable songs and stirring spectacle!

Directed by Ralph Murphy • Lou Brock Associate Producer

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THE NEW UNIVERSAL'S MIGHTY MUSICAL TRIUMPH!

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SONG HITS IN ONE PICTURE

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The hit-song writers who never miss!
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"THAT FOOLISH FEELING"

"TOP OF THE TOWN"

"WHERE ARE YOU?"

"BLAME IT ON THE RHUMBA"

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"THERE'S NO TWO WAYS ABOUT IT"

"FIREMAN SAVE MY CHILD"

America's leading dance bands are broadcasting these catchy hit-tunes in the leading programs on the air! The world will soon be whistling them! They're selling tickets for you every day!

New Universal's "TOP OF THE TOWN"

Short Subjects

"Organ Grinder's Swing"

(Fleischer-Paramount)

With the popular tune serving as a base, this adventure of Popeye and his troupe unreels as another entertaining cartoon. Bluto objects to Wimpy's organ grinding and gets into a battle with Popeye. Out comes the spinach and in the whirlwind action that follows, Popeye teaches Bluto to appreciate "swing." Production Code Seal No. 01,248. Running time, 7 mins. "G."

"Swing Wedding"

(Harman-Ising-M-G-M)

A lilting and colorful cartoon that satirizes the swing craze with an assortment of frogs made to resemble various and famous colored stars from Cab Calloway to Stepin Fetchit. It concerns the wedding of Smokey Joe to Minnie the Moocher and the best man, of course, is the swingiest. But before the ceremony there is much clever invention and rhythmic animation. It is well executed. Production Code Seal No. 3,075. Running time, 8 mins. "G."

"Scrambled Legs"

(Columbia)

A hilarious assortment of clips dealing with the comic side of wrestling. It is a News World of Sports number. Starting with the Dusek brothers, it takes in highlights from a few of the more humorous bouts including one refereed by Gunboat Smith, who makes the boys toe the line. It should be highly satisfactory. Production Code Seal No 01,481. Running time, 10 mins. "G."

"The Hot Air Salesman"

(Fleischer-Paramount)

Betty Boop and Wiffle Piffle are animated in routine stuff that concerns the latter's rebuffs as he attempts to sell his scatter-brained gadgets. With some difficulty Piffle enters Miss Boop's house and wrecks the place when his appliances get out of control. Production Code Seal No. 01,222. Running time, 7 minutes. "G."

"Going Places No. 33"

(Universal)

Highlighting these shots of the winter playground of Miami, which for the most part are neither new nor extraordinary, are scenes, partly from the air, of the Everglades, inhabited by Seminole Indians. Shots of animals and birds fleeing from the plane are good. Air views of the city itself are interesting.

Production Code Seal No. 01,306. Running time, 9 mins. "G."

"Grips, Grunts and Groans"

(Columbia)

The Three Stooges again. Arriving in a box car, they proceed to get involved with a wrestling "stable." More complications when they go out with the contender who is due to wrestle that night and he gets drunk. After the usual business Curly goes on and wins after plenty of spectacular comedy. It measures up to their best comedies. Production Code Seal No. 2,829. Running time, 19 mins. "G."

Looking 'Em Over

"Lealta' Di Donna"

("Loyalty of Love")

(Nuovo Mondo)

The outstanding feature of this Italian import is the interpretation of a hackneyed role by Marta Abba. Her acting is the sole relief from a story that drags and unwinds with little novelty or freshness. It is a historical drama based on the attempt to unify Italy in 1821 by a group of aristocrats who were tiring of Austrian rule.

Miss Abba is concerned in the story as the wife of a leader of the political group. Her husband, however, is unworthy of her. He openly carries on an affair with the wife of a Polish official in Milan. When he is arrested, Miss Abba, after he has been in jail for over a year, finally gets to see him. She plans an escape which doesn't quite come off. Later, following a trial, her husband is sentenced to be hanged along with the other conspirators. Miss Abba journeys to the Austrian Emperor and, failing to move him through her father-in-law, the court chamberlain, she sees the Empress and convinces her of the false case against her husband. At length, following routine climactic business, she obtains commutation of his sentence to life imprisonment.

The photography and direction lack the sparkle of other Italian offerings. It is a slow moving affair. The dialogue is capably interpreted in English subtitles.

Reviewed without production code seal. Running time, 90 minutes. "G."

Overseas Previews

"Orphan of the Wilderness"

(Cinesound)

MELBOURNE, Feb. 15.—*(By Air Mail Via London)*.—This film, Cinesound's latest, compares well with other local pictures and in some respects is superior. The camera work and general production technique have always been an impressive feature of Cinesound's work but in "Orphan of the Wilderness" there is very definite evidence that under the direction of Ken G. Hall the technical staff has made even further advances and very few American or English films would surpass it in this respect.

In performances it does not attain the same high standard, and local players still do not seem to have acquired the art of appearing natural before the camera. There is a disconcerting unreality about their work that robs the story of much of its conviction.

Herein, however, the players enact subordinate roles to that of a kangaroo, "Chut," which has the title role. The plot was adapted by Edmund Seward from Dorothy Cottrell's story in the *Cosmopolitan Magazine,* and is a story of the animal's adventures from the time his mother is shot by bushmen. Becoming a station pet he is trained to box with his paws, and the prowess he develops makes him a circus star. The cruelty of his trainer, the romance between Chut's owner and one of the circus girls, and a novel twist to the happy ending form the story's basis.

As an animal picture, "Orphan of the Wilderness" is brilliant. As a drama it has sufficient merit to show that Australian studios are slowly but surely making headway towards the goal of international equality in production.

Running time, 85 minutes. "G."
HOLT

"Calling All Stars"

(British Lion)

LONDON, March 9.—Just a string of cabaret, variety, radio acts, strung on the thinnest thread of story interest. The idea is that a world search is in progress for stars to re-make a batch of master phonograph records broken by a clumsy porter. It is soon lost sight of and it doesn't matter that it is.

The material is uneven, apart from its very inconsequential presentation, but there is some good dancing from the Twelve Aristocrats, plenty of singing and tapping from colored performers, including Turner Layton, Elisabeth Welch, Buck and Bubbles and the Nicholas Brothers. Ambrose and his orchestra and Leon Cortez and his band do the dance and chorus stuff, and Larry Adler is there with his mouth-organ.

It is not so much a film as a series of illustrated numbers.

Running time, 76 minutes. "G."
ALLAN

Short Subjects

"The Star Reporter No. 2"

(Paramount)

A collection of singing and dancing acts which includes the Boswell Sisters, Stanley Worth, from Vincent Lopez' band, Jack Blair and Yasha Bunchuk's Cossack singers, who improvise on Massachusetts. Ted Husing does the introductions. It is diverting. Production Code Seal No. 01,500. Running time, 9 minutes. "G."

"The Lyin' Hunter"

(Columbia)

Routine cartoon stuff concerning the Krazy Kat aptitude for bragging in front of his nephews. This time a zoo is the location. The climax occurs after Krazy is chased by a fake tiger which is being used by a film company. A good item for the children. Production Code Seal No. 01,031. Running time, 7 mins. "G."

"The Big Race"

(Universal)

Meany, Miny and Moe, extremely animated monkeys, get themselves into fast-moving trouble when one of them, seated in Hippo's racing car with his girl, finds himself going places in a hurry. The result, until the tree crackup, prior to which the car takes to the air, is average cartoon comedy.

Production Code Seal No. 3,024. Running time, 7 mins. "G."

"When the West Was Young"

(Columbia)

An interesting camera visit to Tombstone, Ariz. Bud Jamison and Charles Sargent, as a pair of prospectors, serve to bring out the historical sights of the town as they question the sheriff. It is done in color. Production Code Seal No. 3,084. Running time, 9 mins. "G."

"Duck Hunt"

(Universal)

Oswald goes duck hunting, but he forgets to introduce his dog, Elmer, to the intricacies of mechanical decoys. Elmer becomes tangled with them, then with Oswald, and the real ducks show the unfortunate hunter how hunting should be done. The ducks win, and the cartoon is entertaining.

Production Code Seal No. 3,023. Running time, 7 mins. "G."

"Lumber Camp"

(Universal)

The three monkeys, Meany, Miny and Moe are in a lumber camp, with somewhat disastrous results. One tries to fell a rubber tree, a second is taken over the hurdles by a squirrel and the third, the cook, chases a bear cub for stealing, meets the angry mother, and turns the tables—or the stove—on her. It is a fairly amusing cartoon.

Production Code Seal No. 3,022. Running time, 7 mins. "G."

MPTOA Will Ask Renewed Trade Talks

(*Continued from page 1*)

than the adoption of a resolution setting forth the evils of the policy is anticipated on the theory local option should prevail. Discussion of the subject is expected to be spirited, however, and MOTION PICTURE DAILY'S vigorous stand against this type of theatre operation probably will be cited on the convention floor.

Ed Kuykendall is slated to be reelected president for another year at the annual meeting of the board Tuesday morning, immediately following the executive committee meeting at which the nominations will be made.

Other officers who will be reelected are M. E. Comerford, M. A. Lightman, E. C. Beatty and A. Julian Brylawski, vice-presidents; Morris Loewenstein, secretary; Walter Vincent, treasurer; Edward G. Levy, general counsel, and Fred Wehrenberg, chairman of the board. Mitchell Wolfson, chairman of the convention committee this year, is slated to be elected a vice-president, succeeding B. N. Berinstein. The latter will continue as a director.

Thursday's sessions, with reports of committees on controversial and vital trade issues, and addresses by outstanding industry and public figures, promises to produce whatever "fireworks" this year's convention may originate.

Among the reporting committees will be those on unfair trade practices, conciliation and arbitration, radio and non-theatrical competition, labor, legislation and taxation and the music tax.

Under these headings will be topics of industry-wide interest, such as the current organizing drive in exchanges which is regarded generally as the forerunner of a campaign to unionize theatre service staffs and to extend union projectionists to hitherto unorganized small city and rural theatres. The threat of film service being shut off by unionized exchange staffs from theatres resisting the new organizing drive is expected to be brought into the open for discussion at the Thursday session.

Allied States-sponsored legislation to divorce theatre operation from distributor and exhibitor interests may come before the legislative committee. Radio grievances will be aired and the M. P. T. O. A. trade practice accomplishments and future policy will be determined.

Toward the close of the day, 287 rooms had been reserved at the Miami-Biltmore, 225 at the Roney-Plaza and 100 at the Everglades, with delegates continuing to pour in through the late afternoon. Fifteen other hotels with numerous reservations could not be tallied.

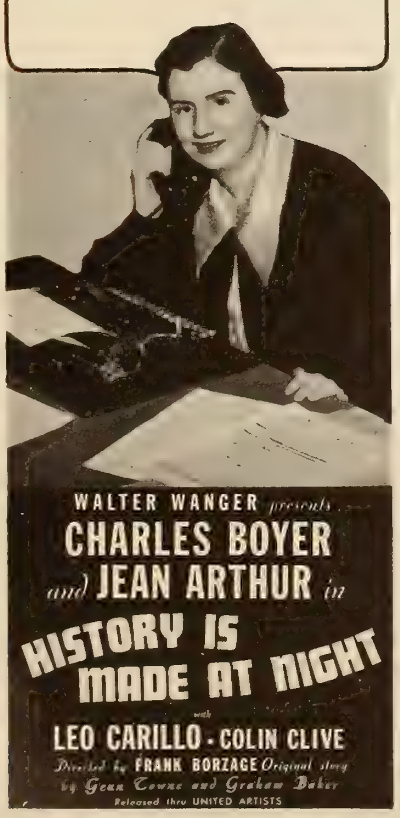
This will be largely a family party. Not only M. P. T. O. A. conventionites have brought their wives and families, but many Paramount partners, who launch their own three-day session at the Roney-Plaza on Thursday have done likewise.

President Writes

Miami Beach, March 15.—President Roosevelt, in a letter to Ed Kuykendall, commended the M.P.T.O.A. for the support it has given agencies of recovery during the depression. The letter, on White House stationery, was dated February 19. It read: "I am glad to send hearty felicitations to the annual convention of the M.P.T.O.A. And, it is pleasant in these happier times, to acknowledge once more the fine support which the M.P.T.O.A. gave the agencies of recovery during the depression.

"I wish for your deliberations at Miami the fullest measure of success."

Will give moviegoers a grand evening in the theatre. Boyer, Arthur and Carrillo were splendid. — ELIZABETH WILSON *Silver Screen*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CHARLES BOYER and JEAN ARTHUR in
HISTORY IS MADE AT NIGHT
with
LEO CARILLO · COLIN CLIVE
Directed by FRANK BORZAGE Original story by Gene Towne and Graham Baker
Released thru UNITED ARTISTS

Drop Lincoln Price Gain

LINCOLN, March 15.—Chances for an immediate rise in prices here have gone as Milton Overman, city manager for Westland Theatres, gave up the single handed battle and dropped the ace Varsity from a 35-cent top to 25 cents. Also, he forsook single features for duals. Bob Livingston, second run independent is the only operator retaining single features and a five-cent increase made a month ago.

Fight on School Films

SPOKANE, March 15.—The local school board has split over showing industrial films in schools. O. C. Pratt, city superintendent, stated such films should be shown because they contain much instructive matter on manufacturing and industry. As opposition developed the matter was referred to a committee.

Allied Group Meet Is Set for April 5

NEW HAVEN, March 15.—The Allied States regional conference, to be held at the Hotel Garde in New Haven, has been set for April 5, instead of March 29, as originally announced. Abram F. Myers, Nathan Yamins and other national figures are expected to attend.

Allied Theatres of Connecticut will meet at the Hotel Garde on March 23, for the annual election of officers, with luncheon preceding the business sessoin. Arrangements will be made for the welcome of delegates to the regional conference, and impending legislation, both Federal and state, will be discussed. Harry L. Lavietes will preside.

Warner Zone Heads Meet with Bernhard

Eastern and southern Warner theatre zone managers yesterday held a quarterly meeting with Joseph Bernhard, general manager of the circuit. Policies and bookings were discussed.

Field men attending included James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacocks, New Jersey; Moe Silver, Albany; Ted Schlanger, Philadelphia; Harry Kalmine, Pittsburgh; John Payette, Washington; Herb Copelan, Atlantic City, and Howard Waugh, Memphis. Home office executives who attended were: Clayton Bond, Harry Goldberg, Edward Hinchey, Nat Fellman, Stewart McDonald, Herman Maier, Frank Phelps, Abel Vigard, Harry Rosenquest, Louis J. Kaufman and Frank Cahill.

Warners Take Lease On Chicago Theatre

CHICAGO, March 15.—The Warner Circuit Management Corp. has signed a new 14-year lease on the Symphony, at a total rental of $400,000. The 1,700-seat house was leased by Charles Loitz, a creditor, who took the property in a foreclosure action. It formerly was leased to Aaron Saperstein, but he had never taken possession.

A new 900-seat house, the Road, with adjoining stores, will be constructed here. Jacob Gross will be manager. The Orpheum, in the Loop, now operated by Warners, will go down before the wreckers on May 1, to make way for a shoe store.

Breen Film Is Renamed

HOLLYWOOD, March 15.—"Make a Wish" has been selected as the final title for the next Bobby Breen picture. It was formerly "Boy Blue."

Reelect All Heads Of National Poster

(*Continued from page 1*)

increase production of screen processed accessories which are manufactured by Associated Displays, a subsidiary of National Poster Service Renters.

Denver and Hollywood are bidding for the next annual convention, with indications pointing to the meeting being held on the coast.

Members leaving yesterday included M. M. Morris and M. Wolf of San Francisco, Los Angeles and Seattle; Kendis, Cleveland; Roland Lutz, Denver; Libros, Aarons, Al Blofson and Oscar Libros, Philadelphia; Roy Dial, Washington; F. H. Beddingfield, Charlotte; Jack Blum, Chicago; I. Sokolow and M. Weintraub, Omaha, Des Moines and Chicago; James Powers, Minneapolis; M. Clark, Oklahoma City; Frank Wyckoff, Buffalo; Harry Rabinowitz, Albany; Frank Fisher, Milwaukee; William Burns, Kansas City; David Rosenfeld, Pittsburgh; G. E. Levque, Detroit; John Bylanoik, Albany; Harry Liebtag, Indianapolis, and Harry Harris, Dallas.

West Joins Ad-Caster

George West, Screeno agent for Greater New York, has closed a deal to act as local agent for Ad-Caster, new advertising medium with headquarters in Chicago. He returned Saturday from Chicago and left the same afternoon for Miami to attend the three-day annual convention of the M.P.T.O.A.

Clyde Elliott, who has the Ad-Caster rights for the Chicago territory, also has left for the Miami meeting.

George Harttmann of the Armour, Kansas City, and Frank Castle of the Tialto, St. Joseph, Mo., will meet West and Elliott in Miami.

French Select "Mutiny"

PARIS, March 15.—"Mutiny on the Bounty" has been adjudged the best foreign picture of 1936 in a poll conducted among readers by the French fan magazine, *Pour Vous*. "Mayerling," directed by Anatol Litvak, and starring Charles Boyer and Danielle Darrieux, all of whom are under Hollywood contract, was voted the best French film of the year.

Harold Cohen to M-G-M

KANSAS CITY, March 15.—Harold Cohen, who used to work out of Kansas City, has been named salesman for M-G-M here, replacing Sam B. Stoll. Stoll goes to Des Moines to become salesman there, succeeding Cohen.

THEATRE TRAILER CORP.
"TRAILERS with a PUNCH"
now available on all feature releases

TRAILERS that create interest and sell the picture without disclosing the story, or boring your patrons.

Not too long . . . but every frame packs a punch.
Service you can depend upon . . . at a
Price to please you.
Our library starts with all 1935-36 releases.
Write for details.

630 NINTH AVE., NEW YORK CITY

GRAND NATIONAL

OFFERS

6 Hot tips

FOR SUCCESSFUL

MPTOA

OPERATION

★

DATE BOOK MEMO

"23½ Hours Leave"

with

James Ellison

Terry Walker

•

A Douglas MacLean Production

Mary Roberts Rinehart's Sat. Eve. Post Story

DATE BOOK MEMO

"Girl Loves Boy"

featuring

Eric Linden

Cecilia Parker

•

A Bennie F. Zeidman Production

DATE BOOK MEMO

"Navy Spy"

starring

Conrad Nagel

Eleanor Hunt

Produced by George A. Hirliman

DATE BOOK MEMO

"Romance and Riches"

with

Cary Grant

Mary Brian

From the novel by E. Phillips Oppenheim

DATE BOOK MEMO

"Killers of the Sea"

featuring

Capt. Wallace Caswell, Jr.

Dialogue by Lowell Thomas

A Raymond Friedgen Production

DATE BOO MEMO

"Trouble in Texas"

with

Tex Ritter

and His Horse "White Flash"

An Edward Finney Production

Coming

SOMETHING TO SING ABOUT

A Victor Schertzinger Production

THE THOUSAND DOLLAR BILL

A Zion Myers Production

DYNAMITE, starring James Cagney

Based on the story "Hot Oil" • Produced by Richard A. Rowland

Union Drive Flares Anew On 2 Fronts

(*Continued from page* 1)

for assistant shippers, $32.50 for poster clerks, $25 for head inspectresses and $22.50 for inspectresses, are expected to be presented to branch managers almost daily. In addition, the demands will contain provisions prohibiting salary cuts for any employes in these classifications who may be receiving more than the specified minimum at this time.

Cleveland's organization drive has progressed without any conflict so far.

Paramount Partners Hold Early Session

(*Continued from page* 1)

tingent which left on the Florida Special Saturday afternoon today continued to discuss what carried elements of potential tragedy, when their observation car jumped the tracks near Richmond Saturday evening. The train was proceeding at reduced speed, which obviated the danger of injury and nothing more serious occurred than loss of time.

"Swing High" Is High

"Swing High, Swing Low" has established attendance and receipts records in 15 cities over the country, according to Paramount. The film opened Friday.

A surprise dish of unusual entertainment. The picture has got SOMETHING. A fine combination of romance and thrills with unusual appeal for femmes — *Film Daily*

WALTER WANGER *presents*
CHARLES BOYER
and JEAN ARTHUR *in*
HISTORY IS MADE AT NIGHT
with
LEO CARILLO - COLIN CLIVE
Directed by FRANK BORZAGE *Original story by Gene Towne and Graham Baker*
Released thru UNITED ARTISTS

Purely Personal

DAVE APOLLON and his revue will headline the State stage show, starting Thursday. HELEN L. MORGAN and the Salici Puppets have been booked in for the following week. This will make the third appearance for the Salici Puppets in six months.

•

IRVING MARKS, European play broker, will arrive today on the *Normandie*. Ditto MICHAEL BALCON, GEORGE CUKOR, GERMAINE AUSSEY, French actress, en route to Hollywood, and CHARLES BENNETT, British scenarist.

•

ROGER MARTIN COMBS, formerly advertising and sales promotion manager of American Airlines, has joined the Chicago sales and contact staff of Jam Handy Picture Service.

•

ARTHUR KOBER sails today on the *Empress of Australia* for a Havana vacation, following which he will go to Hollywood.

•

RUDI FELD, former chief of the UFA art department who was exiled with the advent of HITLER, arrives today on the *Berengaria*.

•

JOAN BLONDELL is due this week from the coast for "The King and the Chorus Girl" festivities.

•

BOB WOLFF, local RKO branch manager, has returned from a Miami vacation.

•

MRS. IRWIN ZELTNER is due back tomorrow on the *Pilsudski* from a West Indies cruise.

•

NEIL F. AGNEW, J. J. UNGER and BOB GILLHAM are due to leave for Miami today by plane.

•

CLARENCE BUDINGTON KELLAND, the author, is en route from the coast, via auto trailer.

•

CRESSON E. SMITH, western and southern sales manager for RKO, has returned from a vacation in Nassau.

•

IDA COHEN, a guest of SOPHIE TUCKER on the coast, will return to London on the *Normandie* tomorrow.

•

W. G. VAN SCHMUS returned from a three-week trip to the coast yesterday.

•

RITA JOHNSON will leave for the coast today by American Airlines.

•

ARTHUR WILLI, RKO talent scout, returned yesterday from Wilmington.

•

D. A. DORAN of Columbia is due from the coast this week by plane.

•

MITCHELL KLUPT bagged a stag at Lake Placid over the weekend.

Bar Non-Union Lensers

HOLLYWOOD, March 15.—Free lance cameramen without union cards have been barred from studios by order of Photographers Local No. 659.

Badge for Miss Pons

Norwalk, March 15.—Lily Pons is the first woman in Connecticut to be presented the gold badge of a state motor vehicle inspector. In making the presentation, Motor Vehicle Commissioner Michael A. Connor said he was awarding Miss Pons "because she is proud of her automobile registration, LP13, and is consistently singing the praises of Connecticut up and down the land."

Chain Store Measure Presented in Kansas

KANSAS CITY, March 15.—Chain organizations operating in Kansas would pay an estimated $250,000 a year to the state under the terms of a chain store tax bill introduced in the Kansas House by the Committee on Assessments and Taxation.

The bill provides a license fee of $2 for a single unit, $4 each for additional units up to five, $10 for the number of units from five to 10; $20, from 11 to 15; $40, 16 to 20; $80, 21 to 25; $160, 26 to 30; $280, 31 to 35; $400, 36 to 40; $520, 41 to 45; $640, 46 to 50, and $760 for 51 or more.

The same committee has amended an income tax bill to provide that the two per cent rate become effective on personal incomes at $1,000, and that the tax on corporations be increased from the present two per cent to three per cent. The increases in both categories would, it is estimated, bring in an additional $1,000,000.

B. N. Decision Due in Mo.

ST. LOUIS, March 15.—The Missouri Supreme Court is expected to decide in May on the legality of Bank Night in the state in the case of McKean vs. Kemp which was argued before the court in January. It is a test case in which George McKean, Bank Night representative here, was placed under technical arrest for alleged violation of the lottery laws.

Drawings resembling Bank Night at theatres are violations of the lottery laws of Missouri, according to an opinion from Acting Attorney General J. E. Taylor. The opinion was in response to a request from Barker Davis, prosecuting attorney.

Seek Games Ban in Canada

WINNIPEG, March 15.—Bank Night and free premiums may be abolished here if 22 exhibitors are successful in the demands they have before the Law Amendments Committee of the Manitoba Legislature.

Exhibitors, represented by S. Hart Green, have asked that the practice of giving away chinaware and glassware with admission tickets be made illegal under the Amusements Act.

Technicolor Ups Capital

LONDON, March 6. — Technicolor, Ltd., has increased its original capital of £370,000 by the issue of 40,000 further £1 shares, equally divided between "A" and "B" categories.

Transfer Frank Murphy

BOSTON, March 15.—Frank Murphy has been appointed assistant to Manager Vic Morris at Loew's Orpheum.

Whiteman Supports Dickstein Measure

(*Continued from page* 1)

tional," Whiteman said no boundaries can stop it for long, but when other countries raise barriers American talent cannot overcome this country must adopt similar restrictions.

He told of his experiences abroad, and how it became increasingly difficult for him to get entry into England. Finally, he said, the home office refused to permit his band in as a troupe. In France, he said, he had to hire "four or five" French musicians for every man he took into the country.

Following the meeting Dickstein expressed the hope that the committee could take the bill up for consideration of his report next week.

Defeat Sunday Films

TARRANT CITY, Ala., March 15.—A movement to legalize Sunday films here was defeated in a referendum by a vote of 283 to 358.

Fight Mass. Sales Tax

BOSTON, March 15.—Film interests in Massachusetts are fighting a bill to establish a sales tax in this state. The M.P.T.O. and Allied are combining forces against the measure.

Pass Ticket Tax Bill

SALEM, Ore., March 15.—Approving a committee recommendation, the House here has passed the amusement tax bill by a 34 to 21 vote, the funds to be used for old age pensions. The bill would provide a five per cent tax on every 41 cents or more paid in admission to public entertainment.

Illinois Divorce Bill Next Week

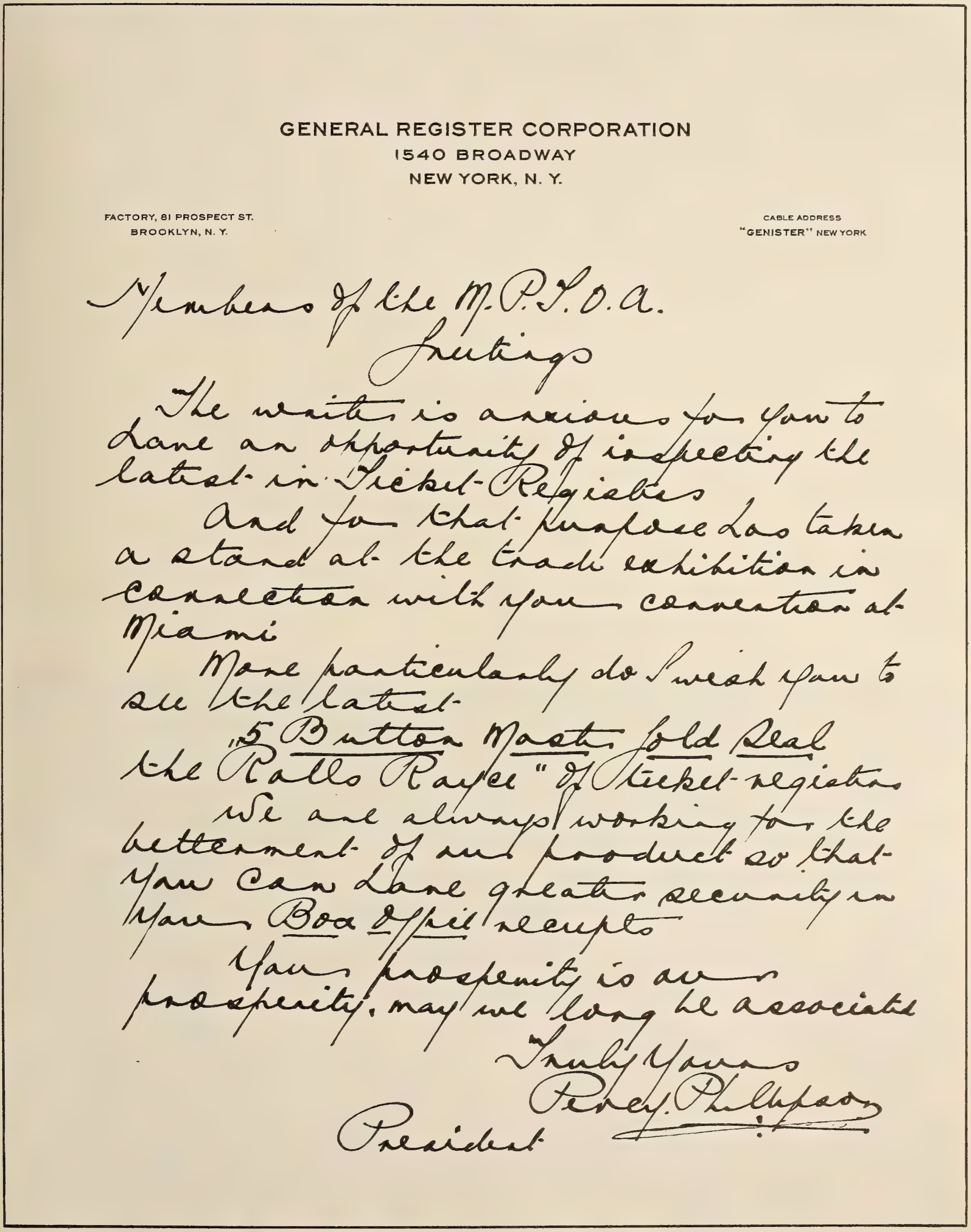
SPRINGFIELD, Ill., March 15.—The bill calling for the separation of production and exhibition is expected to be introduced in the Legislature here some time next week.

Emergency Lighting Rules Are Unaltered

ATLANTIC CITY, March 15.—With only some editorial revision of wording, the requirement for emergency lighting systems for theatres will be retained in the 1937 National Electrical Code.

This was assured here by the electrical committee of the National Fire Protection Ass'n. The group spent four days in conferences at Chalfonte-Haddon Hall, completing the last year's work of amendment and revision.

The Tavern
MEETING PLACE
of the INDUSTRY
•
MAKE THIS YOUR
LUNCHEON—
DINNER—SUPPER CLUB
158 W. 48th St. Toots Shor



GENERAL REGISTER CORPORATION
1540 BROADWAY
NEW YORK, N. Y.

FACTORY, 81 PROSPECT ST.
BROOKLYN, N. Y.

CABLE ADDRESS
"GENISTER" NEW YORK

Members of the M.P.T.O.A.

Greetings

The writer is anxious for you to have an opportunity of inspecting the latest in Ticket-Registers

And for that purpose has taken a stand at the trade exhibition in connection with your convention at Miami

More particularly do I wish you to see the latest

"5 Button Master Gold Seal

the "Rolls Royce" of ticket-registers

We are always working for the betterment of our product so that you can have greater security in your Box Office receipts

Your prosperity is our prosperity. may we long be associated

Truly Yours
Percy Phillipson
President

Monogram Will Hold Sales Meet in May

The first national sales meeting of the new Monogram Pictures will be held here early in May, Edward Golden, sales manager, said yesterday. Approximately 22 franchise holders and several managers for branches which Monogram will operate directly are expected to attend the session. The date and hotel will be decided upon in the near future.

Monogram officials reported yesterday that details of the company's new financing still were under discussion. Indications are that the final arrangements will be concluded within the next few days.

"Horizon" in Chicago

CHICAGO, March 15.—"Lost Horizon" opened last night at the Erlanger to a capacity audience. Reviewers were enthusiastic. The house has been sold out in advance for all performances during the coming week.

Shift "Horizon" Ending

Taking heed of critical mention in the press following the premiere of "Lost Horizon," Frank Capra has discarded the original ending of the film and substituted a sequence more in keeping with the conclusion of the novel.

Cohan Play Closes

"Fulton of Oak Falls," the George M. Cohan play which opened Feb. 10, closed Saturday.

Variety Club Chatter

Dallas

DALLAS, March 15. — About 12 members and guests were at the last luncheon, with Chief Barker R. J. O'DONNELL.

WILLIAM MCGRAW, attorney general of Texas, was the principal speaker.

JAN ISABEL FORTUNE, author of "Cavalcade of Texas," outlined her new pageant for the Pan-American Exposition at Dallas in June. WALTER BARLOW talked on Dallas traffic problems.

Detroit

DETROIT, March 15. — Forty-four new members was inducted into the local Variety Club tonight at a banquet, initiation and show in the Crystal ballroom of the Book-Cadillac.

The new members are:

Resident—CHARLES N. AGREE, K. F. ANDERSON, IRVING BELINSKY, MAX BLUMENTHAL, BERNARD BROOKS, RAYMOND SCHREIBER, ROY CARROW, RICHARD A. CONNELL, ALBERT DEZEL, JACK DICKSTEIN, CHARLES A. GARNER, WILLIAM GUENSCHE, JACK HALEY, DON WIDLUND, T. M. HARPER, WALTER HORSTMAN, FRANK HOWARD, HARRY KOMER, EDDIE LOYE, R. L. MISCH, W. B. POTTS, WARREN A. SLEE, JERRY SCHNEIDER, JOSEPH STOIA, FRANK STUART, JACK SUSAMI, AL WESTAWAY, BARNEY WETSMAN, H. E. STUCKEY, PETER SIMON, DAVID FLAYER, DAVID L. KAPLAN, DEL APEL and ROY COX.

Non-resident—HARRY D. LEVINSON, W. V. MURRAY, FRANK J. BARRY, HARRY HOBOLTH and HERBERT R. SCHILDS.

Associate—REX WHITE, WALTER FULLER, JAMES MALONEY and WILLIAM E. RICK.

St. Louis

ST. LOUIS, March 15.—The annual dinner of the local Variety Club at the Hotel Jefferson was a success. The proceeds will go to the local Child Conservation Conference. RAY COLVIN, president; HAROLD W. EVANS and JAMES E. HARRIS handled the arrangements.

The entertainment, built around a circus motif, included ROSE V. COYLE, the current Miss America, and Fred Waring and his Pennsylvanians. THOMAS N. DYSART acted as toastmaster; JOHNNY PERKINS was master of ceremonies. Speakers included THOMAS H. PLATT, JAMES G. BALMER, and DR. HUGO KOSLOFF. FRED WEHRENBERG was guest of honor.

Washington

WASHINGTON, March 15.—Tent. No. 11 has resumed its fortnightly luncheons. JOSEPH E. FONTAINE, new Paramount manager was presented with W. VINCENT DOUGHERTY and ROBERT M. GRACE acting as kings-for-a-day.

Entertainment was furnished by Lester Cole and His Commanders; "Red" Skelton, and Jack Powell, blackface solo drummer.

On Wednesday, March 17, from 9 P.M., the Club will sponsor a dry land cruise to Ireland. DR. FRANK T. SHYNE is the skipper. Others getting up the party include CHARLES KRANZ, JOHN CHEVALIER, DOUGHERTY, SAM A. GALANTY, CHARLES E. SCHULMAN, E. A. CAFRITZ, JACOB KOTZ, BENJAMIN KOTZ, ALAN J. BACHRACH, ARTHUR A. DETITTA, NELSON B. BELL, ANDREW R. KELLEY, F. J. CARMODY, J. RAYMOND BELL, GORDON HITTENMARK, A. JULIAN BRYLAWSKI, JAMES J. LAKE, JOHN J. PAYETTE, ALBERT SIGMOND, F. EUGENE FORD, ARCHIE D. ENGEL, SIDNEY B. LUST, HARRY E. LOHMEYER, HARDIE MEAKIN and THOMAS J. CLARK.

To Build Open Theatre

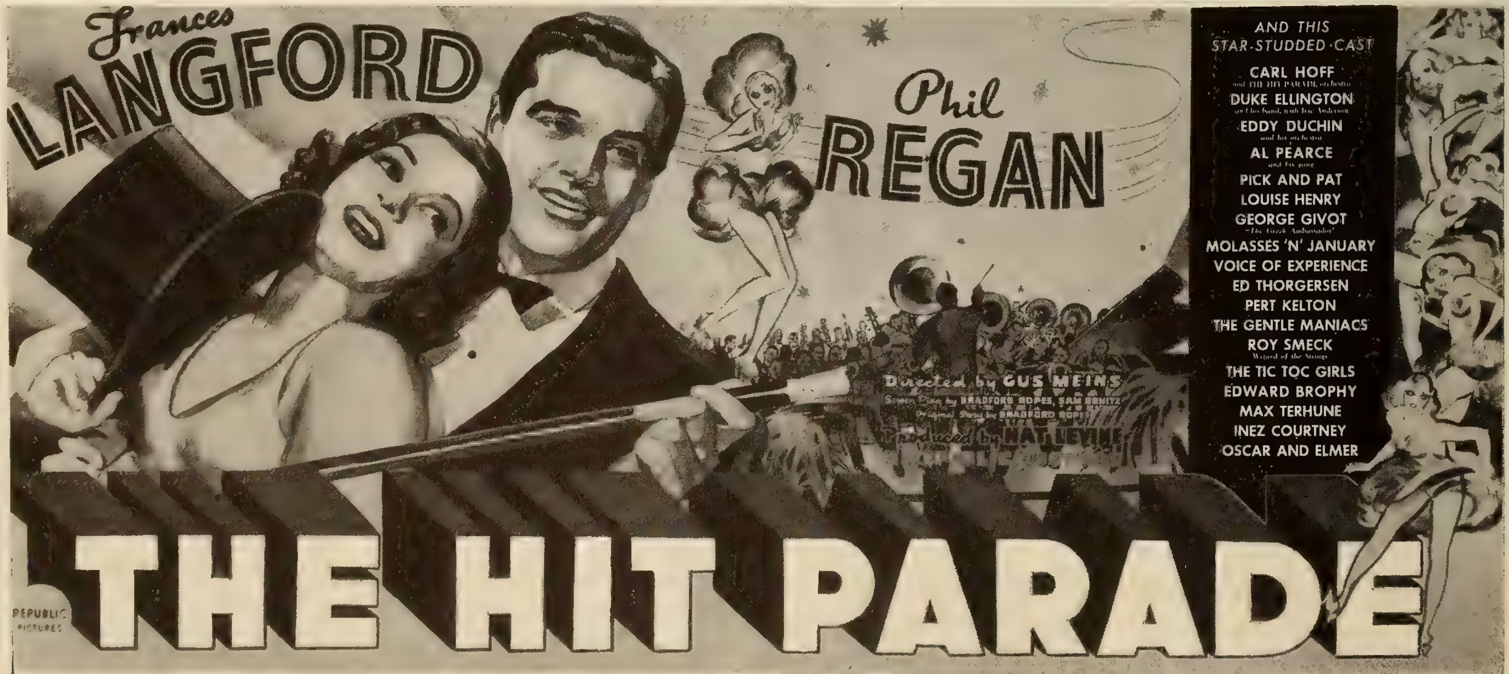
The first open air theatre to be built in the local territory in some time will be erected shortly at Long Beach. It will seat 1,000. Reports are current the Brandt circuit is negotiating for the airdome, which will be ready for the summer season.

Saville's Next in Color

LONDON, March 6.—Victor Saville's next for London Films, after the completion of "Action for Slander," will be an all-Technicolor version of "Bicycle Built for Two."

Coming!

REPUBLIC'S parade of Hit Stars in a Hit Story. Hit Tunes. Hits town shortly.



This is the twenty-four sheet Poster available at all Republic exchanges

Air Pictures Get Coast Test

Los Angeles, March 15.—The televised preview here Saturday of the commercial film, "The Empire of the West," failed to unduly excite the privately invited press audience gathered at the residence of Harry R. Lubcke, television director of KHJ.

The diminutive screen—six by seven inches, cramped the scenes of the Boulder and Parker Dam projects, which failed to attain anything like the distinctness and clarity of theatre films, while the titling was so reduced as to be almost illegible. The magnitude of the metropolitan water system of southern California, which the film intended to portray, suffered accordingly.

Additionally the televised film offered brief acting sequences featuring Leo Carrillo and Sam Flint as pioneering Californians. The transmission here was much sharper and clearer, and impressed the audience.

The distance encompassed by the transmission was 3¾ miles, emanating from the downtown studios of KHJ. The period of projection was 23 minutes, a longer range and a greater period of projection than ever before attempted, it is believed. According to Lubcke, two hills between the source of transmission and the point of reception presented natural physical obstacles equivalent to a seven-mile range over a flat terrain.

The film was produced by the Rodney Gilliam Co.

Renew "Gumps," Dr. Dafoe

Lennen & Mitchell, Inc., yesterday renewed "The Gumps" and Dr. Allan Roy Dafoe's program, each for 13 additional weeks. Lehn and Fink sponsors the programs. The renewals become effective as of April 5.

Both programs are heard on CBS; "The Gumps" Mondays through Fridays, 12 to 12:15 P. M., E.S.T., in behalf of Pebeco Toothpaste; Dr. Dafoe, Mondays, Wednesdays and Fridays, 11:45 A. M. to noon, E.S.T., for Lysol.

Anthony Starts New Series

Los Angeles, March 15—Earle C. Anthony, Inc., yesterday started a 25-week "Musical Moods" transcription program over KXCA for the Lyons Van & Storage Co. The deal was handled through Charles H. Wayne Co.

Renew Phil Lord Program

"We, the People," Phil Lord's program for Calumet Baking Powder, heard Sundays at 5 P.M., E.S.T. on the NBC-Blue, has been renewed for seven weeks, beginning May 16. Young and Rubicam is the agency.

"Logical"

"In my opinion, your articles on radio have a great deal of value, are logical, and should be continued"—*S. J. Briskin,* vice-president in charge of production, RKO Radio Pictures.

Pro-Court Change Charge Draws Reply of Networks

The three nationwide networks, NBC, CBS and Mutual answer weekend charges by U. S. Senators King and Wheeler that they are biased in favor of President Roosevelt's court change plan by presenting the record of time allotments.

Since the President submitted his plan to Congress early in February, the Mutual network has presented nine balanced debates. Three speakers also have aired their sentiments against the proposed changes; one speaker has spoken for it. President Roosevelt's two talks, the "fireside chat" and the Victory Dinner address were additional. Mutual states the President's talks were balanced by the three anti-court change addresses. On CBS since the court reforms were suggested, 36 talkers have been equally divided between the proponents and opponents. The President's "fireside" chat is included among the proponent addresses; his Victory Dinner address is not.

Up to and including March 12, NBC had presented a total of 63 speakers over its own networks; 33 for and 30 against. In addition to talks expressing opinion, NBC has presented two neutral discussions on the proposal, as well as a thrice-weekly summary of a Public Opinion Poll, conducted by Dr. George Gallup, president of the American Institute of Public Opinion.

Arrest Ordered in Air Action by Wire

Federal Court Judge Francis G. Caffey yesterday ordered the immediate arrest of Anschel Barshay for contempt of court for violating a temporary injunction granted Time, Inc., on Jan. 22. Barshay was enjoined from selling broadcasting recordings under the name of "Voice of Time." After the injunction was issued Barshay stamped "Voice of Time" over the name "Voice of Time" on his stationery and advertising matter.

Judge Caffey ruled that this constituted contempt of court. Barshay's imprisonment will continune until he delivers to Time for destruction all business stationery and advertising matter and writes to all known persons who have received his advertising matter that he is not connected with Time, Inc., or "March of Time." Judge Caffey refused to impose any fine.

Report Actor Series Will Not Be Renewed

Chase and Sanborn's "Do You Want To Be an Actor?" series will not be renewed beyond its present contract date, expiring April 25, it was reported yesterday. The current series will be replaced by a variety program with a permanent "em cee" and orchestra, and topflight weekly guest artists from stage, screen and radio. J. Walter Thompson is the agency. Warner Bros. and Transamerica own the "Do You Want To Be an Actor?" series, and lease it to Chase and Sanborn.

Set Two "Marlin" Broadcasts

Under its Procter and Gamble sponsorship, "The Story of Mary Marlin" will have two broadcast periods each day on NBC networks, beginning March 29. The schedule follows: Mondays through Fridays on the Red, 12:15 to 12:30 P.M.; and daily except Saturdays and Sundays from 5 to 5:15 P.M. on the Blue. Only the Red program will go to the Pacific coast.

Waring on St. Louis Salute

Fred Waring, now touring in vaudeville, will headline the roster of acts engaged to help KWG, St. Louis affiliate of NBC, celebrate the 10th anniversary of its formation. The salute program will be carried on the NBC-Blue network, 11:30 P.M. to midnight, March 17.

FCC Sets New Dates For April Hearings

Washington, March 15. — The F.C.C. today ordered hearings on pending applications as follows:

March 31—Before an examiner, applications of William W. Ottoway, Port Huron, Mich., for new 1,370 kilocycle, 250-watt station; Frazier Reams, Mansfield, O., for 1,370 kilocycle, 100-watt daytime station, and station WCAZ, Carthage, Ill., for increase of power to 250 watts.

April 8—Before the broadcast division: Applications of Port Huron Broadcasting Co., Port Huron, Mich., for 1,370 kilocycle, 250-watt daytime station; Golden Empire Broadcasting Co., Marysville, Cal., for 1,140 kilocycle, 250-watt daytime station, and station WGBI, Scranton, for increase of day power to 1,000 watts.

April 9—Before an examiner: Applications of the Hebrew Evangelization Society, Los Angeles, for 570-kilocycle, 1,000-watt station; Twin City Broadcasting Corp., Long View, Wash., for 780-kilocycle, 250-watt waytime station; Edgar L. Bil, Peoria, Ill., for 1,040-kilocycle 250-watt daytime station, and station KGLO, Mason City, Ia., for increase of day power to 250 watts.

RCA Quits as Opera Sponsor on March 27

RCA sponsorship of the Metropolitan Opera series terminates with the broadcast of March 27. Thereafter for the remainder of the opera season, comprising three broadcasts, the program will be aired as a sustainer.

Effective with the expiration of the contract, the program switches from the Red to the Blue network. The first two sustaining operas, April 3 and 10, will emanate from Boston; the final one will originate in Cleveland. All three programs will begin at 2 P.M., E.S.T.

Para. Sets First Broadcast

Paramount's initial "Parade" offering March 28 on the NBC-Red network will embrace the combined casts of "Off the Moon," "Waikiki Wedding" and "Mountain Music," with Boris Morros directing the music, Ted Sherdeman directing the production, Eddie Moran scripting; Mary Carlisle and Lynn Overmann will act as the program "guides."

◂ Radio Personals ▸

FREDDIE GIBSON, heard with Dick Himber's orchestra, goes into the Rainbow Room as vocalist with Ruby Newman's orchestra. . . . Morton Downey returned to New York from Memphis last night. He sails for Europe shortly. . . . The Jack Oakies celebrate their first wedding anniversary March 20. She's the former Venita Varden. . . . In order to appear on "Hollywood Hotel" this Friday, Gertrude Niesen hops a plane from Chicago Thursday and returns via the same mode of transportation Saturday. Miss Niesen is appearing at the Chez Paree in the Windy City. . . . Lillian Gish will be a guest on "Showboat" this Thursday evening; next Thursday Lillian's sister, Dorothy, will appear on Kate Smith's "Bandwagon," doing scenes from "Two Orphans." . . .

✚

Fred Wile, Jr., who heads the publicity staff at Young and Rubicam, back yesterday from a two-week vacation cruise with Mrs. Wile. . . . Ernest Cutting, in charge of audition for NBC, takes over the bandleader's helm on the "Professional Parade" program this week. . . . Fayette Krum, author of the network serial "Girl Alone," back at her post after three weeks' vacationing in Arizona. . . . Jack Benny will remain in New York for this Sunday's broadcast, thus canceling plans for a Chicago appearance. He will have the Mayor of Waukegan, Ill., on his program as guest. Waukegan is Benny's home town. . . .

✚

WINS will feed the description of the St. Patrick's Day Parade tomorrow to the upstate stations of the New York State network, of which WINS is the key station. . . . John W. Harrison, former screen and stock player, has joined the announcing staff of KTUL, Tulsa. . . . Kay Parson's, known to network listeners as "The Girl O' Yesterday," begins a new half-hour bi-weekly series on WNEW today, and Tuesdays and Thursdays thereafter at 8:30 P.M., E.S.T. . . To Henry Fonda, Walter O'Keefe and Edgar Bergen Thursday on the Vallee hour as guest performers. has been added Rudi Grasl, musical mimic. . . . English piano team of Ethel Bartlett and Rae Robertson will guest appear on the Ford Symphony Hour March 21. . . . Maurice Evans and Katherine Locke, both of the stage, will be interviewed by Bide Dudley on the latter's WOR program March 19 at 1:15 P.M., E.S.T. . . . Leopold Stokowski arrives here from Hollywood March 24 to conduct on the Philadelphia Orchestra program. . . .

✚

Herbert L. Pettey, associate director of WHN, back from Walaka, Florida . . . Mrs. Louis K. Sidney in from the coast today.

LEO SAYS:
Two million students are told to listen to WHN's "Flame Fighters" by New York's Board of Education!
WHN DIAL 1010 AFFILIATED with M-G-M • LOEW'S

DU PONT
REG. U. S. PAT. OFF.

CINE PRODUCTS
by DuPont

SUPERIOR PAN
MICRO PAN
SOUND RECORDING
POSITIVE

CONTINUE TO BE DEPENDABLE

DU PONT FILM MANUFACTURING CORPORATION

35 WEST 45th STREET
NEW YORK CITY
PLANT . . . PARLIN, N. J.

SMITH & ALLER, LTD.
6656 .. SANTA MONICA BLVD.
HOLLYWOOD, CAL.

SPECIAL
AIR
EDITION
MPTOA
CONVENTION

MOTION PICTURE DAILY

SPECIAL
AIR
EDITION
MPTOA
CONVENTION

VOL. 41. NO. 62 NEW YORK, TUESDAY, MARCH 16, 1937 TEN CENTS

Union Drive Flares Anew On 2 Fronts

Cleveland, New Haven Scene of Moves

Labor's drive to organize exchange employes flared into the open yesterday on two new fronts, when it was learned that employes of both Cleveland and New Haven exchanges were meeting with organizers for A. F. of L. affiliates.

Exchange employes in Cleveland met over the weekend and drafted new minimum wage scales and other employment terms. New Haven exchange employes will attend an organizing meeting in Trades Council Hall on Wednesday, plans for which were laid at a meeting with six exchange representatives and an A. F. of L. organizer here today. A competitive organizing move in New Haven is reported contemplated for next week by the C. I. O.

Similar exchange employe moves were launched earlier in Boston, Detroit and other cities.

According to reliable information, Cleveland shippers, poster clerks and inspectresses are now more than 90 per cent organized. Demands for a general pay increase, with a minimum scale of $40 for head shippers, $32.50

(*Continued on page* 16)

Reelect All Heads Of National Poster

All officers and members of the board of National Poster Service Renters were reelected for another year at the three-day convention held here at the New Yorker.

Simon Libros of Philadelphia is president, Le Roy Kendis of Cleveland, vice-president, and George P. Aarons of Philadelphia, secretary and treasurer. The board consists of Libros, Aarons, Louis Weinzimmer, Harry Shlit, E. R. Behrens and Irving Levin of Omaha.

It was decided at the sessions to

(*Continued on page* 14)

Bondy to Hear Plea On RKO Gold Notes

Federal Judge William Bondy today is scheduled to hear a petition by Irving Trust Co., RKO trustee, for leave to retire an outstanding $600,000 of the company's secured gold notes.

The petition is opposed by Atlas Corp., proponents of the RKO reorganization plan, and by RKO, both of whom assert that the company's

(*Continued on page* 2)

The President

E. L. Kuykendall of Columbus, Miss., who is again heading for reelection to the presidency of the M. P. T. O. A. which holds its convention in Miami beginning today. The election will be held there tomorrow morning, prior to the first business session of the three-day meeting.

Whiteman Supports Dickstein Measure

By BERTRAM F. LINZ

WASHINGTON, March 15.—Enactment of the Dickstein alien actor bill would quickly result in European countries lowering the barriers against American talent, it was predicted today by Paul Whiteman, orchestra leader, during an unheralded appearance before members of the House Immigration Committee.

In permitting Whiteman to make a statement, Chairman Dickstein explained that it was not in the nature of a formal hearing but that Whiteman had asked for an opportunity to be heard. Only a half-dozen members of the committee were present.

Declaring that "art is interna-

(*Continued on page* 16)

Beck Not to Return To MPPDA Position

James M. Beck, Jr., former M.P.P.D.A. representative in London, will not return to that post, it was stated at the organization's headquarters yesterday. Beck left London about three months ago following the death of his father, the late James M. Beck, former Pennsylvania Senator. No successor to Beck has been designated yet.

F. W. Allport of the M.P.P.D.A. is now in London on a special assignment and may remain until a permanent appointment there is made.

MPTOA WILL SEEK NEW TRADE TALKS

All of Universal's Board Is Renamed

WILMINGTON, March 15.—All directors of Universal Pictures Co., Inc., were reelected for the ensuing year at the annual meeting of the company's stockholders held here today. The directors are J. Cheever Cowdin, Budd Rogers, William Freiday, Charles R. Rogers, Paul G. Brown and P. D. Cochrane, for the common stock; R. H. Cochrane, for the second preferred stock and J. Myer Schine and Willard S. McKay for the first preferred stock.

Universal Pictures Co. reported to the N. Y. Stock Exchange yesterday that Universal Corp., on Oct. 31, last, owned 100 per cent of the second preferred stock and approximately 91 per cent of the common. Gruntal & Co., Stock Exchange firm, owned 10.7 per cent of the first preferred.

The company reported that during the year ended Oct. 31 it paid James Whale, director, $105,000; Gregory La Cava, $102,250; Irene Dunne, $102,777, and to Standard Capital Co., $54,250 for the services of J. Cheever Cowdin, chairman.

U. A. Product Talks Completed on Coast

HOLLYWOOD, March 15.—Product talks were completed today by United Artists' executives with preparations for the spring sales convention, probably in Chicago, having been started.

George J. Schaefer will leave Wednesday or Friday, and Monroe Greenthal will take a plane east tomorrow. Arthur Kelly left Saturday. James Mulvey will depart tomorrow for Miami.

A tieup with Montgomery Ward has been arranged, it was stated, calling for full page ads in 800 papers in 600 cities and four pages in the Montgomery Ward catalogue.

"Good Earth" Pulls $17,100 Sixth Week

Approximately $17,100 was grossed by "The Good Earth" in its sixth week at two-a-day at the Astor. "Lost Horizon," current at the Globe on a similar policy, is expected to tally $18,000 for the second week.

"Her Husband Lies" has been booked into the Criterion starting tomorrow.

Expect New Concessions To Be Important Aim Of Convention

By RED KANN

MIAMI, March 15.—The M. P. T. O. A. is expected to declare for renewed trade practice conferences with distribution companies in an effort to obtain an extension of trade concessions obtained under its 10-point program during the winter, it was learned here today on the eve of the national exhibitor organization's three-day convention at the Miami-Biltmore.

While a change in the organization's policy of endeavoring to obtain trade practice reforms by negotiations is a possibility and undoubtedly will be given consideration, in view of its disappointment over distributor responses to the 10-point program, majority opinion holds that the present time is not the most favorable for adopting such a change.

A legislative program, it is pointed out, would eventually include regulation of exhibition as well as distribution and production, and for this reason an M. P. T. O. A. majority appears to favor that policy only as a last resort. A program of litigation is regarded as unwarranted in advance of a fair trial of the proposed local conciliation boards which, it is hoped in many quarters, may accomplish as much or more, and at considerably less expense than litigation. For these reasons, the convention probably will instruct M. P. T. O. A. officers to renew their efforts to obtain liberalized concessions from distributors, particularly with a view to obtaining an increase in the 10 per cent cancellation privilege and further elimination of the score charge.

The convention is expected to adopt a stand against cash games and giveaways, although no stronger action

(*Continued on page* 14)

Paramount Partners Hold Early Session

MIAMI BEACH, March 15.—Paramount's theatre partners, over 80 strong and gathered from all sections of the country, held a preliminary meeting at the Roney-Plaza this morning preparatory to the formal sessions, which start Thursday.

The business discussed was routine and described as devoid of interest except to those who attended. It will be followed by a second informal session tomorrow. The New York con-

(*Continued on page* 16)

MOTION PICTURE
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VIENNA: Nuestiftgasse, 55; Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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Balsdon, Recovered, Is Due Back Sunday

George Balsdon, booker for National Theatres, who was seriously injured in an automobile accident on the coast several months ago, will return Sunday from Stockton, Cal., where he has been confined at St. Joseph's Hospital since the crash which resulted also in injuries to Sumner Gambee and Nick Turner.

Upon his arrival, Balsdon will enter a local hospital for observation. He is not expected to return to his desk for two or three months.

MITCHELL MAY, Jr.
CO., INC.

INSURANCE
Specialists To
The Motion Picture
Industry

75 Maiden Lane, N. Y. City
510 W. 6th St., Los Angeles, Cal.

Out Hollywood Way

HOLLYWOOD, March 15. — MARY ASTOR's contract renewed by Columbia. . . . WILLIAM ARNOLD, 16-year-old son of EDWARD, to become an actor. . . . Radio takes up option on DIANA GIBSON. . . . JACK DAWN, makeup expert, gets long term contract at M-G-M. . . . HARRY SHERMAN recovers from injury received on location at Kernville.

ALAN MARSHAL, stage actor under contract to Selznick International, loaned to M-G-M for "Countess Walewska" and "Night Must Fall." TREM CARR to start "I Cover the War," next for JOHN WAYNE, within 10 days. . . . Paramount to start "Last Train from Madrid" March 20.

MADELEINE CARROLL to play opposite RONALD COLMAN in "The Prisoner of Zenda," Selznick International.

✚

Casting—GERTRUDE MICHAEL set for feminine lead in "There Goes My Girl," Radio . . . SYBIL JASON, MARCIA RALSON and HELEN VALKYS in "Santa Anita," short BOBBY CONNOLLY is directing for Warners . . . LOUIS CALHERN in "The Life of Emile Zola," Warners . . . HENRY OTTO in "The Singing Marine," same studio . . . MADELEINE CARROLL gets lead in "Personal History," Wanger.

✚

Story Buy—WILLIAM MCGRAIL'S "We Can Wait" acquired by FENN KIMBALL, president of General Pictures . . . DAVID O. SELZNICK acquires "Of Great Riches," by ROSE FRANKEN, and "The Earl of Chicago," by BROCK WILLIAMS . . . Radio buys "World of Women," by LIONEL HOUSER and "A Puzzle for Fools," by PATRICK QUENTIN.

✚

Writers—FELIX JOACHINSON at Universal for start of new contract . . . MALCOLM STUART BOYLAN and HARVEY GATES to adapt "The Real Glory" for SAMUEL GOLDWYN . . . FRED NIBLO, JR., gets one-year writing contract at Columbia; now working on "Flashing Skates" with GRACE NEVILLE . . . WILLIAM SLAVENS MCNUTT starts at Radio April 15 . . . EARL FELTON at Columbia to work with the IRVING BRISKIN unit on "Campus Mystery" . . . ROY CHANSLOR doing script of "Lady Luck," Warners . . . GLADYS ATWATER collaborating with SOL ELKINS on "House in the Country," Radio.

✚

New Contracts—SAMMY LEE signed to do dance numbers for "New Faces of 1937," Radio . . . JANE YARBOROUGH and LESLIE GOODWINS, who write and direct shorts, get new one-year contracts to turn out six . . .

✚

Title Changes—Warners change "Mazurka" to "One Hour of Romance" and "The Hobo and the Heiress" to "Madcap Heiress."

✚

Directors—GEORGE H. MELFORD to direct "Jungle Menace," first of four serials to be produced by Columbia . . .

Expect ABP's Profit To Reach $6,250,000

LONDON, March 6.—A profit for the year approximating £1,250,000 ($6,250,000) is expected for the John Maxwell company, Associated British Pictures Corp.

Last year A.B.P. made £926,482 and paid 12½ per cent, a final dividend of 7½ per cent following an interim of five per cent. Profits for the first half of the current year were £150,000 and an interim of seven per cent was paid. In the expectation that profits will at least top the million-pound mark, the possibility of a final dividend of 10 per cent, making 17 for the year, is being discussed.

A.B.P. ordinaries, of five shillings par value, are currently quoted on the stock exchange at 15/9 to 16/3, after reaching 17/3, before all film values fell following newspaper stories of a production collapse.

Twickenham Assets Below Claim Total

LONDON, March 6.—At the creditors' meeting of Twickenham Film Studios, Ltd., it was revealed that against liabilities of £95,998 there were assets of £36,369, including £34,183 received by the sale of the studio. These are insufficient to meet the debenture claim fully and unsecured creditors will receive nothing. The company is in compulsory liquidation in the hands of the official receiver.

The associated J. H. Productions, Ltd., has liabilities of £269,409 and assets of £161,208 but certain films have still to be released.

New Erpi Equipment Now In 861 Theatres

Erpi has closed contracts with 861 theatres in this country for $1,500,000 worth of new Mirrophonic sound equipment since the improved system was introduced to the trade 27 weeks ago, C. W. Bunn, Erpi general sales manager, said yesterday. In addition, the company has shipped almost 200 Mirrophonic units to theatres in foreign countries, Bunn said.

The Erpi sales head estimated that two-thirds of the American installations were of complete new systems in reopened theatres, new theatres or houses which had previously used other makes of equipment. The remainder were modernizations of existing Erpi equipment. Installations have been made in 47 states. In England, where the new equipment was not introduced until Feb. 1, 70 theatres contracted for it during that month. In Mexico City, the First Circuit installed Mirrophonic in seven of its 10 houses, Bunn said.

"Such a record shows definitely the current condition of the industry," Bunn declared. "It represents an expenditure which the industry could not have made two or three years ago."

See 235 English Films

LONDON, March 6.—Investigating the possibility of a shortage of British films, after the limitation of G. B. production, the closure of the Twickenham studios and other production factors, the *Kinematograph Weekly* estimates that plans already definitely completed will guarantee at least 235 British features in 1937, against 208 in 1936.

Bondy to Hear Plea On RKO Gold Notes

(*Continued from page 1*)

cash position is not sufficiently strong to warrant the outlay at this time. The trustee's report of March 3 estimated that RKO had cash on hand amounting to $7,955,964.

Retirement of the secured notes is expected to raise the question of whether or not the RKO debentures would continue to have a second lien on the assets securing the gold notes. According to the indenture, the secured position of the debentures may end with the elimination of the prior notes.

Irving Trust Co., RKO trustee, contends that the interest saving involved warrants the immediate payment of the notes, which are held by the Bank of America National Ass'n.

Settle Claim on RKO

The claim of the Criterion Advertising Co. against RKO was settled yesterday by Federal Court Judge William A. Bondy for $337,024.

"Romeo" Winner of Australians Award

MELBOURNE, Feb. 15. (*By Air Mail Via London*)—The recently formed Film Critics' Guild of Australia has chosen "Romeo and Juliet" as the best film released in this market during 1936. Second place went to "The Story of Louis Pasteur," and then in order come "Fury" and "Dodsworth," with "Mr. Deeds Goes to Town," "The Petrified Forest" and "Mutiny on the Bounty" tieing for fifth place.

"Orphan of the Wilderness" was selected by the Guild as the best Australian picture produced last year. The Cinesound picture won narrowly from "Uncivilized," produced by Expeditionary Films and "Rangle River," Columbia.

New Enterprises

The following film and theatre companies have been incorporated. At Albany:

Jesse L. Kaufman, Inc., New York, theatrical business, by Jesse L. Kaufman, Chester A. Pearlman and Harry Weinberger.

Harkray, Inc., New York, theatrical business, by Gertrude Cone, Essie Burdman and Freda Jaret.

Richmond County Amusement Co., Inc., Richmond County, amusement business, by Samuel J. Ernstoff, Jacob J. Bobrow and Harrie Newman.

Babes In Arms, Inc., New York, theatrical business, by David Klinger, Russell H. Wilde and Howard A. Seitz.

Ilena Theatre Group, Inc., Bronx, operate theatres, by Ilena Frank, Morton Frank and Jacob Frank.

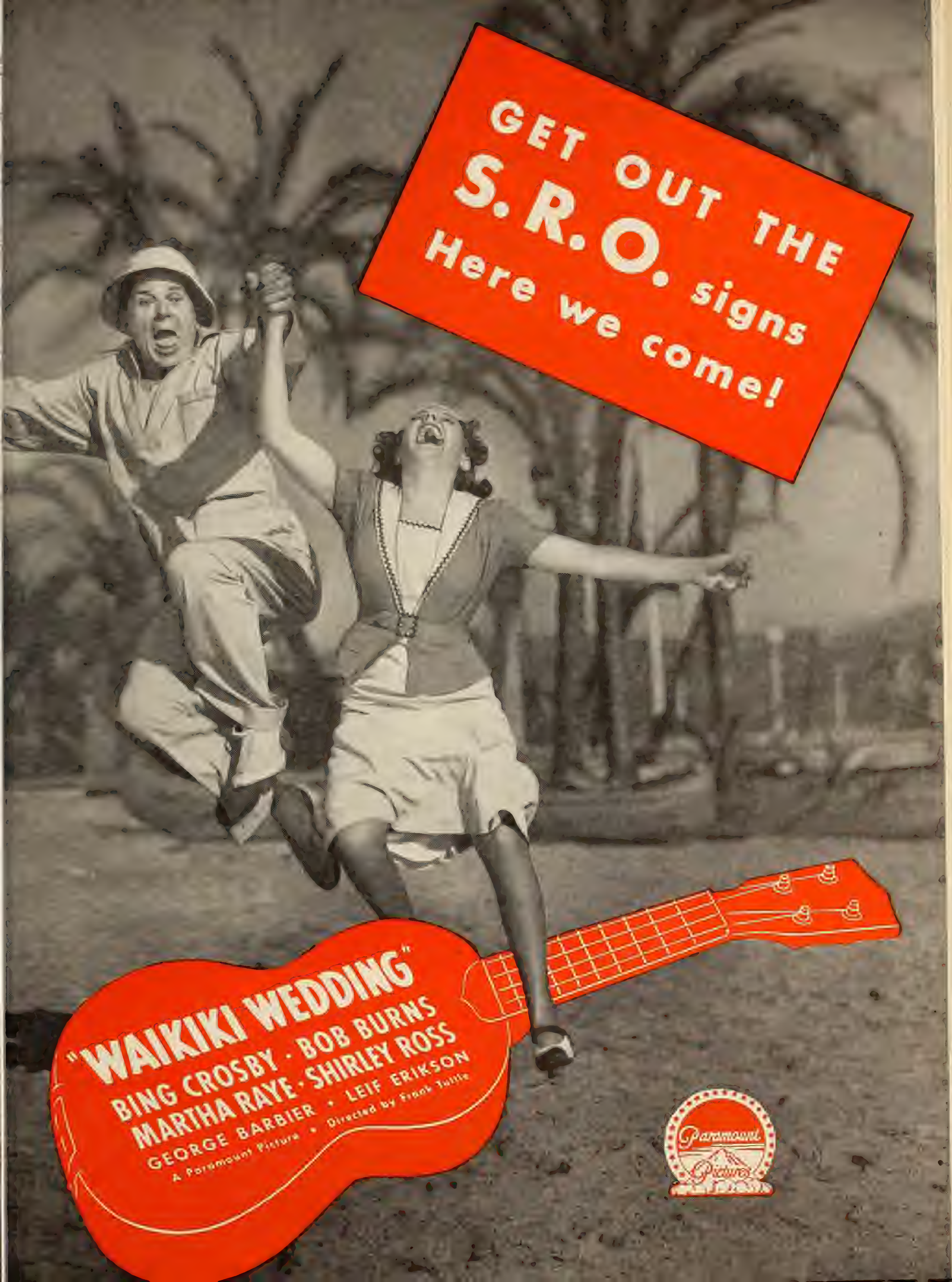
East 16th St. Theatre Corp., Brooklyn, exhibition, by Isidor M. Racer, Julius Celler and Aubrey G. Raven.

Krayhar, Inc., New York, operate theatres, by Gertrude Cone, Essie Burdman and Freda Jaret.

Timberg Gets Audition

REGINA, Sask., March 15.—Anders Timberg, Swedish tenor, told the MOTION PICTURE DAILY here he had been given an audition in Hollywood by M-G-M and that he would return from Montreal to Hollywood at the end of his Canadian tour to discuss terms.

Timberg sings in eight languages.


GET OUT THE
S.R.O. signs
Here we come!
"WAIKIKI WEDDING"
BING CROSBY · BOB BURNS
MARTHA RAYE · SHIRLEY ROSS
GEORGE BARBIER · LEIF ERIKSON
A Paramount Picture · Directed by Frank Tuttle
Paramount Pictures

'Horizon' Top In Frisco on Start of Run

San Francisco, March 15.—"Lost Horizon" got off to a fine start in its roadshow engagement at the Geary with a gross of $13,000 at $1.65 top.

"When You're in Love," on a dual with "Breezing Home," turned in an excellent $11,200 at the Orpheum. This was $1,700 to the good. "You Only Live Once" was in the money on a take of $7,500 at the United Artists. "Nancy Steele Is Missing" and "Wings of the Morning" were $1,200 over normal on a take of $14,200 at the Warfield.

Total first run business was $96,700. Average is $99,000.

Estimated takings:

Week Ending March 9:

"RACING LADY" (RKO)
"WEEKEND MILLIONAIRE" (G.B.)
EMBASSY—(1,400), 15c-30c-35c, 7 days. **Gross:** $2,700. (Average, $4,500)

"LOST HORIZON" (Col.)
(Roadshow)
GEARY — (1,400), 55c-88c-$1.10-$1.65, 7 days. **Gross:** $13,000. (Average, $10,000)

"WHEN'S YOUR BIRTHDAY" (RKO)
GOLDEN GATE—(2,850), 15c-30c-35c-40c-55c, 7 days. Stage: vaudeville. **Gross:** $16,800. (Average, $16,000)

"YOU LIVE ONLY ONCE" (U.A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days. **Gross:** $7,500. (Average, $6,000)

Week Ending March 10:

"LOVE IS NEWS" (20th-Fox)
"ONCE A DOCTOR" (W.B.)
FOX — (5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $16,300. (Average, $16,000)

"WHEN YOU'RE IN LOVE" (Col.)
"BREEZING HOME" (Univ.)
ORPHEUM — (2,440), 15c-30c-35c-40c, 7 days, 2nd week. **Gross:** $11,200. (Average, $9,500)

"READY, WILLING AND ABLE" (W.B.)
"MURDER GOES TO COLLEGE" (Para.)
PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $13,500. (Average, $13,000)

"THE GOOD EARTH" (M-G-M)
(Roadshow)
ST. FRANCIS—(1,400), 55c-88c-$1.10-$1.65, 7 days, 2nd week. **Gross:** $10,300. (Average, $10,000)

"NANCY STEELE IS MISSING"
(20th-Fox)
"WINGS OF THE MORNING" (20th-Fox)
WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $14,200. (Average, $13,000.

Week Ending March 12:

"REVOLUTIONISTS" (Amkino)
CLAY—(400), 15c-35c, 7 days. **Gross:** $1,200. (Average, $1,000)

To Drop St. Louis Shows

St. Louis, March 15.—Stage shows will be dropped by the Ambassador March 18, at the end of the Fred Waring engagement. This will leave only two houses regularly using acts. the second run St. Louis and the Garrick, a burlesque house.

G. N. Title Changes

Hollywood, March 15.—"When I'm with You," Victor Schertzinger's first for Grand National, has been retitled "Something to Sing About." Zion Myers' initial effort for the same company, formerly known as "The Thousand Dollar Bill," has been changed to "Small Town Boy."

Lee Reports Increase

Arthur Lee reports a 50 per cent increase in G.B. business for the past month in comparison to previous months.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"When Love Is Young"

(*Universal*)

Hollywood, March 15.—Giving a new twist to the small-town-girl-makes-good theme, this rates high in the entertainment category through excellent direction, performances and writing. The picture is a musical comedy suitable to all types of patronage and will fill the key spot on an average bill.

Virginia Bruce as the demure daughter of Swedish parents—Christian Rub and Greta Meyer—finds unromantic response in William Tannen and an unflattering prediction for her future in her school's annual class prophecy. Arriving in New York with Walter Brennan, her uncle, she is further disillusioned by an operatic music professor who holds no hope for her career. Kent Taylor, an alert publicity man for a Broadway show, later ballyhoos her as a goose girl, framing her into a march up Broadway with a flock of geese. He later arranges a radio job where she sings setting up exercises to early risers. This failing to pan out, Miss Bruce forces a showdown with Taylor who subsequently sees the emotional promise in the girl and sells her as the lead to Jack Smart, his boss.

She succeeds. Returning home for a visit, she finds her former lover not so hot and realizing her love for Taylor, she returns to New York in time to talk him out of quitting the show as a spite move.

Hal Mohr's first directorial job is excellent from the point of tempo, balanced situations and musical interludes. Eve Green and Joseph Fields did the sprightly screenplay from Eleanore Griffin's original. The supporting cast performances are above average including Jean Rogers and Nydia Westman.

Production Code Seal No. 2,989. Running time, 75 minutes. "G."

"The Crime Nobody Saw"

(*Paramount*)

Hollywood, March 15.—A formula murder mystery, which in its mechanical idea follows the technique made familiar by the "Seven Keys to Baldpate" and offers nothing new or particularly attractive from either an entertainment or commercial standpoint.

The playwrights, Lew Ayres, Eugene Pallette and Benny Baker, are stumped for a mystery crime idea. Then a real murder happens right before their noses. For a bit of novelty, the victim assumed to be a man, turns out to be a woman. There are a lot of weird goings on to demonstrate that the victim was both a masculine and feminine blackmailer. Then, with suspicion being diverted into the wrong channels, the playwright trio turns detective to pin the guilt on Colin Tapley. Nailing the culprit and so saving the innocent person, they also get the idea for their story.

As most murder mysteries do, the film moves along at a fair clip. There's the usual allotment of suspense and comedy, and, of course, a suggestion of romance. The quality of the film, however, restricts it to functioning only as a secondary attraction. Other than those mentioned, the players are Ruth Coleman, Vivienne Osborne and Howard Hickman. Charles Barton directed the Ellery Queen and Lowell Brentano original screenplay.

Production Code Seal No. 3,031. Running time, 60 minutes. "A."

"Midnight Taxi"

(*Twentieth Century-Fox*)

Hollywood, March 15.—Federal men in pursuit of a counterfeiter forms the basis of this film with plenty of action and novelty introduced throughout the chase.

Brian Donlevy, as the agent, works his way into the gang disguised as a cab driver with the object of locating the hidden printing plant rather than collaring the phoney money passers. Frances Drake, Alan Dinehart, and Gilbert Roland are the principal distributors. Donlevy cleverly relays his messages to his co-workers until his identity is discovered. When his doom seems sealed, Miss Drake twice rescues him and is given amnesty when the entire band is rounded up with Sig Rumann proved to be the master plate maker. Donlevy and Miss Drake are then free to conclude their romance.

Eugene Forde has directed speedily maintaining the proper suspense throughout. Paul Stanton, Harold Huber and Regis Toomey complete the well chosen cast. Lou Breslow and John Patrick wrote the screenplay from the story by Borden Chase. The picture should please generally as snappy action entertainment.

Production Code Seal No. 3,123. Running time, 70 minutes. "G."

(Additional Reviews on Page 13)

"Green Light" Top in Slump On the Coast

Los Angeles, March 15.—Grosses hit the skids last week with only "Green Light" making a showing. It went $500 over par on a $14,500 take at Warners' Hollywood and was $2,500 into the profit column on a gross of $14,500 at Warners' Downtown.

The only other house to get over normal was the Paramount with "When You're in Love" and "Borderland" and a stage show.

Total first run business was $98,799. Average is $104,700.

Estimated takings for the week ending March 10:

"THE GOOD EARTH" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 6th week. **Gross:** $14,000. (Average, $17,000)

"NANCY STEELE IS MISSING"
(20th-Fox)
"HEAD OVER HEELS IN LOVE" (G.B.)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $10,129. (Average, $12,500)

"SMALANNINGAR" (Swedish)
GRAND INTERNAT'L—(750), 35c-40c, 7 days. **Gross:** $1,900. (Average, $1,200)

"JOHN MEADE'S WOMAN" (Para.)
"MURDER GOES TO COLLEGE" (Para.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $6,500. (Average, $8,000)

"NANCY STEELE IS MISSING"
(20th-Fox)
"HEAD OVER HEELS IN LOVE" (G.B.)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $11,670. (Average, $14,000)

"JOHN MEADE'S WOMAN" (Para.)
"MURDER GOES TO COLLEGE" (Para.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $6,700. (Average, $8,000)

"WHEN YOU'RE IN LOVE" (Col.)
"BORDERLAND" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Rube Wolf and his orchestra, F. & M. revue. **Gross:** $18,500. (Average, $18,000)

"GREEN LIGHT" (F. N.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $14,500. (Average, $14,000)

"GREEN LIGHT" (F. N.)
WARNER BROS. (DOWNTOWN)—(3,400,) 30c-65c, 7 days. **Gross:** $14,500. (Average, $12,000)

Wall Street

Board Off; U Drop 2 Pts.

	High	Low	Close	Net Change
Columbia	34⅞	34⅞	34⅞	— ⅛
Columbia, pfd......	43½	43½	43½	+ ⅛
Consolidated	4¾	4¾	4¾	.....
Consolidated, pfd..	16⅝	16⅛	16⅛	— ⅝
Eastman Kodak ..	166½	166	166	.....
Gen. T. Equip.....	31⅝	30⅝	30⅛	—1
Loew's, Inc.	78⅝	77¼	77½	— ¾
Paramount	24⅞	24	24¼	— ¾
Paramount 2 pfd..	22½	21¾	21¾	—1
Pathe Film	8½	8¼	8⅜	— ⅛
RKO	8¾	8⅝	8⅝	.....
20th Century-Fox.	40⅜	39¼	39⅞	— ⅜
20th Century, pfd..	49¾	49	49	—1
Universal, pfd.....	94	93	93	—2
Warner Bros.	15¼	15	15	— ¼

Light Rise on Curb

	High	Low	Close	Net Change
Grand National ..	3	2⅞	2⅞	.....
Sentry Safety	⅞	⅞	⅞	+ ⅛
Sonotone	2	1⅞	2	+ ⅛
Technicolor	23½	22½	23½	+ ⅝
Trans-Lux	4¾	4⅝	4⅝	— ⅛

Little Bond Movement

	High	Low	Close	Net Change
Loew's 3½s '46....	98½	98¼	98¼	— ⅝
Paramount B'way 3s '55	75	75	75	.....
Paramount Pict. 6s '55	100⅜	100⅛	100⅛	.....
Warner Bros. 6s '39 wd	96	95½	96	.....

(Quotations at close of March 15)

Bette's Back

..For GOOD!

--As good as only *she* can be, in the first searing screen showing of the "wrong dames" - and (*an important angle*) what makes 'em that way! Set it in now and plan to set it up big to keep up with the great work of WARNER BROS.

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with
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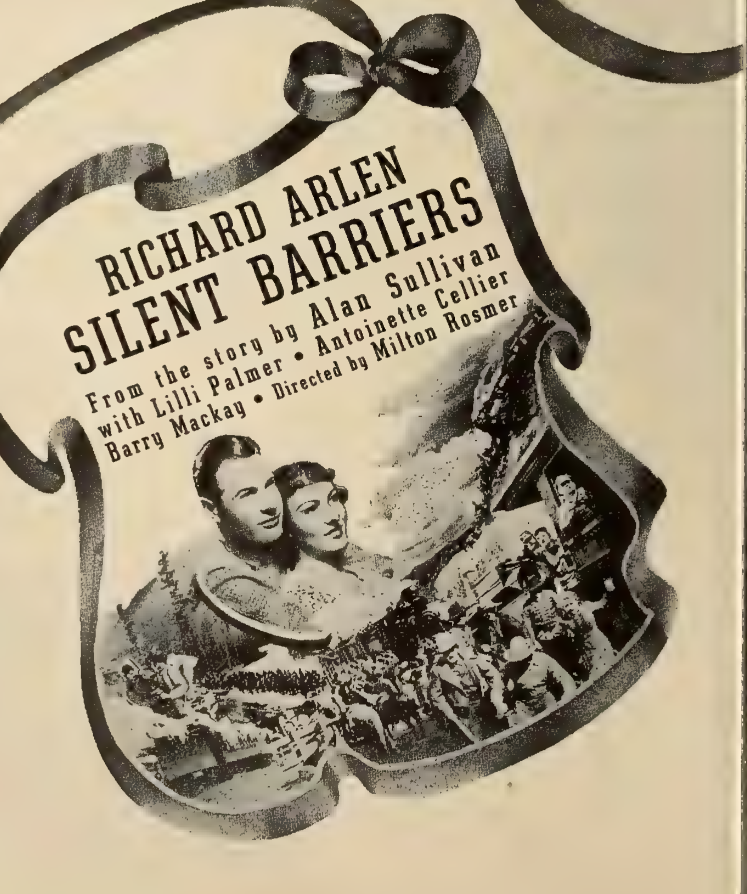
LOLA LANE · ISABEL JEWELL · EDUARDO CIANNELLI
JANE BRYAN · ROSALIND MARQUIS · MAYO
METHOT · Allen Jenkins · John Litel · Ben Welden
Henry O'Neill · Directed by Lloyd Bacon · Songs by
Harry Warren & Al Dubin · A First National Picture

FIVE BLUE RIBBON

Jessie MATTHEWS

HEAD



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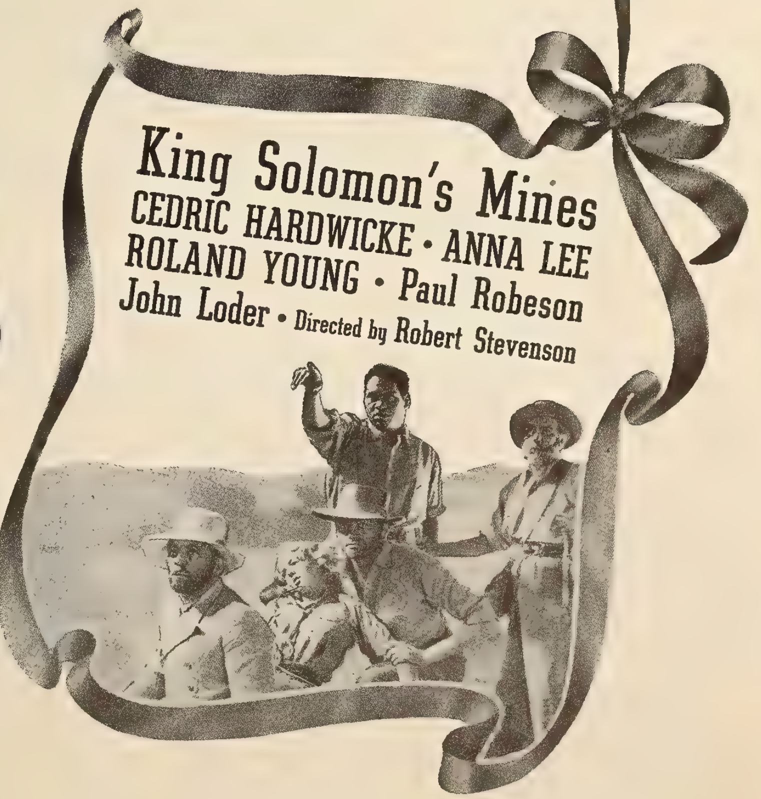

King Solomon's Mines
CEDRIC HARDWICKE • ANNA LEE
ROLAND YOUNG • Paul Robeson
John Loder • Directed by Robert Stevenson

"Horizon" in Fast Start at Philadelphia

Philadelphia, March 15.—"Lost Horizon" turned in $15,500 for the first week of its roadshow engagement at the Chestnut. At this pace, the engagement looks sure for at least four weeks.

The other roadshow in town, "The Good Earth" at the Locust, showed strength. Though its third week gross dropped a trifle, its $13,500 still represents good profit.

On the whole, the week's business was strong. "Love Is News" got a strong $22,000 for a 10-day run at the Stanley and "When You're in Love" took an average $16,000 for its eight days at the Boyd.

The weather was cold, but excellent up to Wednesday night when snow put a crimp in business for the rest of the week.

Total first run business was $122,800. Average, exclusive of the two roadshows, is $93,250.

Estimated takings for the week ending March 11:

"MAID OF SALEM" (Para.)

ALDINE—(1,300), 40c-55c-65c, 10 days, 2nd week. **Gross:** $10,500. (Average, 7 days, $8,160)

"NO MAN OF HER OWN" (Para.)
(Revival)

ARCADIA—(600), 25c-40c-50c, 9 days. **Gross:** $4,300. (Average, 7 days, $2,800)

"WHEN YOU'RE IN LOVE" (Col.)

BOYD—(2,400), 40c-55c, 8 days. **Gross:** $16,000. (Average, 7 days, $14,000)

"LOST HORIZON" (Col.)
(Roadshow)

CHESTNUT—(1,350), 55c-86c-$1.14-$1.71, 7 days. **Gross:** $15,500.

"WE'RE ON THE JURY" (RKO)

EARLE — (2,000), 25c-40c-55c, 7 days. Stage: Jesse Owens and revue, band; Bert Walton, Clara and Sana Sisters. **Gross:** $14,500. (Average, $14,000)

"READY, WILLING AND ABLE" (W.B.)

FOX—(3,000), 40c-55c-65c, 7 days. Stage: Everett Marshall, Paul Remos, Stone and Lee, Sylvia Manon & Co. **Gross:** $14,000. (Average, $14,000)

"JOHN MEADE'S WOMAN" (Para.)
(2nd run)

KARLTON—(1,000), 25c-35c-40c, 7 days. **Gross:** $2,100. (Average, $4,000)

"GREEN LIGHT" (F.N.)
(2nd run)

KEITH'S—(2,000), 30c-40c-50c, 7 days. **Gross:** $3,500. (Average, $4,000)

"THE GOOD EARTH" (M-G-M)
Road show)

LOCUST — (1,300), 55c-86c-$1.14-$1.71, 7 days, 3rd week. **Gross:** $13,500.

"LOVE IS NEWS" (20th-Fox)

STANLEY — (3,700), 40c-55c, 10 days. **Gross:** $22,000. (Average, 7 days, $14,000)

"ESPIONAGE" (M-G-M)

STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,900. (Average, $7,000)

Radio Signs Six Pacts

Hollywood, March 15.—Radio has issued new contracts to three writers and three players. Victor Moore, Patricia Wilder and Maxine Jennings are the players. The writers are Edmund Hartman, Frank Wead and Joseph Milward.

Melton, Warners Part

Hollywood, March 15. — James Melton's contract with Warners has been amicably terminated. Inability to find a suitable vehicle for Melton led to the mutual decision to dissolve the pact, it was stated.

Lissauer to Marry

Cleveland, March 15.—Joe Lissauer, booker for the Libson-Skirball circuit will be married April 11 to Elaine Spungen of Fremont.

"Cheyney" Hit In Washington With $20,400

Washington, March 15. — "The Last of Mrs. Cheyney" went out front in a big way at Loew's Palace with a take of $20,400, over normal by $4,500. The picture was held.

"Cloistered" was good for $6,000 at the Rialto.

"The Plainsman," on the second week of a return engagement (having earlier had two weeks at Loew's Palace) held up to $4,000 at Loew's Columbia. Average is $3,600. "Ready, Willing and Able" at the Earle was good for $20,000, over par by $1,600. Eddy Duchin's orchestra helped.

Total first run business, excluding the Rialto, was $74,900. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending March 4:

"READY, WILLING AND ABLE" (W.B.)

EARLE—(2,218), 25c-77c, 7 days. Stage: Eddie Duchin & Orchestra, with Caligary Brothers, Gower & Jeanne; Bliss Lewis Ash; Jane Dover. **Gross:** $20,000. (Average, $18,400)

"JOHN MEADE'S WOMAN" (U.A.)

LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: "Fats" Waller & Orchestra, with Myra Johnson, Al Washington. **Gross:** $19,000. (Average, $20,900)

"THE PLAINSMAN" (Para.)

LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement, 2nd week). **Gross:** $4,000. (Average, first run, $3,600)

"THE LAST OF MRS. CHEYNEY"
(M-G-M)

LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $20,400. (Average, $15,900)

"CRACK-UP" (20th-Fox)

METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $4,700. (Average, $4,300)

Week Ending March 9:

"CLOISTERED" (Best)

RIALTO—(1,100), 15c-55c, 7 days. **Gross:** $6,000.

"WHEN'S YOUR BIRTHDAY?" (RKO)

RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $6,800. (Average, $10,600)

"Love News," Show Indianapolis Hit

Indianapolis, March 15.—"Love Is News" on the screen and Nils T. Granlund's "Broadway Midnight Follies" on the stage brought phenomenal business of $13,200 to the Lyric. The management added extra showings on two weekdays and set new weekday marks. The gross was $6,200 above the normal.

"On the Avenue" held up well in its second week at the Apollo, taking $4,500, which was $500 into the black. First runs found competition in a three-day stay of Katharine Hepburn in "Jane Eyre" at English's, which did sellout houses at fancy prices.

Total first run business was $28,800. Average is $21,000.

Estimated takings for the week ending March 5:

"ON THE AVENUE" (20th-Fox)

APOLLO—(1,100), 25c-40c, 7 days, 2nd week. **Gross:** $4,500. (Average, $4,000)

"JOHN MEAD'S WOMAN" (Para.)
"MEN ARE NOT GODS" (U. A.)

CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"WHEN YOU'RE IN LOVE" (Col.)
"WINNER TAKE ALL" (Col.)

LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $6,500. (Average, $6,000)

"LOVE IS NEWS" (20th-Fox)

LYRIC—(2,000), 25c-40c, 7 days. Stage: "N. T. G. Broadway Midnight Follies." **Gross:** $13,200. (Average, $7,000)

To Film "Rummies"

Akron, March 15. — "Movie tests" of automobile drivers suspected of intoxication are being inaugurated here.

Arrested suspects will be required to walk weaving lines painted on the floor at police headquarters, while a movie camera, under the rays of special lights, will record the degree of equilibrium maintained by the "walkee."

"You're in Love" Is $10,500 Denver Hit

Denver, March 15.—"When You're in Love" played to standouts over the weekend at the Denver and rolled up a gross of $10,500, topping par by $3,000. It was moved to the Aladdin.

"John Meade's Woman" also was in the money with a take of $6,750, up by $1,750, at the Denham, and "Sea Devils" and "Don't Tell the Wife," on a dual at the Orpheum, went to $7,200.

Total first run business was $34,450. Average is $27,000.

Estimated takings for the week ending March 11:

"ON THE AVENUE" (20th-Fox)

ALADDIN—(1,500), 25c-40c-50c, 7 days, following a week at the Denver. **Gross:** $3,500. (Average, $3,000)

"GOD'S COUNTRY AND THE WOMAN"
(W. B.)

BROADWAY—(1,500), 25c-40c, 7 days, following a week each at the Denver and the Aladdin. **Gross:** $3,000. (Average, $2,000)

"JOHN MEADE'S WOMAN" (Para.)

DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $6,750. (Average, $5,000)

"WHEN YOU'RE IN LOVE" (Col.)

DENVER — (2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $10,500. (Average, $7,500)

"SEA DEVILS" (RKO)
"DON'T TELL THE WIFE" (RKO)

ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $7,200. (Average, $6,000)

"STOLEN HOLIDAY" (F. N.)
"ONCE A DOCTOR" (F. N.)

PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

"Strogoff" on Dual Big in Providence

Providence, March 15.—The RKO Albee topped a fine week with "Michael Strogoff" on a dual with "Two Wise Maids," which caught $8,300, over by $1,300.

The Majestic was $1,100 over average at $8,100 with "Green Light," and Fay's was $100 to the good on a $7,100 take, having for its attractions "Fair Warning" and a stage revue.

The weather was cool and clear with major opposition coming from pro hockey and boxing.

Total first run business was $38,400. Average is $39,500.

Estimated takings for the week ending March 11:

"MICHAEL STROGOFF" (RKO)
"TWO WISE MAIDS" (Republic)

RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $8,300. (Average, $7,000)

"GREEN LIGHT" (F.N.)

MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $8,100. (Average, $7,000)

"FAIR WARNING" (20th-Fox)

FAY'S—(1,600), 15c-40c, 7 days. On stage: "Parisienne Creations," revue. **Gross:** $7,100. (Average, $7,000)

"JOHN MEADE'S WOMAN" (Para.)
"HAPPY-GO-LUCKY" (Republic)

STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,900. (Average, $6,500)

"ESPIONAGE" (M-G-M)
"FIND THE WITNESS" (Col.)

LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $8,000. (Average, $12,000)

"Don't Tell," Ritz Brothers Boston Smash

Boston, March 15.—"Don't Tell the Wife" with the Ritz Brothers on the stage took high honors at the RKO Boston with $31,000 this week. This was above average by $10,000.

"Camille," in its second week at the Loew's State, went $3,000 above average with a gross of $14,000. The same program, also in a second week, took $16,000 at the Loew's Orpheum, up by $4,000.

"On the Avenue," also in a second week at the RKO Memorial, grossed $14,000. Average is $12,000.

Total first run business was $111,300. Average is $88,500.

Estimated takings for the week ending March 5:

"THE GREAT O'MALLEY" (W.B.)
"CAREER WOMAN" (20th-Fox)

FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $5,500. (Average, $4,500)

"CAMILLE" (M-G-M)

LOEW'S ORPHEUM—(2,970), 25c-45c-65c, 7 days, 2nd week. **Gross:** $16,000. (Average, $12,000)

"CAMILLE" (M-G-M)

LOEW'S STATE—(3,537), 25c-45c-65c, 7 days, 2nd week. **Gross:** $14,000. (Average, $11,000)

"ON THE AVENUE" (20th-Fox)

RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days, 2nd week. **Gross:** $14,000. (Average, $12,000)

"READY, WILLING AND ABLE" (W.B.)

METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Louis Armstrong and band. **Gross:** $22,000. (Average, $22,000)

"THE GREAT O'MALLEY" (W.B.)
"CAREER WOMAN" (20th-Fox)

PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,800. (Average, $7,000)

"DON'T TELL THE WIFE" (RKO)

RKO BOSTON — (3,246), 35c-55c-75c, 7 days. Stage: Ritz Brothers. **Gross:** $31,000. (Average, $21,000)

"Black Legion" Is Best Houston Bet

Houston, March 15.—"The Black Legion," at the Kirby for three days, made the best showing in a week of moderate business. The take was $3,000. Average for seven days is $5,000.

"More Than a Secretary" at the Metropolitan grossed $7,500 where par is $7,000. Other features lagged. "Maid of Salem" was $300 under the $7,000 average at the Majestic. "Espionage" at Loew's State was low at $6,000.

The weather was warm and rainy.

Total first run business was $27,200. Average is $26,000.

Estimated takings for the week ending March 4:

"THE BLACK LEGION" (W. B.)

KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $3,000. (Average, 7 days, $5,000)

"THE ALL-AMERICAN CHUMP"
(M-G-M)

KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,000. (Average, 7 days, $5,000)

"THE MAN WHO LIVED TWICE" (Col.)

KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average 7 days, $5,000)

"ESPIONAGE" (M-G-M)

LOEW'S STATE—(2,700), 25c-50c, 7 days. **Gross:** $6,000. (Average, $7,000)

"MAID OF SALEM" (Para.)

MAJESTIC — (2,250), 25c-50c, 7 days. **Gross:** $6,700. (Average, $7.000)

"MORE THAN A SECRETARY" (Col.)

METROPOLITAN — (2,600), 25c-50c, 7 days. **Gross:** $7,500. (Average, $7,000)

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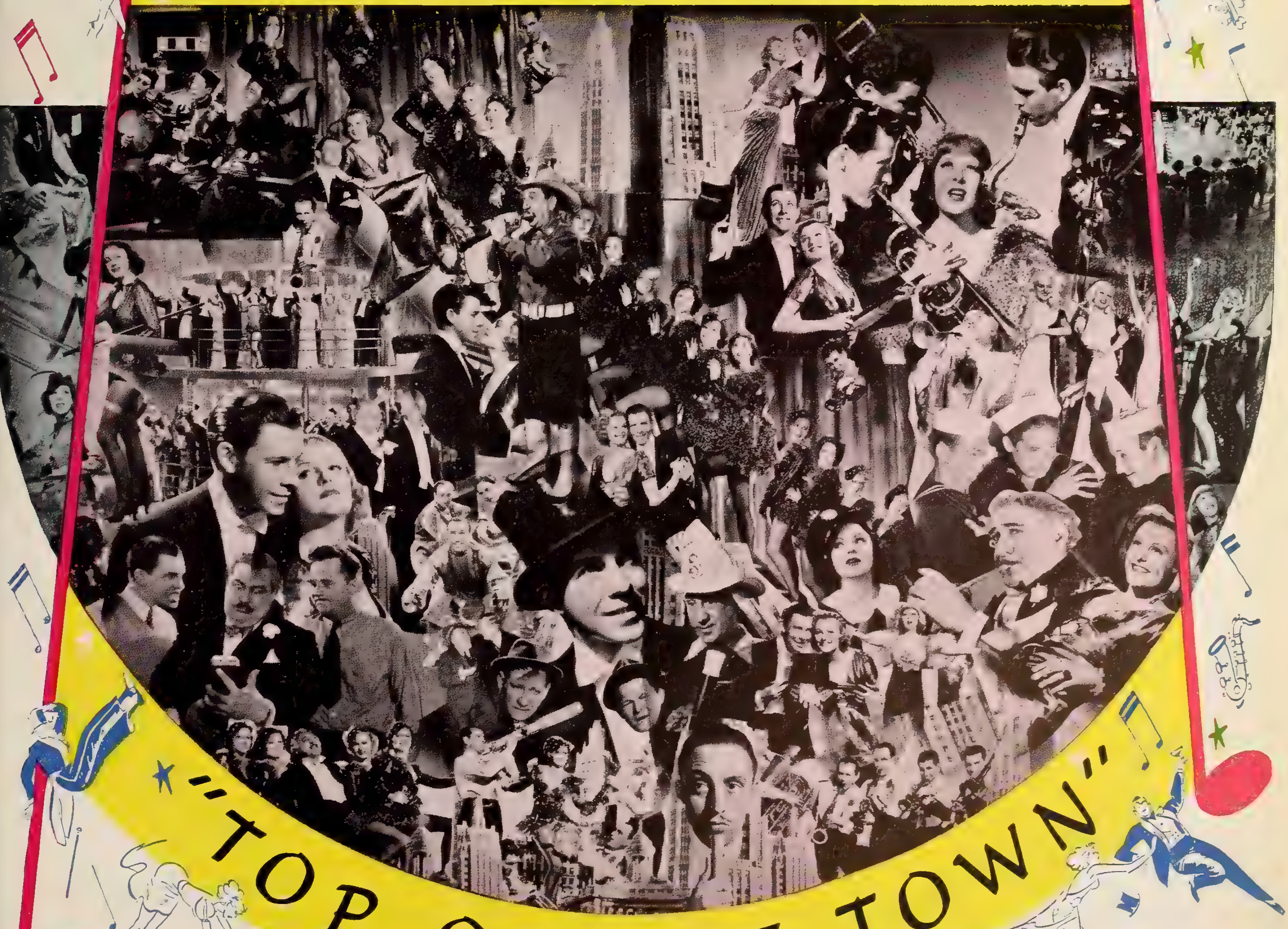
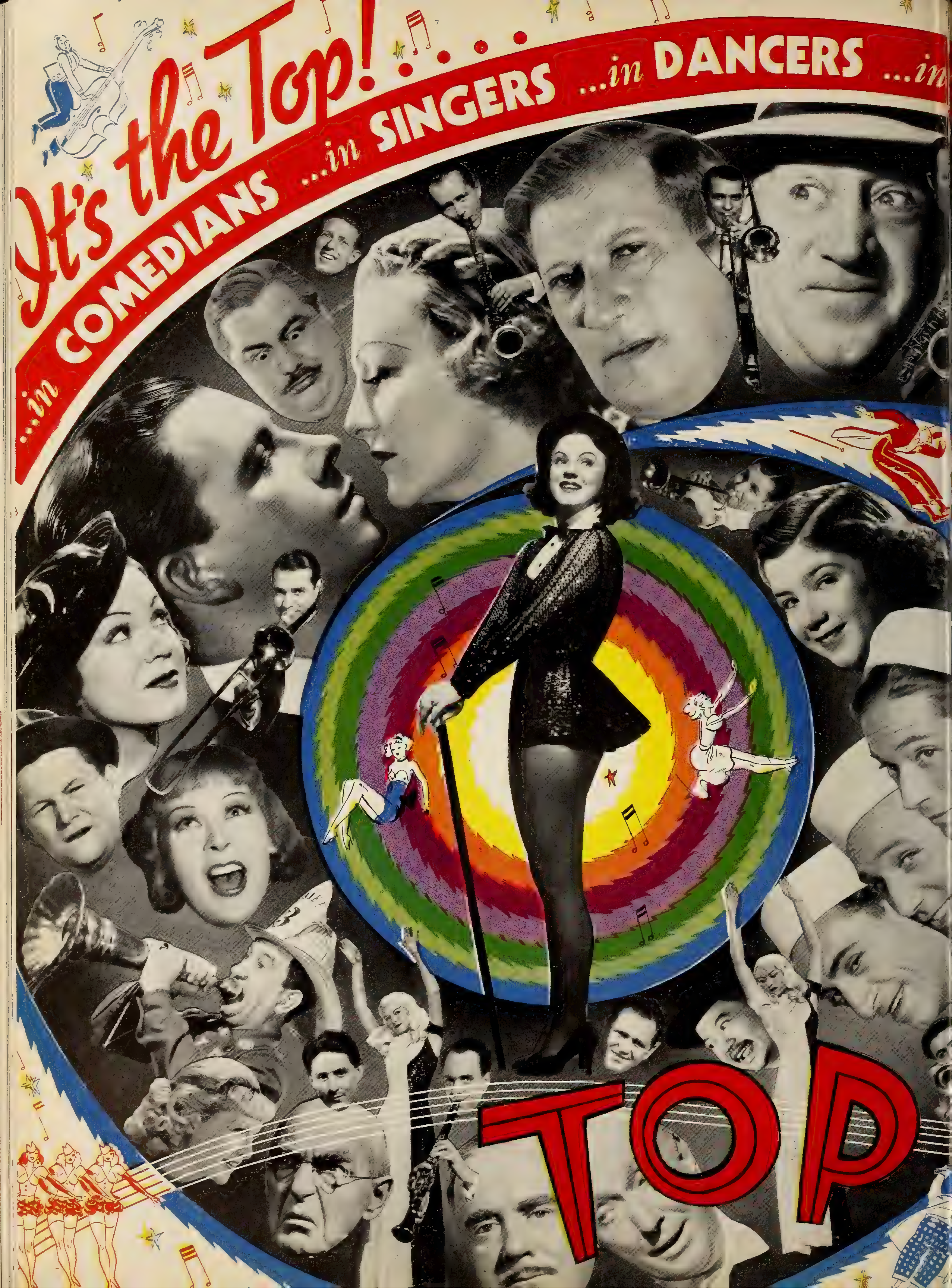


"TOP OF THE TOWN"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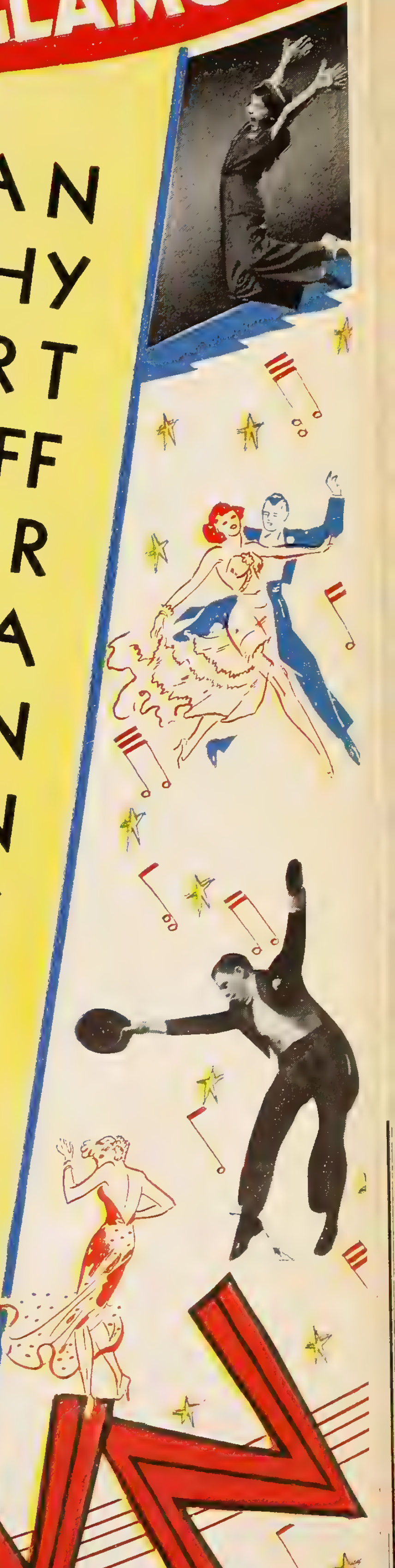

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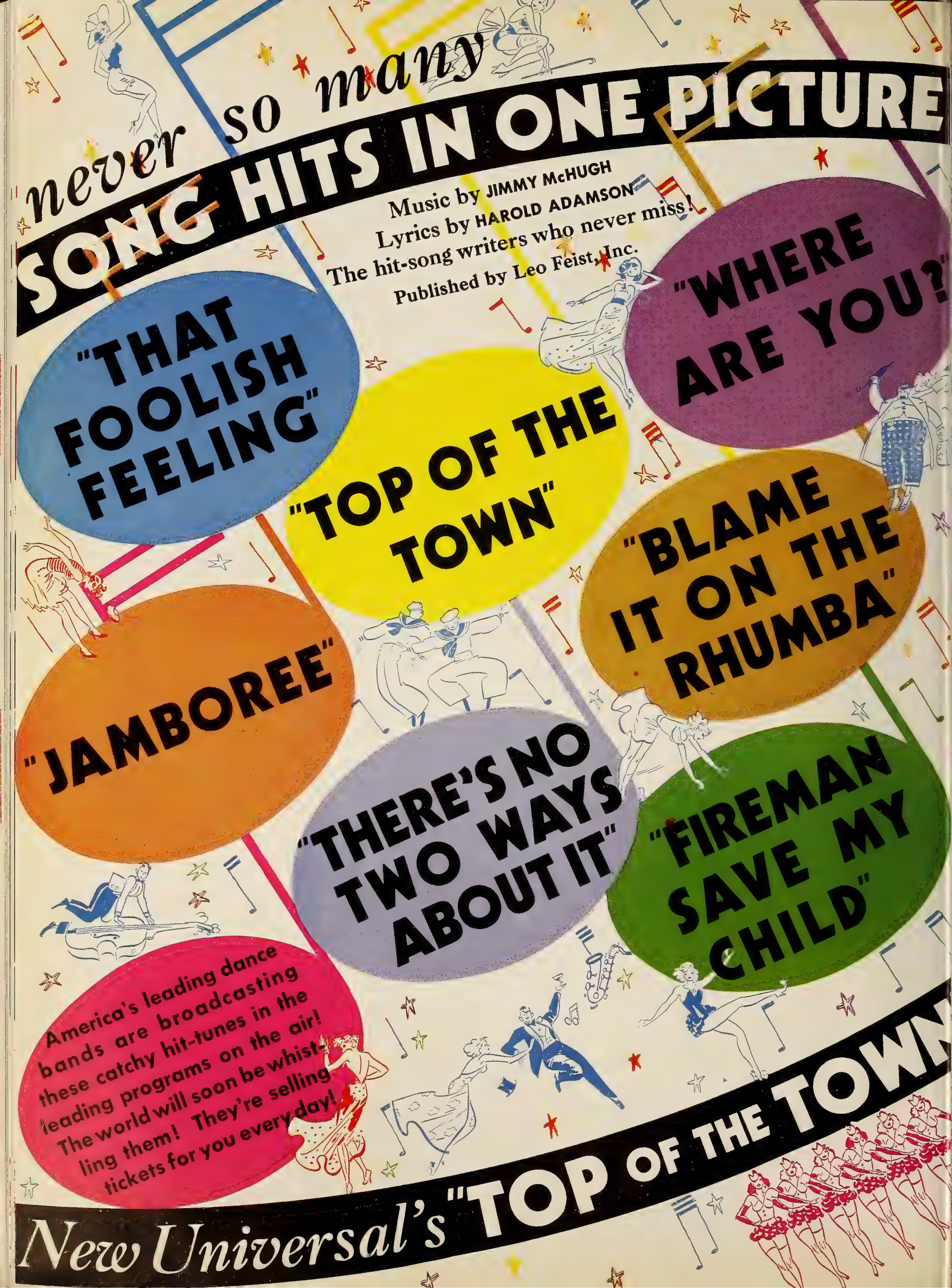

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"JAMBOREE"

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America's leading dance bands are broadcasting these catchy hit-tunes in the leading programs on the air! The world will soon be whistling them! They're selling tickets for you every day!

New Universal's "TOP OF THE TOWN

Short Subjects

"Organ Grinder's Swing"

(*Fleischer-Paramount*)

With the popular tune serving as a base, this adventure of Popeye and his troupe unreels as another entertaining cartoon. Bluto objects to Wimpy's organ grinding and gets into a battle with Popeye. Out comes the spinach and in the whirlwind action that follows, Popeye teaches Bluto to appreciate "swing." Production Code Seal No. 01,248. Running time, 7 mins. "G."

"Swing Wedding"

(*Harman-Ising-M-G-M*)

A lilting and colorful cartoon that satirizes the swing craze with an assortment of frogs made to resemble various and famous colored stars from Cab Calloway to Stepin Fetchit. It concerns the wedding of Smokey Joe to Minnie the Moocher and the best man, of course, is the swingiest. But before the ceremony there is much clever invention and rhythmic animation. It is well executed. Production Code Seal No. 3,075. Running time, 8 mins. "G."

"Scrambled Legs"

(*Columbia*)

A hilarious assortment of clips dealing with the comic side of wrestling. It is a News World of Sports number. Starting with the Dusek brothers, it takes in highlights from a few of the more humorous bouts including one refereed by Gunboat Smith, who makes the boys toe the line. It should be highly satisfactory. Production Code Seal No 01,481. Running time, 10 mins. "G."

"The Hot Air Salesman"

(*Fleischer-Paramount*)

Betty Boop and Wiffle Piffle are animated in routine stuff that concerns the latter's rebuffs as he attempts to sell his scatter-brained gadgets. With some difficulty Piffle enters Miss Boop's house and wrecks the place when his appliances get out of control. Production Code Seal No. 01,222. Running time, 7 minutes. "G."

"Going Places No. 33"

(*Universal*)

Highlighting these shots of the winter playground of Miami, which for the most part are neither new nor extraordinary, are scenes, partly from the air, of the Everglades, inhabited by Seminole Indians. Shots of animals and birds fleeing from the plane are good. Air views of the city itself are interesting.

Production Code Seal No. 01,306. Running time, 9 mins. "G."

"Grips, Grunts and Groans"

(*Columbia*)

The Three Stooges again. Arriving in a box car, they proceed to get involved with a wrestling "stable." More complications when they go out with the contender who is due to wrestle that night and he gets drunk. After the usual business Curly goes on and wins after plenty of spectacular comedy. It measures up to their best comedies. Production Code Seal No. 2,829. Running time, 19 mins. "G."

Looking 'Em Over

"Lealta' Di Donna"

("Loyalty of Love")

(*Nuovo Mondo*)

The outstanding feature of this Italian import is the interpretation of a hackneyed role by Marta Abba. Her acting is the sole relief from a story that drags and unwinds with little novelty or freshness. It is a historical drama based on the attempt to unify Italy in 1821 by a group of aristocrats who were tiring of Austrian rule.

Miss Abba is concerned in the story as the wife of a leader of the political group. Her husband, however, is unworthy of her. He openly carries on an affair with the wife of a Polish official in Milan. When he is arrested, Miss Abba, after he has been in jail for over a year, finally gets to see him. She plans an escape which doesn't quite come off. Later, following a trial, her husband is sentenced to be hanged along with the other conspirators. Miss Abba journeys to the Austrian Emperor and, failing to move him through her father-in-law, the court chamberlain, she sees the Empress and convinces her of the false case against her husband. At length, following routine climactic business, she obtains commutation of his sentence to life imprisonment.

The photography and direction lack the sparkle of other Italian offerings. It is a slow moving affair. The dialogue is capably interpreted in English subtitles.

Reviewed without production code seal. Running time, 90 minutes. "G."

Overseas Previews

"Orphan of the Wilderness"

(*Cinesound*)

MELBOURNE, Feb. 15.—(*By Air Mail Via London*).—This film, Cinesound's latest, compares well with other local pictures and in some respects is superior. The camera work and general production technique have always been an impressive feature of Cinesound's work but in "Orphan of the Wilderness" there is very definite evidence that under the direction of Ken G. Hall the technical staff has made even further advances and very few American or English films would surpass it in this respect.

In performances it does not attain the same high standard, and local players still do not seem to have acquired the art of appearing natural before the camera. There is a disconcerting unreality about their work that robs the story of much of its conviction.

Herein, however, the players enact subordinate roles to that of a kangaroo, "Chut," which has the title role. The plot was adapted by Edmund Seward from Dorothy Cottrell's story in the *Cosmopolitan Magazine*, and is a story of the animal's adventures from the time his mother is shot by bushmen. Becoming a station pet he is trained to box with his paws, and the prowess he develops makes him a circus star. The cruelty of his trainer, the romance between Chut's owner and one of the circus girls, and a novel twist to the happy ending form the story's basis.

As an animal picture, "Orphan of the Wilderness" is brilliant. As a drama it has sufficient merit to show that Australian studios are slowly but surely making headway towards the goal of international equality in production.

Running time, 85 minutes. "G." HOLT

"Calling All Stars"

(*British Lion*)

LONDON, March 9.—Just a string of cabaret, variety, radio acts, strung on the thinnest thread of story interest. The idea is that a world search is in progress for stars to re-make a batch of master phonograph records broken by a clumsy porter. It is soon lost sight of and it doesn't matter that it is.

The material is uneven, apart from its very inconsequential presentation, but there is some good dancing from the Twelve Aristocrats, plenty of singing and tapping from colored performers, including Turner Layton, Elisabeth Welch, Buck and Bubbles and the Nicholas Brothers. Ambrose and his orchestra and Leon Cortez and his band do the dance and chorus stuff, and Larry Adler is there with his mouth-organ.

It is not so much a film as a series of illustrated numbers.

Running time, 76 minutes. "G." ALLAN

Short Subjects

"The Star Reporter No. 2"

(*Paramount*)

A collection of singing and dancing acts which includes the Boswell Sisters, Stanley Worth, from Vincent Lopez' band, Jack Blair and Yasha Bunchuk's Cossack singers, who improvise on Massachusetts. Ted Husing does the introductions. It is diverting. Production Code Seal No. 01,500. Running time, 9 minutes. "G."

"The Lyin' Hunter"

(*Columbia*)

Routine cartoon stuff concerning the Krazy Kat aptitude for bragging in front of his nephews. This time a zoo is the location. The climax occurs after Krazy is chased by a fake tiger which is being used by a film company. A good item for the children. Production Code Seal No. 01,031. Running time, 7 mins. "G."

"The Big Race"

(*Universal*)

Meany, Miny and Moe, extremely animated monkeys, get themselves into fast-moving trouble when one of them, seated in Hippo's racing car with his girl, finds himself going places in a hurry. The result, until the tree crackup, prior to which the car takes to the air, is average cartoon comedy.

Production Code Seal No. 3,024. Running time, 7 mins. "G."

"When the West Was Young"

(*Columbia*)

An interesting camera visit to Tombstone, Ariz. Bud Jamison and Charles Sargent, as a pair of prospectors, serve to bring out the historical sights of the town as they question the sheriff. It is done in color. Production Code Seal No. 3,084. Running time, 9 mins. "G."

"Duck Hunt"

(*Universal*)

Oswald goes duck hunting, but he forgets to introduce his dog, Elmer, to the intricacies of mechanical decoys. Elmer becomes tangled with them, then with Oswald, and the real ducks show the unfortunate hunter how hunting should be done. The ducks win, and the cartoon is entertaining.

Production Code Seal No. 3,023. Running time, 7 mins. "G."

"Lumber Camp"

(*Universal*)

The three monkeys, Meany, Miny and Moe are in a lumber camp, with somewhat disastrous results. One tries to fell a rubber tree, a second is taken over the hurdles by a squirrel and the third, the cook, chases a bear cub for stealing, meets the angry mother, and turns the tables—or the stove—on her. It is a fairly amusing cartoon.

Production Code Seal No. 3,022. Running time, 7 mins. "G."

MPTOA Will Ask Renewed Trade Talks

(*Continued from page 1*)

than the adoption of a resolution setting forth the evils of the policy is anticipated on the theory local option should prevail. Discussion of the subject is expected to be spirited, however, and MOTION PICTURE DAILY'S vigorous stand against this type of theatre operation probably will be cited on the convention floor.

Ed Kuykendall is slated to be reelected president for another year at the annual meeting of the board Tuesday morning, immediately following the executive committee meeting at which the nominations will be made.

Other officers who will be reelected are M. E. Comerford, M. A. Lightman, E. C. Beatty and A. Julian Brylawski, vice-presidents; Morris Loewenstein, secretary; Walter Vincent, treasurer; Edward G. Levy, general counsel, and Fred Wehrenberg, chairman of the board. Mitchell Wolfson, chairman of the convention committee this year, is slated to be elected a vice-president, succeeding B. N. Berinstein. The latter will continue as a director.

Thursday's sessions, with reports of committees on controversial and vital trade issues, and addresses by outstanding industry and public figures, promises to produce whatever "fireworks" this year's convention may originate.

Among the reporting committees will be those on unfair trade practices, conciliation and arbitration, radio and non-theatrical competition, labor, legislation and taxation and the music tax.

Under these headings will be topics of industry-wide interest, such as the current organizing drive in exchanges which is regarded generally as the forerunner of a campaign to unionize theatre service staffs and to extend union projectionists to hitherto unorganized small city and rural theatres. The threat of film service being shut off by unionized exchange staffs from theatres resisting the new organizing drive is expected to be brought into the open for discussion at the Thursday session.

Allied States-sponsored legislation to divorce theatre operation from distributor and exhibitor interests may come before the legislative committee. Radio grievances will be aired and the M. P. T. O. A. trade practice accomplishments and future policy will be determined.

Toward the close of the day, 287 rooms had been reserved at the Miami-Biltmore, 225 at the Roney-Plaza and 100 at the Everglades, with delegates continuing to pour in through the late afternoon. Fifteen other hotels with numerous reservations could not be tallied.

This will be largely a family party. Not only M. P. T. O. A. conventionites have brought their wives and families, but many Paramount partners, who launch their own three-day session at the Roney-Plaza on Thursday have done likewise.

President Writes

Miami Beach, March 15.—President Roosevelt, in a letter to Ed Kuykendall, commended the M.P.T.O.A. for the support it has given agencies of recovery during the depression. The letter, on White House stationery, was dated February 19. It read: "I am glad to send hearty felicitations to the annual convention of the M.P.T.O.A. And, it is pleasant in these happier times, to acknowledge once more the fine support which the M.P.T.O.A. gave the agencies of recovery during the depression.

"I wish for your deliberations at Miami the fullest measure of success."

Will give moviegoers a grand evening in the theatre. Boyer, Arthur and Carrillo were splendid. — ELIZABETH WILSON *Silver Screen*

WALTER WANGER *presents* CHARLES BOYER *and* JEAN ARTHUR *in* HISTORY IS MADE AT NIGHT *with* LEO CARILLO • COLIN CLIVE *Directed by* FRANK BORZAGE *Original story by Gean Towne and Graham Baker* Released thru UNITED ARTISTS

Drop Lincoln Price Gain

LINCOLN, March 15.—Chances for an immediate rise in prices here have gone as Milton Overman, city manager for Westland Theatres, gave up the single handed battle and dropped the ace Varsity from a 35-cent top to 25 cents. Also, he forsook single features for duals. Bob Livingston, second run independent is the only operator retaining single features and a five-cent increase made a month ago.

Fight on School Films

SPOKANE, March 15.—The local school board has split over showing industrial films in schools. O. C. Pratt, city superintendent, stated such films should be shown because they contain much instructive matter on manufacturing and industry. As opposition developed the matter was referred to a committee.

Allied Group Meet Is Set for April 5

NEW HAVEN, March 15.—The Allied States regional conference, to be held at the Hotel Garde in New Haven, has been set for April 5, instead of March 29, as originally announced. Abram F. Myers, Nathan Yamins and other national figures are expected to attend.

Allied Theatres of Connecticut will meet at the Hotel Garde on March 23, for the annual election of officers, with luncheon preceding the business sessoin. Arrangements will be made for the welcome of delegates to the regional conference, and impending legislation, both Federal and state, will be discussed. Harry L. Lavietes will preside.

Warner Zone Heads Meet with Bernhard

Eastern and southern Warner theatre zone managers yesterday held a quarterly meeting with Joseph Bernhard, general manager of the circuit. Policies and bookings were discussed.

Field men attending included James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacocks, New Jersey; Moe Silver, Albany; Ted Schlanger, Philadelphia; Harry Kalmine, Pittsburgh; John Payette, Washington; Herb Copelan, Atlantic City, and Howard Waugh, Memphis. Home office executives who attended were: Clayton Bond, Harry Goldberg, Edward Hinchey, Nat Fellman, Stewart McDonald, Herman Maier, Frank Phelps, Abel Vigard, Harry Rosenquest, Louis J. Kaufman and Frank Cahill.

Warners Take Lease On Chicago Theatre

CHICAGO, March 15.—The Warner Circuit Management Corp. has signed a new 14-year lease on the Symphony, at a total rental of $400,000. The 1,700-seat house was leased by Charles Loitz, a creditor, who took the property in a foreclosure action. It formerly was leased to Aaron Saperstein, but he had never taken possession.

A new 900-seat house, the Road, with adjoining stores, will be constructed here. Jacob Gross will be manager. The Orpheum, in the Loop, now operated by Warners, will go down before the wreckers on May 1, to make way for a shoe store.

Breen Film Is Renamed

HOLLYWOOD, March 15.—"Make a Wish" has been selected as the final title for the next Bobby Breen picture. It was formerly "Boy Blue."

Reelect All Heads Of National Poster

(*Continued from page 1*)

increase production of screen processed accessories which are manufactured by Associated Displays, a subsidiary of National Poster Service Renters.

Denver and Hollywood are bidding for the next annual convention, with indications pointing to the meeting being held on the coast.

Members leaving yesterday included M. M. Morris and M. Wolf of San Francisco, Los Angeles and Seattle; Kendis, Cleveland; Roland Lutz, Denver; Libros, Aarons, Al Blofson and Oscar Libros, Philadelphia; Roy Dial, Washington; F. H. Beddingfield, Charlotte; Jack Blum, Chicago; I. Sokolow and M. Weintraub, Omaha, Des Moines and Chicago; James Powers, Minneapolis; M. Clark, Oklahoma City; Frank Wyckoff, Buffalo; Harry Rabinowitz, Albany; Frank Fisher, Milwaukee; William Burns, Kansas City; David Rosenfeld, Pittsburgh; G. E. Levque, Detroit; John Bylanoik, Albany; Harry Liebtag, Indianapolis, and Harry Harris, Dallas.

West Joins Ad-Caster

George West, Screeno agent for Greater New York, has closed a deal to act as local agent for Ad-Caster, new advertising medium with headquarters in Chicago. He returned Saturday from Chicago and left the same afternoon for Miami to attend the three-day annual convention of the M.P.T.O.A.

Clyde Elliott, who has the Ad-Caster rights for the Chicago territory, also has left for the Miami meeting.

George Harttmann of the Armour, Kansas City, and Frank Castle of the Tialto, St. Joseph, Mo., will meet West and Elliott in Miami.

French Select "Mutiny"

PARIS, March 15.—"Mutiny on the Bounty" has been adjudged the best foreign picture of 1936 in a poll conducted among readers by the French fan magazine, *Pour Vous*. "Mayerling," directed by Anatol Litvak, and starring Charles Boyer and Danielle Darrieux, all of whom are under Hollywood contract, was voted the best French film of the year.

Harold Cohen to M-G-M

KANSAS CITY, March 15.—Harold Cohen, who used to work out of Kansas City, has been named salesman for M-G-M here, replacing Sam B. Stoll. Stoll goes to Des Moines to become salesman there, succeeding Cohen.

THEATRE TRAILER CORP.
"TRAILERS with a PUNCH"
now available on all feature releases
TRAILERS that create interest and sell the picture without disclosing the story, or boring your patrons.
Not too long . . . but every frame packs a punch.
Service you can depend upon . . . at a
Price to please you.
Our library starts with all 1935-36 releases.
Write for details.
630 NINTH AVE., NEW YORK CITY

GRAND NATIONAL

OFFERS

6 Hot tips

FOR SUCCESSFUL

MPTOA

OPERATION

★

DATE BOOK MEMO

"23½ Hours Leave"

with

James Ellison
Terry Walker

•

A Douglas MacLean
Production
Mary Roberts Rinehart's
Sat. Eve. Post Story

DATE BOOK MEMO

"Girl Loves Boy"

featuring

Eric Linden
Cecilia
Parker

•

A Bennie
F. Zeidman
Production

DATE BOOK MEMO

"Navy Spy"

starring

Conrad Nagel
Eleanor Hunt

Produced by
George A. Hirliman

DATE BOOK MEMO

"Romance and Riches"

with

Cary Grant
Mary Brian

From the novel by
E. Phillips Oppenheim

DATE BOOK MEMO

"Killers of the Sea"

featuring

Capt. Wallace
Caswell, Jr.

Dialogue by Lowell Thomas
A Raymond Friedgen Production

DATE BOO[K M]EMO

"Trouble in Texas"

with

Tex Ritter
and His Horse "White Flash"
An Edward Finney
Production

Coming

SOMETHING TO SING ABOUT

A Victor Schertzinger Production

THE THOUSAND DOLLAR BILL

A Zion Myers Production

DYNAMITE, starring James Cagney

Based on the story "Hot Oil" • Produced by Richard A. Rowland

Union Drive Flares Anew On 2 Fronts

(*Continued from page 1*)

for assistant shippers, $32.50 for poster clerks, $25 for head inspectresses and $22.50 for inspectresses, are expected to be presented to branch managers almost daily. In addition, the demands will contain provisions prohibiting salary cuts for any employes in these classifications who may be receiving more than the specified minimum at this time.

Cleveland's organization drive has progressed without any conflict so far.

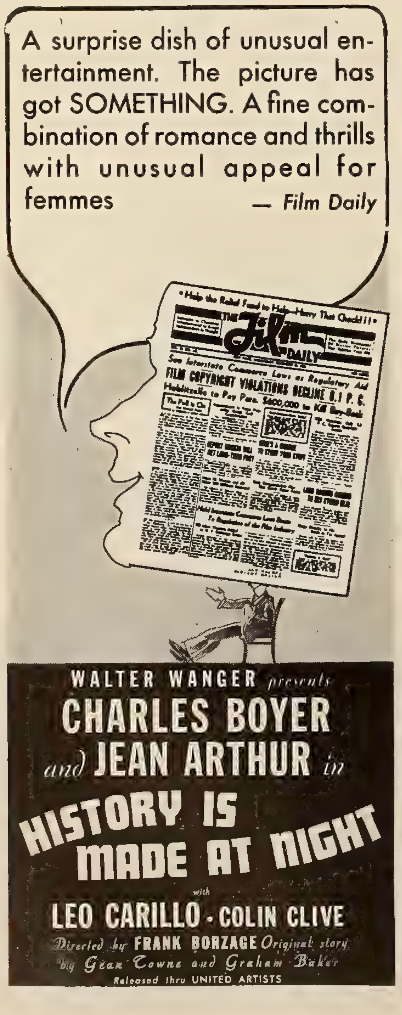
Paramount Partners Hold Early Session

(*Continued from page 1*)

tingent which left on the Florida Special Saturday afternoon today continued to discuss what carried elements of potential tragedy, when their observation car jumped the tracks near Richmond Saturday evening. The train was proceeding at reduced speed, which obviated the danger of injury and nothing more serious occurred than loss of time.

"Swing High" Is High

"Swing High, Swing Low" has established attendance and receipts records in 15 cities over the country, according to Paramount. The film opened Friday.



A surprise dish of unusual entertainment. The picture has got SOMETHING. A fine combination of romance and thrills with unusual appeal for femmes — *Film Daily*

"Help the Relief Fund to Help—Hurry That Check!!"
THE Film DAILY
See Interstate Commerce Laws as Regulatory Aid
FILM COPYRIGHT VIOLATIONS DECLINE U.I P. C.
Hobilitzelle to Pay Para. $400,000 to Kill Buy-Back

WALTER WANGER *presents*
CHARLES BOYER
and JEAN ARTHUR *in*
HISTORY IS MADE AT NIGHT
with
LEO CARILLO · COLIN CLIVE
Directed by FRANK BORZAGE *Original story by Gene Towne and Graham Baker*
Released thru UNITED ARTISTS

Purely Personal

DAVE APOLLON and his revue will headline the State stage show, starting Thursday. HELEN L. MORGAN and the Salici Puppets have been booked in for the following week. This will make the third appearance for the Salici Puppets in six months.

•

IRVING MARKS, European play broker, will arrive today on the *Normandie*. Ditto MICHAEL BALCON, GEORGE CUKOR, GERMAINE AUSSEY, French actress, en route to Hollywood, and CHARLES BENNETT, British scenarist.

•

ROGER MARTIN COMBS, formerly advertising and sales promotion manager of American Airlines, has joined the Chicago sales and contact staff of Jam Handy Picture Service.

•

ARTHUR KOBER sails today on the *Empress of Australia* for a Havana vacation, following which he will go to Hollywood.

•

RUDI FELD, former chief of the UFA art department who was exiled with the advent of HITLER, arrives today on the *Berengaria*.

•

JOAN BLONDELL is due this week from the coast for "The King and the Chorus Girl" festivities.

•

BOB WOLFF, local RKO branch manager, has returned from a Miami vacation.

•

MRS. IRWIN ZELTNER is due back tomorrow on the *Pilsudski* from a West Indies cruise.

•

NEIL F. AGNEW, J. J. UNGER and BOB GILLHAM are due to leave for Miami today by plane.

•

CLARENCE BUDINGTON KELLAND, the author, is en route from the coast, via auto trailer.

•

CRESSON E. SMITH, western and southern sales manager for RKO, has returned from a vacation in Nassau.

•

IDA COHEN, a guest of SOPHIE TUCKER on the coast, will return to London on the *Normandie* tomorrow.

•

W. G. VAN SCHMUS returned from a three-week trip to the coast yesterday.

•

RITA JOHNSON will leave for the coast today by American Airlines.

•

ARTHUR WILLI, RKO talent scout, returned yesterday from Wilmington.

•

D. A. DORAN of Columbia is due from the coast this week by plane.

•

MITCHELL KLUPT bagged a stag at Lake Placid over the weekend.

Bar Non-Union Lensers

HOLLYWOOD, March 15.—Free lance cameramen without union cards have been barred from studios by order of Photographers Local No. 659.

Badge for Miss Pons

Norwalk, March 15.—Lily Pons is the first woman in Connecticut to be presented the gold badge of a state motor vehicle inspector. In making the presentation, Motor Vehicle Commissioner Michael A. Connor said he was awarding Miss Pons "because she is proud of her automobile registration, LP13, and is consistently singing the praises of Connecticut up and down the land."

Chain Store Measure Presented in Kansas

KANSAS CITY, March 15.—Chain organizations operating in Kansas would pay an estimated $250,000 a year to the state under the terms of a chain store tax bill introduced in the Kansas House by the Committee on Assessments and Taxation.

The bill provides a license fee of $2 for a single unit, $4 each for additional units up to five, $10 for the number of units from five to 10; $20, from 11 to 15; $40, 16 to 20; $80, 21 to 25; $160, 26 to 30; $280, 31 to 35; $400, 36 to 40; $520, 41 to 45; $640, 46 to 50, and $760 for 51 or more.

The same committee has amended an income tax bill to provide that the two per cent rate become effective on personal incomes at $1,000, and that the tax on corporations be increased from the present two per cent to three per cent. The increases in both categories would, it is estimated, bring in an additional $1,000,000.

B. N. Decision Due in Mo.

ST. LOUIS, March 15.—The Missouri Supreme Court is expected to decide in May on the legality of Bank Night in the state in the case of McKean vs. Kemp which was argued before the court in January. It is a test case in which George McKean, Bank Night representative here, was placed under technical arrest for alleged violation of the lottery laws.

Drawings resembling Bank Night at theatres are violations of the lottery laws of Missouri, according to an opinion from Acting Attorney General J. E. Taylor. The opinion was in response to a request from Barker Davis, prosecuting attorney.

Seek Games Ban in Canada

WINNIPEG, March 15.—Bank Night and free premiums may be abolished here if 22 exhibitors are successful in the demands they have before the Law Amendments Committee of the Manitoba Legislature.

Exhibitors, represented by S. Hart Green, have asked that the practice of giving away chinaware and glassware with admission tickets be made illegal under the Amusements Act.

Technicolor Ups Capital

LONDON, March 6. — Technicolor, Ltd., has increased its original capital of £370,000 by the issue of 40,000 further £1 shares, equally divided between "A" and "B" categories.

Transfer Frank Murphy

BOSTON, March 15.—Frank Murphy has been appointed assistant to Manager Vic Morris at Loew's Orpheum.

Whiteman Supports Dickstein Measure

(*Continued from page 1*)

tional," Whiteman said no boundaries can stop it for long, but when other countries raise barriers American talent cannot overcome this country must adopt similar restrictions.

He told of his experiences abroad, and how it became increasingly difficult for him to get entry into England. Finally, he said, the home office refused to permit his band in as a troupe. In France, he said, he had to hire "four or five" French musicians for every man he took into the country.

Following the meeting Dickstein expressed the hope that the committee could take the bill up for consideration of his report next week.

Defeat Sunday Films

TARRANT CITY, Ala., March 15.—A movement to legalize Sunday films here was defeated in a referendum by a vote of 283 to 358.

Fight Mass. Sales Tax

BOSTON, March 15.—Film interests in Massachusetts are fighting a bill to establish a sales tax in this state. The M.P.T.O. and Allied are combining forces against the measure.

Pass Ticket Tax Bill

SALEM, Ore., March 15.—Approving a committee recommendation, the House here has passed the amusement tax bill by a 34 to 21 vote, the funds to be used for old age pensions. The bill would provide a five per cent tax on every 41 cents or more paid in admission to public entertainment.

Illinois Divorce Bill Next Week

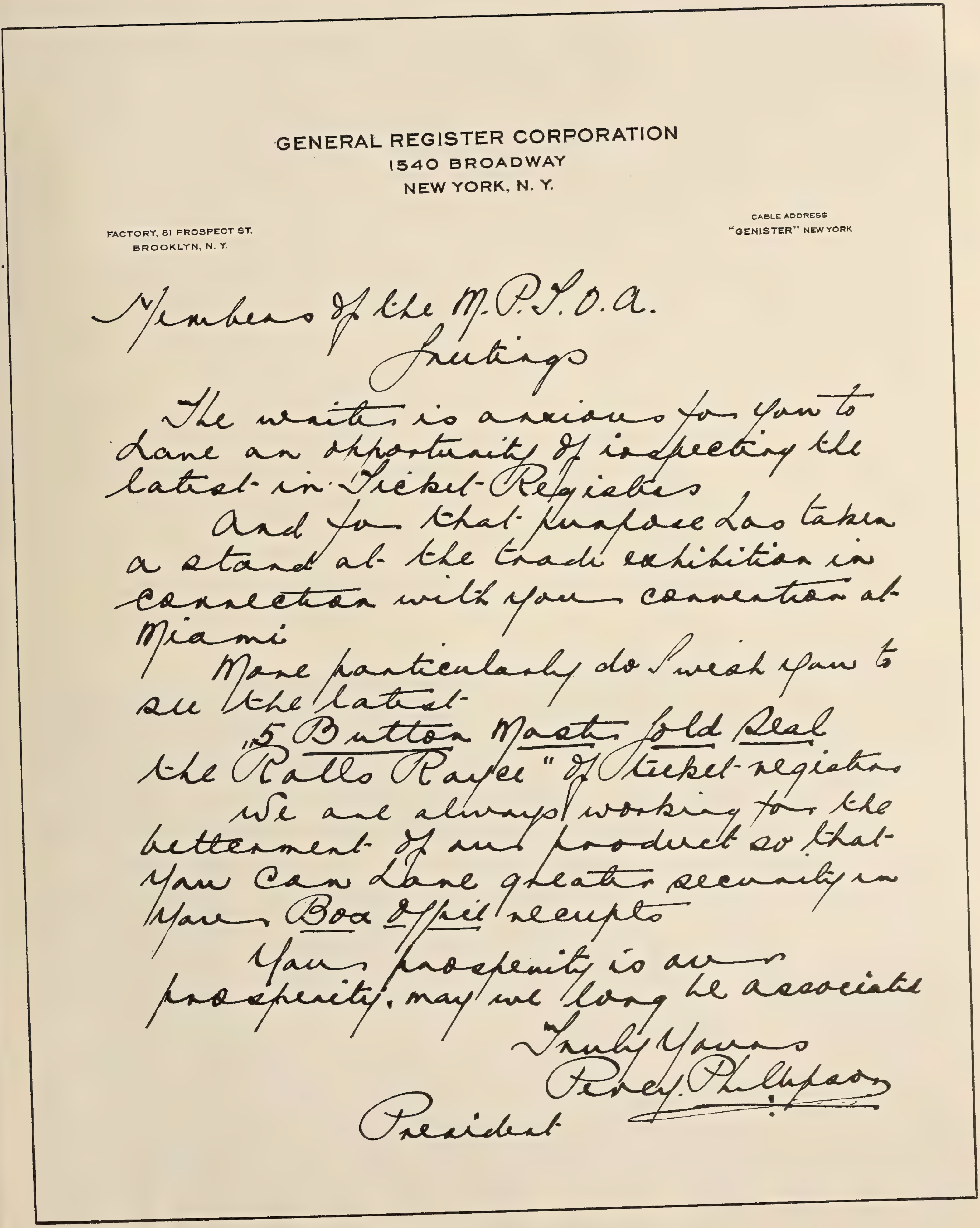
SPRINGFIELD, Ill., March 15.—The bill calling for the separation of production and exhibition is expected to be introduced in the Legislature here some time next week.

Emergency Lighting Rules Are Unaltered

ATLANTIC CITY, March 15.—With only some editorial revision of wording, the requirement for emergency lighting systems for theatres will be retained in the 1937 National Electrical Code.

This was assured here by the electrical committee of the National Fire Protection Ass'n. The group spent four days in conferences at Chalfonte-Haddon Hall, completing the last year's work of amendment and revision.

The Tavern
MEETING PLACE
of the INDUSTRY
•
MAKE THIS YOUR
LUNCHEON—
DINNER—SUPPER CLUB
158 W. 48th St. Toots Shor



GENERAL REGISTER CORPORATION
1540 BROADWAY
NEW YORK, N. Y.

FACTORY, 81 PROSPECT ST.
BROOKLYN, N. Y.

CABLE ADDRESS
"GENISTER" NEW YORK

Members of the M.P.T.O.A.

Greetings

The writer is anxious for you to have an opportunity of inspecting the latest in Ticket-Registers

And for that purpose has taken a stand at the trade exhibition in connection with your convention at Miami

More particularly do I wish you to see the latest

"5 Button Master Gold Seal
the "Rolls Royce" of ticket-registers

We are always working for the betterment of our product so that you can have greater security in your Box Office receipts

Your prosperity is our prosperity. may we long be associated

Truly Yours
Percy Phillipson
President

Monogram Will Hold Sales Meet in May

The first national sales meeting of the new Monogram Pictures will be held here early in May, Edward Golden, sales manager, said yesterday. Approximately 22 franchise holders and several managers for branches which Monogram will operate directly are expected to attend the session. The date and hotel will be decided upon in the near future.

Monogram officials reported yesterday that details of the company's new financing still were under discussion. Indications are that the final arrangements will be concluded within the next few days.

"Horizon" in Chicago

CHICAGO, March 15.—"Lost Horizon" opened last night at the Erlanger to a capacity audience. Reviewers were enthusiastic. The house has been sold out in advance for all performances during the coming week.

Shift "Horizon" Ending

Taking heed of critical mention in the press following the premiere of "Lost Horizon," Frank Capra has discarded the original ending of the film and substituted a sequence more in keeping with the conclusion of the novel.

Cohan Play Closes

"Fulton of Oak Falls," the George M. Cohan play which opened Feb. 10, closed Saturday.

Variety Club Chatter

Dallas

DALLAS, March 15. — About 12 members and guests were at the last luncheon, with Chief Barker R. J. O'DONNELL.

WILLIAM MCGRAW, attorney general of Texas, was the principal speaker.

JAN ISABEL FORTUNE, author of "Cavalcade of Texas," outlined her new pageant for the Pan-American Exposition at Dallas in June. WALTER BARLOW talked on Dallas traffic problems.

Detroit

DETROIT, March 15. — Forty-four new members was inducted into the local Variety Club tonight at a banquet, initiation and show in the Crystal ballroom of the Book-Cadillac.

The new members are:

Resident—CHARLES N. AGREE, K. F. ANDERSON, IRVING BELINSKY, MAX BLUMENTHAL, BERNARD BROOKS, RAYMOND SCHREIBER, ROY CARROW, RICHARD A. CONNELL, ALBERT DEZEL, JACK DICKSTEIN, CHARLES A. GARNER, WILLIAM GUENSCHE, JACK HALEY, DON WIDLUND, T. M. HARPER, WALTER HORSTMAN, FRANK HOWARD, HARRY KOMER, EDDIE LOYE, R. L. MISCH, W. B. POTTS, WARREN A. SLEE, JERRY SCHNEIDER, JOSEPH STOIA, FRANK STUART, JACK SUSAMI, AL WESTAWAY, BARNEY WETSMAN, H. E. STUCKEY, PETER SIMON, DAVID FLAYER, DAVID L. KAPLAN, DEL APEL and ROY COX.

Non-resident—HARRY D. LEVINSON, W. V. MURRAY, FRANK J. BARRY, HARRY HOBOLTH and HERBERT R. SCHILDS.

Associate—REX WHITE, WALTER FULLER, JAMES MALONEY and WILLIAM E. RICK.

St. Louis

ST. LOUIS, March 15.—The annual dinner of the local Variety Club at the Hotel Jefferson was a success. The proceeds will go to the local Child Conservation Conference. RAY COLVIN, president; HAROLD W. EVANS and JAMES E. HARRIS handled the arrangements.

The entertainment, built around a circus motif, included ROSE V. COYLE, the current Miss America, and Fred Waring and his Pennsylvanians. THOMAS N. DYSART acted as toastmaster; JOHNNY PERKINS was master of ceremonies. Speakers included THOMAS H. PLATT, JAMES G. BALMER, and DR. HUGO KOSLOFF. FRED WEHRENBERG was guest of honor.

Washington

WASHINGTON, March 15.—Tent. No. 11 has resumed its fortnightly luncheons. JOSEPH E. FONTAINE, new Paramount manager was presented with W. VINCENT DOUGHERTY and ROBERT M. GRACE acting as kings-for-a-day.

Entertainment was furnished by Lester Cole and His Commanders; "Red" Skelton, and Jack Powell, blackface solo drummer.

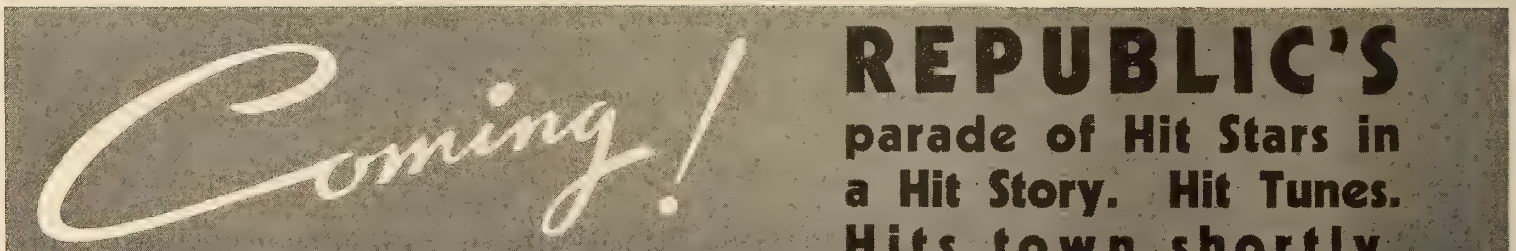
On Wednesday, March 17, from 9 P.M., the Club will sponsor a dry land cruise to Ireland. DR. FRANK T. SHYNE is the skipper. Others getting up the party include CHARLES KRANZ, JOHN CHEVALIER, DOUGHERTY, SAM A. GALANTY, CHARLES E. SCHULMAN, E. A. CAFRITZ, JACOB KOTZ, BENJAMIN KOTZ, ALAN J. BACHRACH, ARTHUR A. DETITTA, NELSON B. BELL, ANDREW R. KELLEY, F. J. CARMODY, J. RAYMOND BELL, GORDON HITTENMARK, A. JULIAN BRYLAWSKI, JAMES J. LAKE, JOHN J. PAYETTE, ALBERT SIGMOND, F. EUGENE FORD, ARCHIE D. ENGEL, SIDNEY B. LUST, HARRY E. LOHMEYER, HARDIE MEAKIN and THOMAS J. CLARK.

To Build Open Theatre

The first open air theatre to be built in the local territory in some time will be erected shortly at Long Beach. It will seat 1,000. Reports are current the Brandt circuit is negotiating for the airdome, which will be ready for the summer season.

Saville's Next in Color

LONDON, March 6.—Victor Saville's next for London Films, after the completion of "Action for Slander," will be an all-Technicolor version of "Bicycle Built for Two."


Coming!
REPUBLIC'S
parade of Hit Stars in
a Hit Story. Hit Tunes.
Hits town shortly.
Frances LANGFORD
Phil REGAN
AND THIS STAR-STUDDED CAST
CARL HOFF
and THE HIT PARADE orchestra
DUKE ELLINGTON
and his band, with Ivie Anderson
EDDY DUCHIN
and his orchestra
AL PEARCE
and his gang
PICK AND PAT
LOUISE HENRY
GEORGE GIVOT
"The Greek Ambassador"
MOLASSES 'N' JANUARY
VOICE OF EXPERIENCE
ED THORGERSEN
PERT KELTON
THE GENTLE MANIACS
ROY SMECK
Wizard of the Strings
THE TIC TOC GIRLS
EDWARD BROPHY
MAX TERHUNE
INEZ COURTNEY
OSCAR AND ELMER
Directed by GUS MEINS
Produced by NAT LEVINE
THE HIT PARADE
REPUBLIC PICTURES

This is the twenty-four sheet Poster available at all Republic exchanges

Air Pictures Get Coast Test

Los Angeles, March 15.—The televised preview here Saturday of the commercial film, "The Empire of the West," failed to unduly excite the privately invited press audience gathered at the residence of Harry R. Lubcke, television director of KHJ.

The diminutive screen—six by seven inches, cramped the scenes of the Boulder and Parker Dam projects, which failed to attain anything like the distinctness and clarity of theatre films, while the titling was so reduced as to be almost illegible. The magnitude of the metropolitan water system of southern California, which the film intended to portray, suffered accordingly.

Additionally the televised film offered brief acting sequences featuring Leo Carrillo and Sam Flint as pioneering Californians. The transmission here was much sharper and clearer, and impressed the audience.

The distance encompassed by the transmission was 3¾ miles, emanating from the downtown studios of KHJ. The period of projection was 23 minutes, a longer range and a greater period of projection than ever before attempted, it is believed. According to Lubcke, two hills between the source of transmission and the point of reception presented natural physical obstacles equivalent to a seven-mile range over a flat terrain.

The film was produced by the Rodney Gilliam Co.

Renew "Gumps," Dr. Dafoe

Lennen & Mitchell, Inc., yesterday renewed "The Gumps" and Dr. Allan Roy Dafoe's program, each for 13 additional weeks. Lehn and Fink sponsors the programs. The renewals become effective as of April 5.

Both programs are heard on CBS; "The Gumps" Mondays through Fridays, 12 to 12:15 P. M., E.S.T., in behalf of Pebeco Toothpaste; Dr. Dafoe, Mondays, Wednesdays and Fridays, 11:45 A. M. to noon, E.S.T., for Lysol.

Anthony Starts New Series

Los Angeles, March 15—Earle C. Anthony, Inc., yesterday started a 25-week "Musical Moods" transcription program over KXCA for the Lyons Van & Storage Co. The deal was handled through Charles H. Wayne Co.

Renew Phil Lord Program

"We, the People," Phil Lord's program for Calumet Baking Powder, heard Sundays at 5 P.M., E.S.T. on the NBC-Blue, has been renewed for seven weeks, beginning May 16. Young and Rubicam is the agency.

"Logical"

"In my opinion, your articles on radio have a great deal of value, are logical, and should be continued"—*S. J. Briskin,* vice-president in charge of production, RKO Radio Pictures.

Pro-Court Change Charge Draws Reply of Networks

The three nationwide networks, NBC, CBS and Mutual answer weekend charges by U. S. Senators King and Wheeler that they are biased in favor of President Roosevelt's court change plan by presenting the record of time allotments.

Since the President submitted his plan to Congress early in February, the Mutual network has presented nine balanced debates. Three speakers also have aired their sentiments against the proposed changes; one speaker has spoken for it. President Roosevelt's two talks, the "fireside chat" and the Victory Dinner address were additional. Mutual states the President's talks were balanced by the three anti-court change addresses. On CBS since the court reforms were suggested, 36 talkers have been equally divided between the proponents and opponents. The President's "fireside" chat is included among the proponent addresses; his Victory Dinner address is not.

Up to and including March 12, NBC had presented a total of 63 speakers over its own networks; 33 for and 30 against. In addition to talks expressing opinion, NBC has presented two neutral discussions on the proposal, as well as a thrice-weekly summary of a Public Opinion Poll, conducted by Dr. George Gallup, president of the American Institute of Public Opinion.

Arrest Ordered in Air Action by Wire

Federal Court Judge Francis G. Caffey yesterday ordered the immediate arrest of Anschel Barshay for contempt of court for violating a temporary injunction granted Time, Inc., on Jan. 22. Barshay was enjoined from selling broadcasting recordings under the name of "Voice of Time." After the injunction was issued Barshay stamped "Voice of Time" over the name "Voice of Time" on his stationery and advertising matter.

Judge Caffey ruled that this constituted contempt of court. Barshay's imprisonment will continune until he delivers to Time for destruction all business stationery and advertising matter and writes to all known persons who have received his advertising matter that he is not connected with Time, Inc., or "March of Time." Judge Caffey refused to impose any fine.

Report Actor Series Will Not Be Renewed

Chase and Sanborn's "Do You Want To Be an Actor?" series will not be renewed beyond its present contract date, expiring April 25, it was reported yesterday. The current series will be replaced by a variety program with a permanent "em cee" and orchestra, and topflight weekly guest artists from stage, screen and radio. J. Walter Thompson is the agency. Warner Bros. and Transamerica own the "Do You Want To Be an Actor?" series, and lease it to Chase and Sanborn.

Set Two "Marlin" Broadcasts

Under its Procter and Gamble sponsorship, "The Story of Mary Marlin" will have two broadcast periods each day on NBC networks, beginning March 29. The schedule follows: Mondays through Fridays on the Red, 12:15 to 12:30 P.M.; and daily except Saturdays and Sundays from 5 to 5:15 P.M. on the Blue. Only the Red program will go to the Pacific coast.

Waring on St. Louis Salute

Fred Waring, now touring in vaudeville, will headline the roster of acts engaged to help KWG, St. Louis affiliate of NBC, celebrate the 10th anniversary of its formation. The salute program will be carried on the NBC-Blue network, 11:30 P.M. to midnight, March 17.

FCC Sets New Dates For April Hearings

Washington, March 15. — The F.C.C. today ordered hearings on pending applications as follows:

March 31—Before an examiner, applications of William W. Ottoway, Port Huron, Mich., for new 1,370 kilocycle, 250-watt station; Frazier Reams, Mansfield, O., for 1,370 kilocycle, 100-watt daytime station, and station WCAZ, Carthage, Ill., for increase of power to 250 watts.

April 8—Before the broadcast division: Applications of Port Huron Broadcasting Co., Port Huron, Mich., for 1,370 kilocycle, 250-watt daytime station; Golden Empire Broadcasting Co., Marysville, Cal., for 1,140 kilocycle, 250-watt daytime station, and station WGBI, Scranton, for increase of day power to 1,000 watts.

April 9—Before an examiner: Applications of the Hebrew Evangelization Society, Los Angeles, for 570-kilocycle, 1,000-watt station; Twin City Broadcasting Corp., Long View, Wash., for 780-kilocycle, 250-watt waytime station; Edgar L. Bil, Peoria, Ill., for 1,040-kilocycle 250-watt daytime station, and station KGLO, Mason City, Ia., for increase of day power to 250 watts.

RCA Quits as Opera Sponsor on March 27

RCA sponsorship of the Metropolitan Opera series terminates with the broadcast of March 27. Thereafter for the remainder of the opera season, comprising three broadcasts, the program will be aired as a sustainer.

Effective with the expiration of the contract, the program switches from the Red to the Blue network. The first two sustaining operas, April 3 and 10, will emanate from Boston; the final one will originate in Cleveland. All three programs will begin at 2 P.M., E.S.T.

Para. Sets First Broadcast

Paramount's initial "Parade" offering March 28 on the NBC-Red network will embrace the combined casts of "Off the Moon," "Waikiki Wedding" and "Mountain Music," with Boris Morros directing the music, Ted Sherdeman directing the production, Eddie Moran scripting; Mary Carlisle and Lynn Overmann will act as the program "guides."

◂ Radio Personals ▸

FREDDIE GIBSON, heard with Dick Himber's orchestra, goes into the Rainbow Room as vocalist with Ruby Newman's orchestra. . . . Morton Downey returned to New York from Memphis last night. He sails for Europe shortly. . . . The Jack Oakies celebrate their first wedding anniversary March 20. She's the former Venita Varden. . . . In order to appear on "Hollywood Hotel" this Friday, Gertrude Niesen hops a plane from Chicago Thursday and returns via the same mode of transportation Saturday. Miss Niesen is appearing at the Chez Paree in the Windy City. . . . Lillian Gish will be a guest on "Showboat" this Thursday evening; next Thursday Lillian's sister, Dorothy, will appear on Kate Smith's "Bandwagon," doing scenes from "Two Orphans." . . .

✚

Fred Wile, Jr., who heads the publicity staff at Young and Rubicam, back yesterday from a two-week vacation cruise with Mrs. Wile. . . . Ernest Cutting, in charge of audition for NBC, takes over the bandleader's helm on the "Professional Parade" program this week. . . . Fayette Krum, author of the network serial "Girl Alone," back at her post after three weeks' vacationing in Arizona. . . . Jack Benny will remain in New York for this Sunday's broadcast, thus canceling plans for a Chicago appearance. He will have the Mayor of Waukegan, Ill., on his program as guest. Waukegan is Benny's home town. . . .

✚

WINS will feed the description of the St. Patrick's Day Parade tomorrow to the upstate stations of the New York State network, of which WINS is the key station. . . . John W. Harrison, former screen and stock player, has joined the announcing staff of KTUL, Tulsa. . . . Kay Parson's, known to network listeners as "The Girl O' Yesterday," begins a new half-hour bi-weekly series on WNEW today, and Tuesdays and Thursdays thereafter at 8:30 P.M., E.S.T. . . To Henry Fonda, Walter O'Keefe and Edgar Bergen Thursday on the Vallee hour as guest performers. has been added Rudi Grasl, musical mimic. . . . English piano team of Ethel Bartlett and Rae Robertson will guest appear on the Ford Symphony Hour March 21. . . . Maurice Evans and Katherine Locke, both of the stage, will be interviewed by Bide Dudley on the latter's WOR program March 19 at 1:15 P.M., E.S.T. . . . Leopold Stokowski arrives here from Hollywood March 24 to conduct on the Philadelphia Orchestra program. . . .

✚

Herbert L. Pettey, associate director of WHN, back from Walaka, Florida . . . Mrs. Louis K. Sidney in from the coast today.

LEO SAYS:
Two million students are told to listen to WHN's "Flame Fighters" by New York's Board of Education!
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MOTION PICTURE DAILY

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

VOL. 41. NO. 63 NEW YORK, WEDNESDAY, MARCH 17, 1937 TEN CENTS

Appeals Court Upholds Sales Tax on Films

Affects New York City; Appeal to Be Sought

ALBANY, March 16.—The Court of Appeals, the state's highest tribunal, today affirmed the ruling of the Appellate Division upholding the right of New York City to levy and collect a sales tax on films exhibited within the city.

The court also affirmed the earlier decision exempting from the tax theatres located outside the city limits even though the film supply is obtained from New York City exchanges.

The decision was handed down in connection with the appeal of the New York United Artists exchange from an original assessment of two per cent for the municipal sales tax against its film rentals which was made almost two years ago by the city comptroller's office. On appeal to the Appellate Division, rentals derived from theatres outside the city, in Westchester, Long Island and New

(*Continued on page 2*)

Bank Night Royalty Actions Up in Mass.

BOSTON, March 16.—Suits have been filed in the District Courts of Brockton, Marlboro, Lynn and Woburn by George S. Ryan, Bank Night attorney, against theatres allegedly refusing to pay royalty charges. The defendants are Campello Corp., Reading Theatre Corp., Hudson Amusement Corp. and R. B. Rubin.

Bank Night has been declared legal by the State Supreme Court, but since that time the U. S. Circuit Court of Appeals has ruled there can be no infringement of the Bank Night copyright.

The suits are based on alleged breach of contract.

Plan No Substitutes For Bank Night Here

With Loew's and RKO eliminating games in all of their local theatres and Skouras and Century in a number of its units, no substitutes are planned, according to executives of the four theatre organizations.

The feeling among circuit representatives is that Bank Night and Screeno have been added attractions

(*Continued on page 2*)

Radio News—Pp. 18-20

Industry Self-Rule At Stake, Says Kuykendall

Spitz Heads KAO And Keith Boards

Leo Spitz, RKO president, was elected chairman of the board of Keith-Albee-Orpheum and B. F. Keith Corp., two of the company's theatre operating subsidiaries, succeeding M. H. Aylesworth, resigned, the company reported yesterday. Spitz is also president of the two subsidiaries.

A dividend of $1.75 per share on the K-A-O cumulative preferred was declared out of capital surplus for the quarter ended Sept. 30, 1933, payable April 1, next, to holders of record on March 26. Dividend arrears on this stock thus will amount to $24.50 a share as of April 1.

Reserve Decision On RKO Petition

Federal Court Judge William Bondy reserved decision yesterday after a hearing on the petition of Irving Trust Co., trustee in the reorganization of RKO, for permission to pay the principal and interest of $600,000 worth of four per cent first lien notes. The trustee stated that $250,000 is now in the hands of the Chemical Bank and Trust Co., as trustee, and that the additional $350,000 can be paid from the cash surplus now held by RKO Radio Pictures, Inc., the producing subsidiary of RKO. A saving of $3,000 a month in interest charges will be effected.

Hamilton C. Rickaby, representing the Atlas Corp., proponent of the RKO plan of reorganization, opposed

(*Continued on page 4*)

Court Permits G. B. Shareholder Action

By **BRUCE ALLAN**

LONDON, March 16.—Justice Corssman in the Chancery Division here today gave leave to the ordinary shareholders of Gaumont British who are objecting to the payment of the dividend on the preference shares to serve notice of a motion against the company on Friday. The dividend was declared by a five to four vote of the directorate recently, John Maxwell and the 20th Century-Fox interests leading the opposition.

The permission to serve notice

(*Continued on page 4*)

Allied No. Dakota Bill Becomes Law

BISMARCK, N. D., March 16.—Governor Langer signed the bill banning theatre ownership in this state by producers and distributors yesterday. The law becomes effective immediately. Under its terms circuits have one year to divest themselves of theatre holdings in the state.

COLUMBUS, March 16.—A hearing before the Judiciary Committee of the House on the theatre divorcement bill is scheduled tomorrow. Charles C. Pettijohn of the Hays office, here for the purpose of testifying, made this comment today:

"The theatre divorcement bill and the censorship bill will be fought to the bitter end. The other side has invited a fight and they are going to get it."

Exchange Employes Meeting With AFL

INDIANAPOLIS, March 16. — Exchange employes here have held several organizing meetings with A. F. of L. and I.A.T.S.E. representatives with indications that a union will be formed and new minimum wage scales drafted for presentation to exchange managers in the near future.

The move here is the fifth to come to industry attention during recent weeks, although it is known that organizing of exchange employes is proceeding rapidly and on a nationwide scale. Earlier organizing moves were launched in Boston, Detroit, New

(*Continued on page 2*)

"U" to Concentrate On Big Films: Rogers

Charles R. Rogers, executive head of Universal production, said last night that the company would concentrate more on major productions during the coming season than at any time in its past.

Starting the end of this month, he said the company would have a release every week. Three are complete, he said, and others in production will make the maintenance of this schedule possible.

Rogers will leave Saturday for the coast.

Insists MPTOA Declare For New Campaign On Concessions

By **RED KANN**

MIAMI, March 16.—Continued efforts for self-regulation of the industry, as opposed to campaigns for legislation and litigation, were urged upon the M.PT.O.A. by Ed Kuykendall, president, in his annual report, highlighting the opening session of the exhibitor organization's national convention at the Miami-Biltmore here today.

Pointing out that governmental regulation of the industry could not be confined to production and distribution but must inevitably extend to exhibition, as well, Kuykendall paved the way for the convention itself to declare for a resumption of the M.P. T.O.A. conferences with distributors to obtain liberalized trade practice concessions and for the prompt establishment of local conciliation boards for adjustment of industry grievances.

"The objective of the M.P.T.O.A.," he said, "is to bring about a better understanding between the three divisions of the industry—exhibition, production and distribution. We must—we will—demonstrate to the public and the Government that we can conduct our own business in an ethical and businesslike way."

Kuykendall and all other officers of the M.P.T.O.A., with one exception, were reelected as anticipated, at a meeting of the board of directors this morning, which immediately preceded the first business session of the convention. Mitchell Wolfson of Wometco Theatres, Miami, was elected a vice-president in recognition of his work as chairman of the convention committee, succeeding Ben Berinstein, who continues as a director. It was also felt that no one individual should

(*Continued on page 7*)

Paramount Theatre Men Continue Talks

MIAMI BEACH, March 16.—Paramount theatre partners representing hundreds of houses are meeting here for an interchange of actual experiences in operation and therefore are following no set routine at the Roney-Plaza. The thought behind the meeting is a convergence of the group which is virtually a complete cross-section of the company's exhibition

(*Continued on page 2*)

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Warners to Get RCA Sound in All Houses

RCA Photophone has concluded a contract with Warners calling for the installation of new RCA high fidelity sound equipment in all the houses of the Warner circuit, totaling nearly 400, according to Edwin M. Hartley, head of RCA Photophone.

A number of installations were made some time ago, it was indicated, in Philadelphia, Washington and Chicago. In all more than 80 houses already have been re-equipped in various sections of the country. The full circuit contract was then signed. The remaining installations will be completed by the end of the year, Hartley said.

Air Cooling Chief N. J. Allied Topic

Air cooling of theatres, in preparation for summer, was discussed at length by members of Allied of New Jersey at a meeting at the Lincoln yesterday. Jack Unger, secretary, presided in the absence of Lee Newbury, president, who is vacationing in Miami.

Other topics aired included legislation, exchange drives and games.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Seventh Heaven"

(*20th Century-Fox*)

HOLLYWOOD, March 16.—The perennial "Seventh Heaven," written by Austin Strong, produced on the stage by John Golden, and filmed 10 years ago with Janet Gaynor and Charles Farrell, again reaches the screen, with its simple telling of a great love and its emergence from the squalor of the Paris streets, and its great weight of sentimentality. Perhaps there is too much of the latter for many of the screen audience.

It is true that this new version appears overly long, which causes it to drag on several occasions. It might well have been sharpened by reduced length of some sequences, and the picture strengthened thereby. The picture certainly does not suffer, however, by comparison. The performances are excellent throughout. Simone Simon is a perfect Diane, mistreated young girl protected and taken in by the boastful and great hearted Chico, played to the hilt by James Stewart. In support, and particularly noteworthy, are Gregory Ratoff, Chico's friend; Jean Hersholt, the priest, who shows the young atheist the way to God; Gale Sondergard and J. Edward Bromberg.

The story, adapted by Melville Baker, was directed ably by Henry King, who succeeded in drawing out the last possible portion of dramatic intensity inherent in the theme. Care is taken to indicate the circumspect manner in which the girl and the boy occupy the same dwelling for several days, and when war calls him, they marry themselves, taking their vows in the sight of God. Thus the girl who came hopelessly from the gutter finds courage and her heaven in a seventh floor garret, sees it crash about her ears as war comes, and lives on faith and hope and her love for the valient Chico, until he returns, blind but happy, to be reunited with Diane.

Production Code Seal No. 3,013. Running time, 102 minutes. "G."

(Additional Reviews on Page 10)

Plan No Substitutes For Bank Night Here

(Continued from page 1)

which have outlived their popularity. From now on, the consensus is that pictures will not be faced with extraneous competition.

RKO, Loew's and Skouras have tipped scales in some of their Greater New York houses, while Century has not. The latter circuit does not feel its theatres could stand an increase in admissions at this time, the contention being that prices are now at their peak.

Consolidated Amusements and Springer & Cocalis units have not discontinued chance games, and according to representatives of both companies, no plans are afoot to change the present booking setup. Neither of the two independent circuits has boosted admissions.

Members of the I.T.O.A. continue to stand pat on the chance game situation. There are no plans under way by exhibitors in the association to hike admissions. According to counsel for the unit, games will not be disbanded until the major circuits raise admissions.

Meanwhile, Loew and RKO officials state they will make increases in situations where such moves are found feasible. As for independents not dropping games, the major circuits hold they are not concerned, since they will continue to operate under policies generally accepted by the public.

"Steele" Does $20,000

"Nancy Steele Is Missing" garnered approximately $20,000 in its first week at the Rivoli. The Strand tallied about $15,000 on the seven days of "The Great O'Malley."

Paramount Theatre Men Continue Talks

(Continued from page 1)

interests, with the exception of A. H. Blank of Des Moines, and E. C. Beatty of Detroit, who are not in attendance.

It is predicated on open discussions of conditions in the various areas on the theory that one far removed from a particular scene may learn something to his advantage and for his application from the experience of another in the field. Admission prices are being discussed, but this does not mean the group necessarily will determine upon increases as a nationally applied decision. Insurance is of interest as are confirmed reactions to "B" product, although it was stated today "B" pictures will not play an essential part in the discussions.

Adolph Zukor arrived from Hollywood today, accompanied by Shirley Ross and her mother. He will touch upon production in view of the approach of the new season. Primarily, however, this is not a production meeting or a distribution session, although Neil F. Agnew arrived from New York tonight. This is the theatre organization's own palaver. With preliminary sessions yesterday and today, the formal meeting opens Thursday. A banquet at the Roney-Plaza will conclude the meeting.

Balsdon Leaves Today

LOS ANGELES, March 16.—George Balsdon, booker for National Theatres, is scheduled to leave St. Joseph's Hospital, Stockton, Cal., tomorrow for New York. His family, which arrived from the east shortly after he was injured in an automobile accident, will accompany Balsdon home.

Appeals Court Upholds Sales Tax on Films

(Continued from page 1)

Jersey localities, were exempted from the tax.

With considerably more than $2,000,000 in back taxes, penalties and interest involved, other distributors joined United Artists in making a test case of the assessment against that exchange. Frederick W. Wood of Cravath, de Gersdorff, Swaine & Wood, who successfully argued the appeal which resulted in invalidating of NRA by the U. S. Supreme Court, was retained to represent the other large distributors. With the United Artists counsel, O'Brien, Driscoll & Raftery, the appeal was taken to the state's highest court, where the constitutionality of the sales tax itself was attacked, as well as the right of the municipality to tax a "licensing transaction" involved in interstate commerce. The distributors argued that the licensing of film to an exhibitor did not constitute a "sale" and, hence, films should not be subject to the tax.

The Court of Appeals rejected this line of reasoning and affirmed the lower court decision upholding the city's right to tax theatres without the municipal jurisdiction.

A petition for a writ of certiorari will be sought in the U. S. Supreme Court in a further effort to have film rentals exempted from the two per cent city sales tax, it was stated yesterday at the offices of O'Brien, Driscoll & Raftery, attorneys for United Artists.

New York exchanges have been collecting the tax from local exhibitors pending the outcome of the litigation and will continue to do so until the Supreme Court moves have been completed.

Morton Baum of the Corporation Counsel's office, representing the city, said that no further appeal on the taxability of revenues from out-of-city sources would be sought, thus apparently definitely exempting all theatres except those within the city limits from liability under the tax. Baum said he doubted whether the Supreme Court would hear the case, in any event, as he saw no Federal angle involved.

Exchange Employes Meeting With AFL

(Continued from page 1)

Haven and Cleveland. Reports indicate that organization of the exchanges is linked with an impending drive to unionize theatre service staffs and extend union projectionists to small city and rural theatres which never before have had union employes.

Transamerica Profit Up

SAN FRANCISCO, March 16.—Transameria Corp., has reported net profit for 1936, including its proportionate share of the net profits of subsidiaries, of $25,016,200.95, equal to $1.08 per share, after all charges, which totaled $5,524,697.37. The 1936 net profit compares with $20,319,276 in 1935.

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Better than "A Night at the Opera"!

PARNELL

The last word in big pictures!

CLARK GABLE

MYRNA LOY

METRO-GOLDWYN-MAYER

Reserve Decision On RKO Petition

(*Continued from page* 1)

the motion on the ground that payment will delay the proposed plan and that it would leave insufficient working capital with the producing unit. He stated that RKO Radio Pictures would have only $1,000,000 in cash on July 1 and said that Leo Spitz, president of Radio Pictures, is opposed to payment at the present time. He pointed out that other producers maintained at least $5,000,000 in cash and RKO would be in an unfavorable competitive position if payment were made. He also asserted that he has a purchaser for the notes who will accept a two per cent reduction in interest but refused to name the buyer.

A. Hunt, representing holders of $1,118,500 extended second lien notes, opposed the motion on the ground that litigation would develop between the Irving Trust Co., Central Hanover Bank and Trust Co. and Chemical Bank and Trust Co. on question of priority of payment.

Updike Opposes Delay

Stuart Updike, representing Time, Inc., which also holds extended second lien notes, opposed the motion on the ground that the plan of reorganization would be delayed. RCA, which holds 38 per cent of the debentures and 23 per cent of the stock, opposed payment on the same ground. The stockholders' committee favored the motion.

Judge Bondy indicated that he might send the entire matter to a special master for a report.

Security holders are apprehensive in view of the fact that the elimination of the notes may eliminate the secured position of the RKO debentures. Under the indenture, the debentures may be deprived of their second lien on the RKO assets securing the gold notes if the notes are paid off, according to some legal interpretations.

Blackton, Smith Testify

Los Angeles, March 16.—Technicolor today produced two witnesses in the action of Tricolor against Technicolor for alleged infringement. The two were J. Stuart Blackton and Albert E. Smith, film pioneers. They said that in 1904, two years before the registration of Duplex, cameras existed embodying the principles claimed for the present apparatus.

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Purely Personal

W. G. VAN SCHMUS missed his golf game on his vacation trip to Phoenix, Ariz. He said he sprained his wrist and was thereby prevented from playing during the three weeks he was away. Returning by way of Los Angeles, Van Schmus visited a number of the studios and said "there will be a lot of big pictures this fall."

With no stories to tell about his form on this trip, Van Schmus was eager to recount some of his fishing experiences of last fall. But he decided that these stories were old and best forgotten at this time.

•

J. W. Watts Phillips, director of the London Play Co. and co-author of "Love on the Dole," will arrive from England today on the *Berengaria*. Rudi Feld, former advertising head of Ufa in Berlin, is on the same boat en route to Hollywood from Tel Aviv.

•

Major L. E. Thompson and A. P. Waxman flew to Miami yesterday to attend the M.P.T.O.A. and Paramount theatre partner sessions. Major Thompson will talk to both groups on the Will Rogers Memorial Fund Drive.

•

Arthur Lee has booked passage on the *Normandie* for the latter part of April. He will attend the Coronation in addition to conferring with the Ostrers.

•

Lieut. Franklin Andreon, Jr., of the U. S. Marine Corps., Reserve, has sold an original to Monogram. It will be adapted for "The Marines Are Here."

•

Ralph B. Austrian, assistant vice-president of RCA Photophone, will sail on the *Pilsudski* on Friday for a week in Bermuda. His wife and daughter will accompany him.

•

Reginald S. Evans, formerly with the New York sales staff of the *Saturday Evening Post*, has joined the eastern sales force of Jam Handy Picture Service.

•

Harry C. Arthur and William Schneider plan to return to St. Louis today, but may change their departure until the latter part of the week.

•

Michael Balcon, scheduled to arrive yesterday on the *Berengaria*, has been delayed a day due to bad weather on the high seas.

•

W. A. V. Mack, Chicago branch manager for G. B. has returned to his headquarters after conferring with home office executives on openings of "Silent Barriers."

•

Norman H. Moray, Vitaphone shorts executive, arrives today in Portland on a business tour. He is due in San Francisco tomorrow.

•

I. Rappaport of the Hippodrome, Baltimore, was in town yesterday on his regular trip.

•

Mrs. Joseph L. Mankiewitz (Elizabeth Young) is in town for two weeks, at the Ambassador.

•

Hy Daab was home yesterday with a bad cold.

MIKE RUDIN of Rapf & Rudin is in Miami. Ditto Harry Buxbaum of the local 20th Century-Fox exchange. Jack Sichelman of the distributor's home office sales staff is recuperating there from an illness and will be back in about two weeks. Joe Seider is due to return next week.

•

Roy Haines, eastern sales manager for Warners, last night was tendered a surprise party by the employes of the local exchange. The affair was held at the Suffern Country Club, Suffern, N. Y., with Harry Decker as m. c.

•

C. C. Moskowitz has delayed his Miami vacation until April, when Nicholas M. Schenck is due to return from the coast.

•

Jack Ellis is back from Miami and already busy on the second issue of *The Reel.*

•

Frances Marion, new Columbia producer, is in town from the coast. Grace Moore also is visiting here.

•

George Skouras has gone to Golden Beach, Fla., for a three-week rest.

Kansas Now Has 2% Occupation Tax Bill

Topeka, March 16.—The Senate Committee on Assessment and Taxation in Kansas has submitted a bill providing for a two per cent occupation tax. This is regarded as an alternative to the two per cent sales tax, which the farmers particularly have been opposing. It would be almost impossible for theatres to pass an occupation tax on to the public. Retailers would be responsible for payment of the occupation tax which would be based on gross receipts.

Expect New Alien Bill

Washington, March 16.—A new drive for legislation against alien artists, but primarily directed at the concert field, will be made in Congress in the near future, it was asserted by Charles Henry Freeman, star witness before the Dickstein Immigration Committee, in favor of the alien actor bill.

Measures providing for a tax of 50 per cent of the gross fees of foreign artists in excess of $500 a week, and an investigation of alleged monopolistic control of musical activities in this country will be introduced within a few weeks, Freeman said. The revenue from the tax would be used to subsidize a Government grand opera company and a Government symphony orchestra.

Advance Walkathon Bill

Oklahoma City, March 16.—A bill by Senator W. C. Fidler, to make illegal marathons, walkathons and similar endurance contests has been reported favorably to the House by Judiciary No. 1 Committee. The bill already has passed the Senate.

N. H. Against Daylight Time

Concord, N. H., March 16.—A bill to establish daylight saving time in New Hampshire, except in isolated spots where it is adopted by local option, has been voted down nearly two to one by the House.

Court Permits G. B. Shareholder Action

(*Continued from page* 1)

means in effect an application for an injunction to restrain the directors from paying the preference dividend. The application will be heard on Friday.

Dr. Burgin, Parliamentary secretary of the Board of Trade, declared in the House of Commons today in reply to a question that he was not aware G. B. is controlled by American interests, and that he is not prepared to eliminate the word "British" from the name of the company.

May Sell Griffith Assets

Federal Court Judge Samuel Mandelbaum yesterday ordered all creditors and stockholders of D. W. Griffith, Inc., to show cause on March 26 why Joseph Gans, receiver, should not be permitted to sell the assets of the corporation at public auction. The assets include film and musical rights to 20 stories, property in Mamaroneck, N. Y. and office equipment. Cash on hand and cash held by the United Artists Corp. as proceeds of the picture "The Struggle" will not be offered. Counsel for the stockholders who brought the receivership action and counsel for the corporation have consented to the sale.

Cocalis to File Appeal

Sam D. Cocalis says he will file an appeal from the ruling of N. Y. Supreme Court Justice Schientag placing the Melba in the Bronx within one mile of John Bolte's Burke Theatre. Cocalis says the ruling was based on a crow-flight measurement of the distance. He will contend that by street travel the distance is one and three-tenths miles.

Cocalis asserts that he has never had any connection with the Craft, opposition house to Bolte's Wakefield.

Dismisses Robbins Action

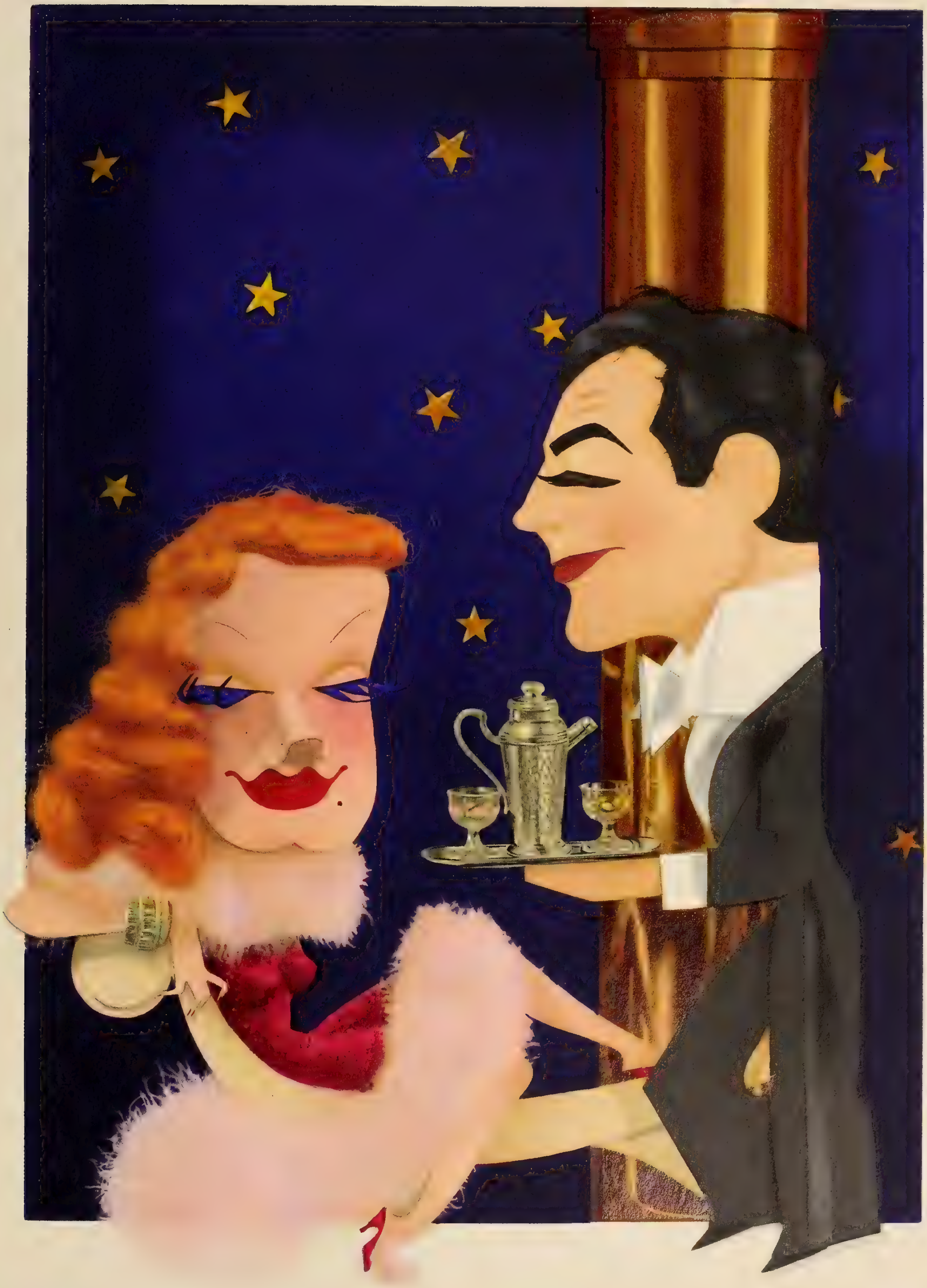
Federal Court Judge Alfred C. Coxe yesterday dismissed the $1,000,000 damage suit brought by H. Miles against the Robbins Music Corp. The order was made by consent by both parties and stipulated that the dismissal was to be without costs. The action is based upon an alleged piracy of Miles' lyrics for the song "Anchors Aweigh" which he wrote while a student in the U. S. Naval Academy.

20th-Fox Asks Dismissal

Twentieth Century-Fox Film Corp. filed a motion in U. S. District Court yesterday to dismiss the suit brought by F. K. Kaplan on the ground that his complaint failed to state a cause of action. The action is for an accounting and an injunction based on an alleged infringement of an original painting of George White's "Scandals of 1935" which appeared as a color design on the August, 1929, issue of *Theatre Magazine.*

Warner Trial March 29

Federal Court Judge Alfred C. Coxe yesterday set March 29 as the trial date of a suit brought by Alfred Bein against Warners. Bein claims that the Warner picture, "The Mayor of Hell," infringed on his play which was known under the two titles, "Right Out of Hell" and "Little Ol' Boy." An injunction and an accounting of profits were asked.



The artist does hand-springs when he learns that Jean Harlow and Robert Taylor are co-starred!

Just
because
**JEAN
HARLOW**
hires
**ROBERT
TAYLOR**
as her butler–
does that make
him the lady's

"PERSONAL PROPERTY"

*It's really delightful
and such good box-office!*

JEAN HARLOW · ROBERT TAYLOR
in
"PERSONAL PROPERTY"
with Reginald Owen
A Metro-Goldwyn-Mayer Picture
A W. S. VAN DYKE Production
Produced by John W. Considine, Jr.

LITHO U

Industry Rule Is in Balance: Ed Kuykendall

(Continued from page 1)

be an officer as well as a specially designated director.

The officers, in addition to Kuykendall, are: M. E. Comerford, M. A. Lightman, E. C. Beatty, A. Julian Brylawski and Wolfson, vice-presidents; Morris Lowenstein, secretary; Walter Vincent, treasurer; Edward G. Levy, general counsel, and Fred Wehrenberg, chairman of the board. All officers are directors automatically, which adds one member, Wolfson, to the board.

In his report, which touched upon 12 outstanding industry subjects, Kuykendall made repeated references to the dissatisfaction with which M.P.T.O.A. leaders view the responses of distribution companies to the organization's trade practice program. In addition to the M.P.T.O.A. negotiations with distributors, the report referred in detail and separately to cancellation, the score charge and the local conciliation boards, all of which are component parts of the organization's trade practice program.

Reviews Practice Program

The report also covered the new labor developments within the industry, current legislative developments, including the Allied States-sponsored measures for the separation of theatre operation from production and distribution affiliation; radio competition, double featuring, percentage engagements and the designation of preferred playing time, cash awards and other types of giveaways, the music tax and current product.

Reviewing the M.P.T.O.A. efforts of the past year to obtain distributor support for the trade practice program, Kuykendall related that it took 10 months to get the first reply from a distributor and that one company, Warners, among the eight major distributors, declined to participate. He stated, however, that despite the delays, refusals and evasions "a fair trade practice program must be worked out, and without the Government doing it for us."

Citing cancellation as the most important of the M.P.T.O.A.'s famous 10 points, Kuykendall declared that a fair cancellation percentage "without strings attached" holds the cure for "more of the rightful complaints from exhibitors than any other one thing. The cancellation privileges offered so far by the distributors are not satisfactory."

Attacks Score Charges

Resuming his attack upon the score charges as "a racket," Kuykendall called for its complete elimination from percentage agreements and for consolidation with the film rental on flat buys.

Voicing his discouragement over the "long delay" in the setting up local conciliation boards, the M.P.T.O.A. head asserted that, even allowing for the exercise of proper caution on the part of the distributors in proceeding with the new agencies, "they should have been operating before now." He asked for the establishment of two or three trial boards before they are extended nationally and urged "fair exhibitor representation" for their personnel.

While scoring the distributors' "resistance and indifference" as "discouraging," Kuykendall asserted that the M.P.T.O.A. "does not intend to abandon its efforts to advance its trade practice as rapidly as possible now."

"The present slow progress cannot continue indefinitely," he said. "Either this industry will demonstrate that it has the ability, initiative and intelligence to work out its own busines problems itself or we will inevitably get such regulation by legislation and litigation, however stupid and costly that may be."

Declaring that "serious labor trouble looms ahead," Kuykendall advised the exhibitors "to prepare for a battle to defend our interests and rights." He declared that "there can be no question as to where our sympathy is since, unless the men and women who work for a living earn more than barely enough to live, there can be no prosperity so far as our theatres are concerned. But there must be reason and common sense in labor demands."

Hits Pettengill Bill

He described the current attempts to organize exchange employes "and others of a like service" as "very unfortunate, unworkable and without cause."

Reviewing current legislative activities, Kuykendall urged members to interest themselves in measures affecting the industry and to remain in contact with their state and Federal representatives. He referred to both the Dickstein alien actor bill and the Pettengill block-booking bill as unable to accomplish their ends and offering nothing of value to the industry. He predicted the defeat of the former and urged exhibitors to aid in defeating the second if it is brought up at this session of Congress.

Of the Allied States "theatre divorce" measures, the M.P.T.O.A. head said he could make "no prophecy on the final results," and added that "I am hopeful that it (the legislation) will be constructive."

"What will happen to those Dakota theatres which are owned by a producer?" the M.P.T.O.A. head asked after observing that the theatre divorce measure had become a law in that state. "Will an independent take them over and will they then become an independently owned chain?" he continued. "If so, where will the relief be? Are independent chains any more considerate of the little fellow than the producer-controlled chains? How long will it take to test the constitutionality of the legislation in the courts?"

Urges Radio Control

Declaring that with proper regulation radio and films "could be helpful to each other," Kuykendall took the position that "to try and bar any and all screen stars from the radio is impossible and stupid. On the other hand, the unrestricted and unlimited use of screen personalities and dramatic material on radio programs is equally foolish and stupid. Many authorities in this industry have been and still are working on this problem, but very little actual progress is apparent. Unless the studios which have valuable property rights involved wake up and exercise reasonable control in such situations, they will inevitably find that the public, speaking through the box-office and film rentals, will show them their mistake."

"Double featuring," Kuykendall said, "is apparently completely out of control. The number of second rate productions purposely made for double feature programs is rapidly increasing. Short subject production is being curtailed and cheapened. Some day," he observed, "double featuring will cure itself, after it has cost us millions at the box-office."

Demands for percentage contracts and preferred playing time are becom-

(Continued on page 20)

Moon Over Miami

Miami, March 16.—Bob and Maurine McNeil enjoyed their journey from San Francisco via the canal. They flew over from Havana which persuaded Jimmy Grainger to remark: "McNeil's been up in the air all of his life, but the first time in a plane." Confirmed by the head of Golden States Theatres.

* * *

Dave Palfreyman, aided by Mitchell Wolfson, who is in general charge of the convention arrangements, or perhaps the other way around, assembled a bevy of local beauties to register the delegates. Noticed was the length of time the male contingent spent around the entry desks behind which sat the blonde array.

* * *

Percy Phillipson is hiding behind black sun glasses, but is fooling nobody. Mrs. Phillipson immediately repaired to the beach at the Roney for siestas and sun bathing.

* * *

Buddy Harris of Alexander Film—he of the wide rear girth—finds the chairs in the bar grill at the Roney exactly to his measure. When the place is crowded, which is practically always, Buddy squeezes in, then goes from one table to another with his chair firmly attached.

* * *

Bob Gillham arrived by air from New York. Shirley Ross is sole representative of the talent equation from the Paramount lot.

* * *

Oscar C. Lam of the Rome Amusement Co. is here, five weeks of hospitalizing behind him. Suffering from arthritis, he states he is well except for additional treatment of his left arm.

* * *

The Erpi crowd expects to create amusement and perhaps some wonderment with a mechanical robot set up for exclusive convention amusement. They call him Oscar. Charlie Bunn is representing his company as are L. W. Conroy, "Red" Stong and Bert Sanford. Whitford Drake arrived Tuesday evening from New York.

* * *

The races are getting quite a play. Also Johnny Walker, Ballantine, Tom Collins. The latter gentlemen have been on familiar terms with those at this convention for years.

Ten Committees in Hard Work of MPTO

Miami, March 16.—Ten committees will be the work horses of the M.P.T.O.A. convention. They will meet each day on the general theory that complaints, no matter of what nature, should be submitted to committees in closed sessions rather than clutter the open convention floor and thereby delay the set routine.

M. E. Comerford, Scranton, Pa., is chairman of the committee on credentials and rules. This is an honorary post out of deference to Comerford who, in view of his long illness, obviously will not be active.

Ten Groups Named

The committees are:

Resolutions—Edward G. Levy, New Haven, chairman; E. M. Fay, Providence; B. N. Berinstein, Los Angeles; William Vuono, Stamford, and R. A. McNeil, San Francisco; music tax—Charles W. Picquet, Pinehurst, chairman; William Benton, Saratoga Springs; A. J. Brylawski, Washington and J. A. Michael, Buffalo; unfair trade practices—O. C. Lam of Rome, Ga., chairman; H. W. Harvey, San Francisco; Arthur H. Lockwood, Middletown, Conn. and Nat M. Williams, Thomasville, Ga.; radio and non-theatrical competition — John C. Stapel of Columbia, Mo., chairman; Samuel Pinanski, Boston and J. C. Shanklin, Ronceverte, W. Va.; entertainment values—H. J. Griffith, Oklahoma City, chairman; Benjamin Pitts, Fredericksburg, Va.; M. C. McCord, Little Rock, and Mack Jackson, Alexander City, W. Va.

Additional Committees

Public Relations and community affairs—M. A. Lightman, Memphis, chairman; Max Tabackman, New Haven; William Missner, Lancaster, Pa., and Pinanski; conciliation and arbitration — Lewen Pizor, Philadelphia, chairman; William G. Ripley, Longview, Wash.; A. F. Baker, Kansas City. Kan., and Brownie Akers, Oklahoma City; labor relations—Fred Wehrenberg, St. Louis, chairman; I. W. Rogers, Cairo, Ill.; Sidney B. Lust, Washington, and Morris Leonard, Chicago; legislation and taxation—Roy L. Walker, Lampasas, Tex., chairman; R. R. Biechele, Kansas City; Carter Barron, Washington, and M. C. Moore; credentials and rules—M. E. Comerford, Scranton, chairman; Dewey Mousson, Nashville and Louis C. Hehl, St. Louis.

Moral Tone Better

Miami, March 16.—"The moral tone of pictures is greatly improved," Ed Kuykendall, M. P. T. O. A. president, declared in his annual report submitted to the national exhibitor convention here today.

"I have never conceded that pictures were as bad as many contended," he said. "However, they are in better taste and less offensive to those who felt that there was room for improvement. A large number of pictures are being offered every day which are a credit to the industry, as a whole, and to Hollywood, which makes them."

Court Trend Hits Games, States Levy

MIAMI, March 16.—"The current tendency, due probably to recognition of the fact that all border-line lotteries are against public policy, is to put Bank Night behind the eight-ball on any tenable theory," Edward G. Levy of New Haven, general counsel, told the M. P. T. O. A. convention here today in the course of the annual report of the general counsel.

He cited the opinion of the Supreme Court of Texas at Austin in January in the case of Wink vs. Griffith Amusement Co., which held that "Bank Night is a violation of public policy and unconstitutional. The plan clearly comes within the condemnatory terms of the constitution because it is a gift enterprise involving the lottery principle."

Levy also noted the decision of the U. S. Circuit Court of Appeals in Boston, which, in deciding against Affiliated Enterprises, Inc., Bank Night owners, declared the theory of Bank Night is in the public domain and possessed no property rights that can be appropriated.

Levy presented to the convention a brief outline of the setup of the M. P. T. O. A. and the manner in which the organization operates. He pointed out that the present board of directors consists of 22 state or regional units, five representing the affiliated national circuits and one representing M. P. T. O. A. members not connected with either of the other groups.

Cites Perelman Case

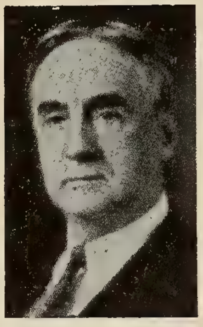
Levy reported "with regret" that there were no new developments in the past year in the pending case of the Government against Ascap. The general counsel went on to explain the significance to exhibitors of various cases pending or recently completed in the courts, in which theatre owners have been involved.

He mentioned, among others, the Perelman double bill case in Philadelphia, in which exhibitors contested the legality of dual banning clauses in exhibition contracts, and the action of Brandt Theatres in New York against Loew's circuit, relative to Loew's recent action in shifting the week's split from four days and three days, to five and two. He also touched on the theatre divorcement law just approved in North Dakota, and expresssed the firm belief that it will be attacked on constitutional grounds and that ultimately the U. S. Supreme Court will be asked to pass upon its legality.

Pick Board Later

Miami, March 16.—The men pictured on this page and noted as directors were not elected to the board at today's meeting of the directorate, since directors are elected by members in their respective territories at a date following the convention. However, the men designated as directors are considered certain of reelection to the national board by their own units.

Leaders of the M.P.T.O.A.



M. E. COMERFORD
Vice-President

M. A. LIGHTMAN
Vice-President

A. J. BRYLAWSKI
Vice-President

E. G. LEVY
General Counsel

F. WEHRENBERG
Board Chairman

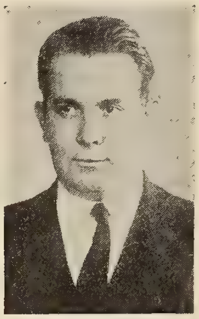
WALTER VINCENT
Treasurer

BEN BERINSTEIN
Director

M. LOWENSTEIN
Secretary

J. BERNHARD
Director

L. E. THOMPSON
Director



S. P. SKOURAS
Director

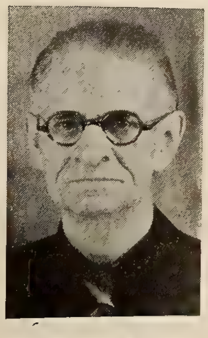
E. A. SCHILLER
Director

E. M. FAY
Director

O. C. LAM
Director

JACK MILLER
Director

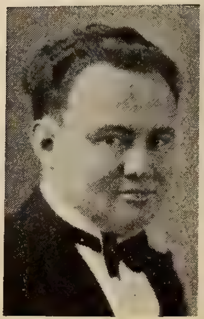
MORGAN A. WALSH
Director



C. E. WILLIAMS
Director

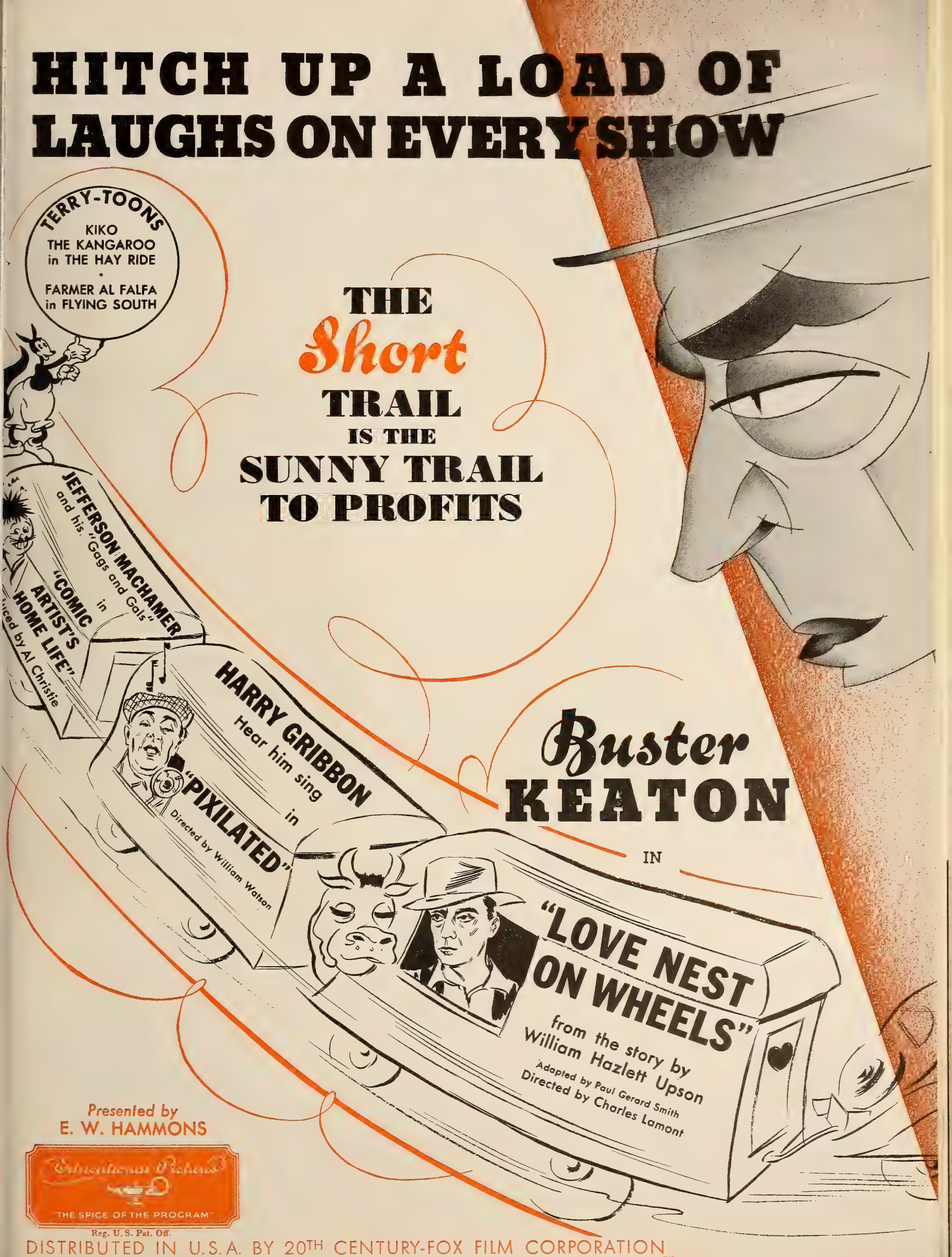
C. W. PICQUET
Director

SIDNEY B. LUST
Director



R. X. WILLIAMS
Director

HITCH UP A LOAD OF LAUGHS ON EVERY SHOW



TERRY-TOONS

KIKO THE KANGAROO in THE HAY RIDE

•

FARMER AL FALFA in FLYING SOUTH

THE *Short* TRAIL IS THE SUNNY TRAIL TO PROFITS

JEFFERSON MACHAMER
and his "Gags and Gals"
in
"COMIC ARTIST'S HOME LIFE"
uced by Al Christie

HARRY GRIBBON
Hear him sing
in
"PIXILATED"
Directed by William Watson

Buster KEATON

IN

"LOVE NEST ON WHEELS"
from the story by
William Hazlett Upson
Adapted by Paul Gerard Smith
Directed by Charles Lamont

Presented by
E. W. HAMMONS

Educational Pictures
"THE SPICE OF THE PROGRAM"
Reg. U. S. Pat. Off.

DISTRIBUTED IN U.S.A. BY 20TH CENTURY-FOX FILM CORPORATION

"Love News" Show $15,000 In St. Louis

ST. LOUIS, March 16.—"Love Is News" with a stage show had the best take in a below average week, drawing $15,000 to the Ambassador, or about $1,000 above par.

The St. Louis with a return engagement of "Champagne Waltz" and a stage show including vaudeville and a chorus was the only other house to go above par, grossing $7,500, or $500 up.

The weather for the week was very favorable, but it was apparent that the Lenten season was affecting attendance.

"The Good Earth" at the American did excellent business.

Aside from the American, the total first run business was $57,000. Average is $59,000.

Estimated takings for the week ending March 11:

"LOVE IS NEWS" (20th-Fox)
AMBASSADOR — (3,018), 25c-40c-55c, 7 days. Stage, vaudeville. **Gross:** $15,000. (Average, $14,000)

"JOHN MEAD'S WOMAN" (Para.)
"MIDNIGHT COURT" (W.B.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $11,500. (Average, $13,000)

"ESPIONAGE' (M-G-M)
"MEN ARE NOT GODS" (U.A.)
LOEW'S — (3,162), 25c-35c-55c, 7 days. **Gross:** $13,000. (Average, $14,000)

"WHEN YOU'RE IN LOVE" (Col.)
"GREEN LIGHT" (F.N.)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $10,000. (Average, $11,000)

"CHAMPAGNE WALTZ" (Para.)
ST. LOUIS—(4,000), 25c-40c, 7 days. Stage, vaudeville. **Gross:** $7,500. (Average, $7,000)

"Holy Terror" Dual Lincoln's Best Bet

LINCOLN, March 16.—"Holy Terror," on a dual with "The Great O'Malley," turned in the best showing of a dull week here. The $2,700 gross at the Lincoln was $500 over normal.

A split week bill at the Orpheum consisting of "Midnight Court" and a stage show the first three days and "As You Like It" on a roadshow basis the last four turned in a total of $2,200 for the week. This was $450 on the profit side.

Total first run business was $9,400. Average is $9,000.

Estimated takings:

Week Ending March 10:

"LAWLESS NINETIES" (Republic)
"WITHOUT ORDERS" (RKO)
"MAN ON THE FLYING TRAPEZE" (Para.)
"BOLD CABALLERO" (Republic)
LIBERTY—(1,200), 10c-15c, 7 days. **Gross:** $800. (Average, $850)

Week Ending March 11:

"GREAT O'MALLEY" (W.B.)
"HOLY TERROR" (20th-Fox)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,700. (Average, $2,200)

"WHEN YOU'RE IN LOVE" (Col.)
VARSITY—(1,100), 10c-25c-35c, 7 days, 3rd week. **Gross:** $900. (Average, $1,100)

"MIDNIGHT COURT" (W.B.)
"AS YOU LIKE IT" (20th-Fox)
ORPHEUM—(1,350), 10c-15c-20c-25c-40c, 7 days. Stage show: "Viennese Vanities," 3 days. Last half on roadshow, twice daily, basis. **Gross:** $2,200. (Average, $1,750)

Week Ending March 12:

"MAID OF SALEM" (Para.)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $2,800. (Average, $3,100)

Looking 'Em Over

"Razumov"

(Garrison Films)

From the novel of Joseph Conrad, "Under Western Eyes," written in 1910, Andre Deven, producer, and Marc Allegret, director, have woven a powerful and tragic story of an incident in the long-drawn efforts of the revolutionaries who were active in the Russia of 1910. By screen credit designated as a French production, the reason for its showing at the Cameo, New York's home of Communist screen propaganda, is obvious.

The story is simple in the extreme, and equally strong. The performances are splendid throughout. A slight mistake, an accident, serves to wreck the promising career, brings a shot in the dark to a young and brilliant student, unwittingly made a party to revolutionary activity in which he has no interest.

The student, awarded high honors, finds himself the unintentioned host of a former schoolmate who has just assassinated a prime minister. Through pity he keeps him, mistakingly believes the police have discovered the murderer's hiding place, and by error betrays the revolutionist. A victim of the accident, the police chief forces him ostensibly to join the group, go to their Geneva headquarters, there play the spy. He meets the sister of the betrayed man, is hailed as a hero, passes through a mental turmoil. When he discovers he also has betrayed the girl, again accidentally, he kills the secret agent who is his shadow, confesses his betrayal to the revolutionists, and is shot down in a dark street.

Reviewed without production code seal. Running time, 90 minutes. "A."

"Trouble in Texas"

(Grand National)

Racketeers invade Texas rodeos. The vehicle which illustrates their villainy is a properly done western. Tex Ritter, scrapping and singing alternately, in ensuing reels uncovers the clique of unscrupulous promoters as the murderers of his brother whom he has been tracking for five years.

The story is garnished with the apt portrayal of a Federal agent by Rita Cansino, humorous relief by Horace Murphy and exciting stock shots of rodeo activities. Of course, Miss Canaino and Ritter supply the romantic angle. The substance of the plot evolves about the eventual corralling of the outlaws, but not before a certain number of musical sequences have unreeled. All in all, it is quite satisfactory.

The supporting characterizations offer effective performances in villainy by such standbys as Charles King, Yakima Canutt and Earl Dwire; peace officers by Hal Price and Fred Parker and local color by Dick Palmer and Tom Cooper. R. N. Bradbury directed.

Production Code Seal No. 3,043. Running time, 63 minutes. "G."

"Tsar to Lenin"

(Lenauer-International)

As a compilation of historical films that bear on the theme of Russian revolution from the period covering 1916 to the eventual Soviet triumph this picture has certain value for audiences interested in that upheaval. Because of its off the screen comment by Max Eastman it will bring pickets from radical societies whose views differ, which it is doing at its present showing at the Filmarte.

The material is poorly filmed shots gathered from many sources and chiefly illustrates the personalities, troop movements and general atmosphere that prevailed on all fronts during the period of widespread revolt in Russia and Siberia. There are many scenes that are re-created history. As a record of historical import in years to come it has value but the accompanying narrative is satirical and provoking, and has the tinge of propaganda.

Reviewed without production code seal. Running time, 66 minutes. "A."

Chakeres Leases House

SPRINGFIELD, O., March 16.—The 750-seat Majestic, dark since 1928, has been leased by Chakeres Amusement Co., from A. M. McKnight, owner. Lessees will spend around $40,000 in remodeling and installation of new equipment. They expect to reopen the house in 90 days.

Australian Film Praised

MELBOURNE, Feb. 16 (*By Air Mail via London*)—Australia has turned out its most impressive picture in "It Isn't Done," a Cinesound production. Critics say that this is the first picture with which Australian production really attains an international standard.

"Avenue" 4th Week Leader In Pittsburgh

PITTSBURGH, March 16.—"On the Avenue," in its fourth week at the Fulton, collected a fine $6,150 and was held for a fifth.

"Green Light" grossed $6,100 in its second week at the Warner, but a third downtown since it had previously played the Stanley. Only a booking jam prevented this one from getting additional time.

At the Penn, "When's Your Birthday?" hit a new low and was yanked after six days to a weak $4,500. The Stanley was only slightly better with "Ready, Willing and Able" going $1,000 under par at $10,500.

Nobody could give the weather for an alibi, since conditions were practically perfect.

Total first run grosses were $35,500. Average is $37,500.

Estimated takings for the week ending March 11:

"WHEN YOU'RE IN LOVE" (Col.)
ALVIN—(2,000), 25c-40c, 9 days. **Gross:** $8,250. (Average, 7 days, $5,500)

"ON THE AVENUE" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days, 4th week. **Gross:** $6,150. (Average, $4,500)

"WHEN'S YOUR BIRTHDAY" (RKO)
PENN—(3,300), 25c-50c, 6 days. **Gross:** $4,500. (Average, 7 days, $11,000)

"READY, WILLING AND ABLE" (W.B.)
STANLEY — (3,600), 25c-50c, 7 days. **Gross:** $10,500. (Average, $11,500)

"GREEN LIGHT" (F.N.)
WARNER—(2,000), 25c-50c, 6 days. Third week. **Gross:** $6,100. (Average, $5,000)

"Plainsman" Sets Pace in Oklahoma

OKLAHOMA CITY, March 16.—"The Plainsman" went over in a big way at the Midwest with a take of $5,400, which passed par by $1,400.

"Smart Blonde," with a stage show headed by Borrah Minnevitch, garnered a neat $5,200 in four days at the Warner. Average for seven days is $5,000. The only other attraction to make the grade was "The Last of Mrs. Cheyney" which reached a par $5,000 at the Criterion.

Total first run business was $18,600. Average is $16,500.

Estimated takings for the week ending March 13:

"THE LAST OF MRS. CHEYNEY" (M-G-M)
CRITERION—(1,700), 10c-35c-55c, 7 days. **Gross:** $5,000. (Average, $5,000)

"THE PLAINSMAN" (Para.)
MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $5,400. (Average, $4,000)

"THE BLACK LEGION" (W. B.)
"HAPPY-GO-LUCKY" (Republic)
LIBERTY—(1,500), 10c-25c-35c, 7 days. **Gross:** $2,200. (Average, $2,500)

"SMART BLONDE" (W.B.)
WARNER — (1,800), 10c-20c-25c-35c, 4 days. Stage: Borrah Minevitche's Harmonica Rascals and vaudeville. **Gross:** $5,200. (Average, 7 days, $5,000)

"BULLDOG DRUMMOND ESCAPES" (Para.)
"LET'S MAKE A MILLION" (Para.)
WARNER—(1,800), 10c-20c-25c-35c, 3 days. **Gross:** $800. (Average, 7 days, $5,000)

To Revive Jubilesta

KANSAS CITY, March 16.—The Jubilesta, which drew over 100,000 people to the Municipal Auditorium for a variety of local and imported entertainment and educational shows last fall, will be held again this year, Sept. 18 to 26, it has been decided.

PHOOEY TO MAGIC!

it's just plain common sense...

"PARAMOUNT IS MAGICKING AGAIN", says Fortune Magazine for March, "Paramount is magicking all right", agree exhibitors as Paramount continues the great Jubilee Drive with hit after smash hit. "Paramount is just using a little plain old-fashioned box-office common sense", say we, as we add four more sure-fire box-office productions to grand Jubilee parade . . .

(TURN PLEASE) ➡

NOT MAGIC but plain Box-of

Paramount Silver Jubilee Rele

A smash musical comedy + a sock love story = a box-office hit

1

Carole Lombard and **Fred MacMurray**
in
"SWING HIGH, SWING LOW"
with Charles Butterworth, Jean Dixon, Dorothy Lamour
Harvey Stephens • Directed by Mitchell Leisen

Four stars + hit music + exotic background = a box-office hit

2

"WAIKIKI WEDDING"
with **Bing Crosby, Bob Burns**
Martha Raye, Shirley Ross
George Barbier, Leif Erikson
Directed by Frank Tuttle

ce Arithmetic insures these 4
ses record grosses everywhere!

Two top box-office names + front page drama = a box-office hit

3

Barbara Stanwyck and Joel McCrea

in

"INTERNES CAN'T TAKE MONEY"

with Lloyd Nolan, Stanley Ridges • Directed by Alfred Santell

Drama + humor + an ace cast + superb direction = a box-office hit

4

"MAKE WAY FOR TOMORROW"

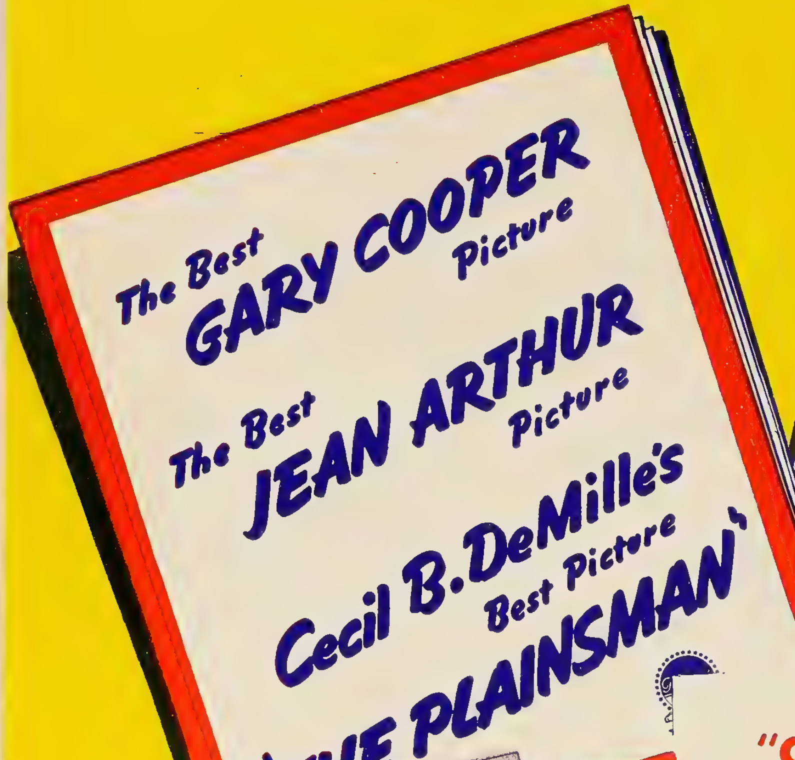
with **Beulah Bondi, Victor Moore**

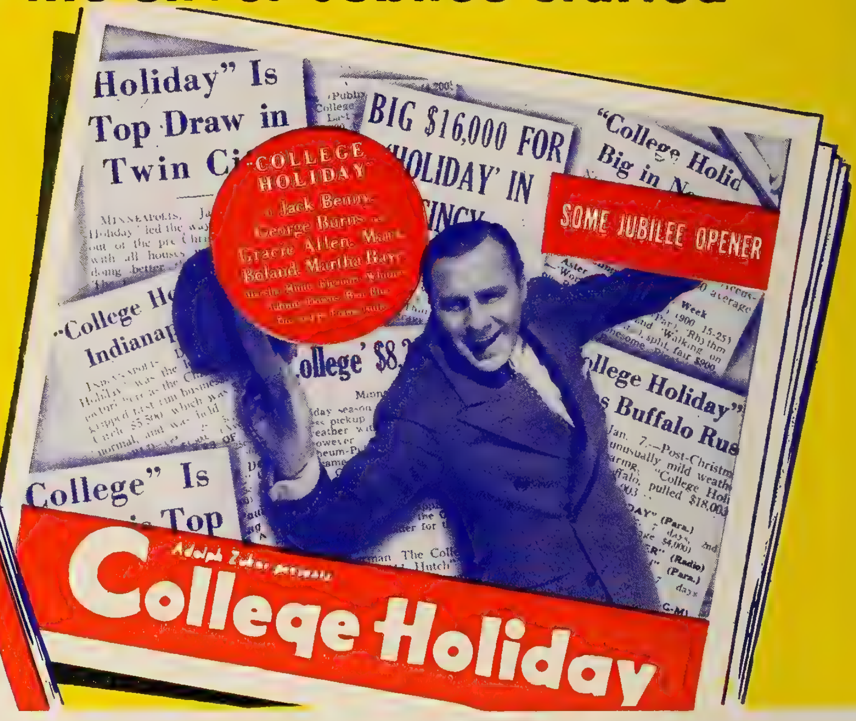
Fay Bainter, Thomas Mitchell, Barbara Read, Porter Hall, Elisabeth Risdon, Louise Beavers • A Leo McCarey Production

BUT no wonder

THEY TALK ABOUT MAGIC . . .

Look at the line-up PARAMOUNT has turned out since the Silver Jubilee started


The Best
GARY COOPER
Picture
The Best
JEAN ARTHUR
Picture
Cecil B. DeMille's
Best Picture
"THE PLAINSMAN"


"College Holiday" Is Top Draw in Twin Ci
BIG $16,000 FOR 'HOLIDAY' IN CINCY
"College Holid Big in N
SOME JUBILEE OPENER
COLLEGE HOLIDAY
Jack Benny
George Burns
Gracie Allen
Mary Boland
Martha Raye
"College He Indianap
College' $8,
llege Holiday" s Buffalo Rus
College" Is Top
Adolph Zukor presents
College Holiday

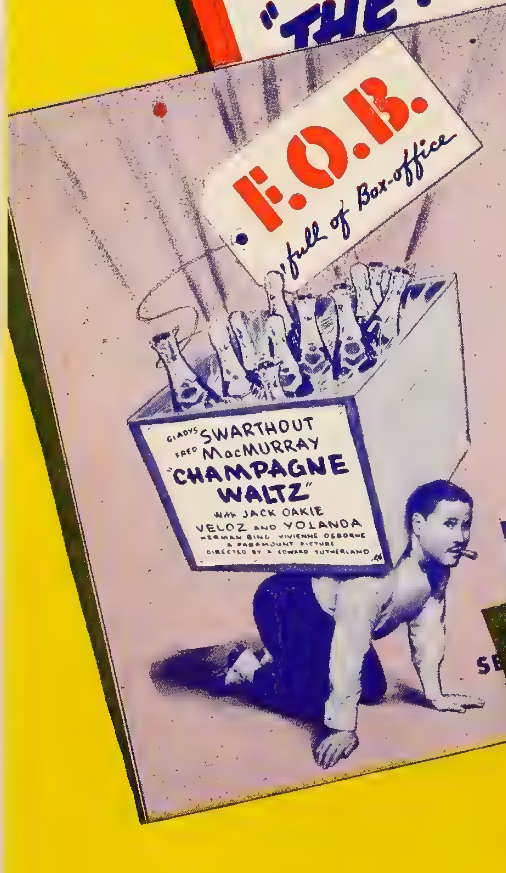
"COLLEGE HOLIDAY"...
one of the year's top grossers . . .

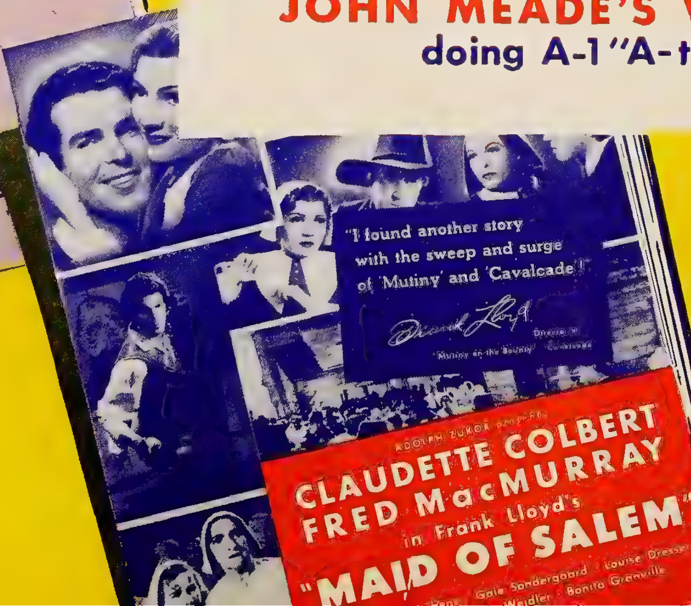
"THE PLAINSMAN"...
one of the top grossers of all time . . .

"CHAMPAGNE WALTZ"...
a smash grosser wherever played . . .

"MAID OF SALEM"...
piling up records from coast to coast . . .

"JOHN MEADE'S WOMAN"...
doing A-1 "A-time" business everywhere.


F.O.B.
full of Box-office
GLADYS SWARTHOUT
FRED MacMURRAY
"CHAMPAGNE WALTZ"
with JACK OAKIE
VELOZ AND YOLANDA
HERMAN BING VIVIENNE OSBORNE
A PARAMOUNT PICTURE
DIRECTED BY A. EDWARD SUTHERLAND


"I found another story with the sweep and surge of 'Mutiny' and 'Cavalcade'!"
Frank Lloyd
Director of 'Mutiny on the Bounty' 'Cavalcade'
ADOLPH ZUKOR presents
CLAUDETTE COLBERT
FRED MacMURRAY
in Frank Lloyd's
"MAID OF SALEM"
Gale Sondergaard · Louise Dresser
Weidler · Bonita Granville

Paramount Pictures

"Light" High In Two Boston Spots 2nd Run

BOSTON, March 16.—"Green Light," playing second run, and co-featured with "Smart Blonde," first run, drew $11,000 at the Paramount. This was over the line by $4,000. The same program drew $7,500 at the Fenway, above average by $3,000.

"Sea Devils," dualed with "We're On the Jury," drew $6,000 above average at the RKO Memorial with a take of $18,000.

"When You're In Love," co-featured with "Counterfeit Lady," did well at the Orpheum with a gross of $16,800, exceeding average by $5,800. The same program at Loew's State took $14,500, over by $3,500.

Total first run business was $92,300. Average is $88,500.

Estimated takings for the week ending March 12:

"GREEN LIGHT" (F.N.)
(2nd Run)
"SMART BLONDE" (W.B.)
FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $7,500. (Average, $4,500)

"SEA DEVILS" (RKO)
"WE'RE ON THE JURY" (RKO)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $18,000. (Average, $12,000)

"WHEN YOU'RE IN LOVE" (Col.)
"COUNTERFEIT LADY" (Col.)
LOEW'S ORPHEUM—(2,970), 25c-45c-65c, 7 days. **Gross:** $16,800. (Average, $12,000)

"WHEN YOU'RE IN LOVE" (Col.)
"COUNTERFEIT LADY" (Col.)
LOEW'S STATE—(3,537), 25c-45c-65c, 7 days. **Gross:** $14,500. (Average, $11,000)

"JOHN MEADE'S WOMAN" (Para.)
METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: "Paradise on Parade." **Gross:** $22,000. (Average, $22,000)

"GREEN LIGHT" (F.N.)
(2nd Run)
"SMART BLONDE" (W.B.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $11,000. (Average, $7,000)

"MYSTERIOUS CROSSING" (Univ.)
RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: "World's Fairest on Parade." **Gross:** $21,000. (Average, $21,000)

"Avenue" Dual 2d Week Hit in N. H.

NEW HAVEN, March 16.—A Sunday which broke house records with higher holdover prices sent the College business to the fore on the second week of "On the Avenue" and "Woman Wise," which grossed $4,000.

Elsewhere grosses stayed at average or somewhat under.

Total first run business was $19,700. Average is $19,300.

Estimated takings for the week ending March 12:

"ON THE AVENUE" (20th-Fox)
"WOMAN WISE" (20th-Fox)
COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $4,000. (Average, $2,800)

"JOHN MEADE'S WOMAN" (Para.)
"CLARENCE" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $4,300. (Average, $4,800)

"LOVE IS NEWS" (20th-Fox)
"FAIR WARNING" (20th-Fox)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"READY, WILLING AND ABLE" (W.B.)
"ONCE A DOCTOR" (F.N.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $4,400. (Average, $4,700)

Retitle Hopkins Film

HOLLYWOOD, March 16.—"Woman Chases Man" is the new title of "The Woman's Touch," now being produced by Samuel Goldwyn with Miriam Hopkins starred.

"Sea Devils," Show High in Detroit Boom

DETROIT, March 16.—Despite Lent, every first run went over par for the first time this year, the Michigan leading with $27,600 on "Sea Devils" and a stage show. This was $7,600 to the good.

The Fox was close behind with $26,500 on "Love Is News" and a vaudeville bill. "Green Light," in its third week at the Madison, held up to $10,500.

Total first run business was $87,600. Average is $70,000.

Estimated takings for the week ending March 11:

"ON THE AVENUE" (20th-Fox)
(Second Week)
"WOMAN WISE" (20th-Fox)
(First Week)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $5,600. (Average, $5,000)

"LOVE IS NEWS" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Wini Shaw, Sheila Barrett, Radcliffe & Rogers, Loyal's Dogs, 3 Samuels and Harriett Hayes. **Gross:** $26,500. (Average, $20,000)

"SEA DEVILS" (RKO)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: "French Casino" Revue. **Gross:** $27,600. (Average, $20,000)

"SMART BLONDE" (W.B.)
"CRIMINAL LAWYER" (RKO)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $5,100. (Average, $5,000)

"LAST OF MRS. CHEYNEY" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $12,300. (Average, $10,000)

"GREEN LIGHT" (W. B.)
MADISON—(2,000), 15c-65c, 7 days, 3rd week. **Gross:** $10,500. (Average, $10,000)

"Cheyney," "Races" $5,600 in Spokane

SPOKANE, March 16.—"The Last of Mrs. Cheyney" and "Off to the Races" pulled $5,600 in seven days on a dual at the Fox to top the city last week as box-offices began to thaw out.

"When You're in Love" took $5,100, over par by $300, in seven days at the State with March of Time to help.

"That Girl from Paris," on a dual with "Living Dangerously" at the Orpheum, suffered from being opposed by Grace Moore at the State and drew $2,400 in four days over the weekend, only $200 over average.

Total first run business was $14,300. Average is $13,200.

Estimated takings:

Week Ending March 11:

"THE LAST OF MRS. CHEYNEY"
(M-G-M)
"OFF TO THE RACES" (20th-Fox)
FOX—(2,300), 25c-40c, 7 days. **Gross:** $5,600. (Average, $5,200)

"WHEN YOU'RE IN LOVE" (Col.)
STATE—(1,000), 30c-40c, 7 days. **Gross:** $5,100. (Average, $4,800)

"THAT GIRL FROM PARIS" (RKO)
"LIVING DANGEROUSLY" (G.B.)
ORPHEUM — (1,200), 20c-30c, 4 days. **Gross:** $2,400. (Average, $2,200)

"BULLDOG DRUMMOND ESCAPES"
(Para.)
"HATS OFF" (G. N.)
ORPHEUM — (1,200), 20c-30c, 3 days. **Gross:** $1,200. (Average, $1,000)

Joins Grand National

DETROIT, March 16.—William Mattingly, formerly with Excellent Pictures Corp., has joined the sales staff of the local Grand National branch.

Bargain Days

St. Louis, March 16.—In an effort to combat the competition offered to theatres in the Lenten season, Fanchon & Marco have adopted strenuous measures.

In one case the patron gets free hamburgers and soft drinks, community dancing on the stage, an opportunity to acquire a radio or electric refrigerator, two features and a stage show—all for one dime. In another, a 25-cent admission will give the patron a good first run feature and a stage show featuring Fred Waring and His Pennsylvanians.

"Green Light" Hits $13,500 Cincy Top

CINCINNATI, March 16. — Green Light" cleared $13,500 at the RKO Albee, plussing par by $1,500. It was moved to the RKO Capitol.

"Wings of the Morning" soared to $13,000 with Gus Arnheim's band on the RKO Shubert stage, up $1,000. "Three Smart Girls" did a brilliant $3,700 on its third week downtown at the RKO Grand, where $2,750 is the weekly figure. It was held over. "Sea Devils" balanced the $10,000 average at the RKO Palace. The other houses had satisfactory takes, although below average. The weather alternated between warm and extreme cold.

Total first run business was $58,450. Average is $58,700.

Estimated takings:

Week Ending March 10:

"SEA DEVILS" (RKO)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $10,000. (Average, $10,000)

Week Ending March 11:

"GREEN LIGHT" (F.N.)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $13,500. (Average, $12,000) Moved to RKO Capitol.

"WINGS OF THE MORNING" (20th-Fox)
RKO SHUBERT—(2,150), 40c-60c, 7 days. Stage: Gus Arnheim's Band. **Gross:** $13,000. (Average, $12,000)

"LAST OF MRS. CHEYNEY" (M-G-M)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $5,800. (Average, $6,500)

"JUNGLE PRINCESS" (Para.)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $4,300. (Average, $6,500)

"THREE SMART GIRLS" (Univ.)
RKO GRAND—(1,200), 25c-40c, 7 days, 3rd downtown week. **Gross:** $3,700. (Average, $2,750) Held over.

"ELLIS ISLAND" (Invincible)
RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,300. (Average, $1,250)

"MAN OF THE PEOPLE" (M-G-M)
RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,100. (Average, $1,200)

"YOU ONLY LIVE ONCE" (U.A.)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $5,750. (Average, $6,500)

Choose Tragic Ending

LONDON. March 8.—As a result of running "Beloved Enemy" with alternative endings at the Leicester Square, United Artists have decided on the "unhappy" ending for the general release of the picture.

"Bandit" Now "War Lord"

HOLLYWOOD, March 16. — "War Lord" is the new title of the Boris Karloff picture to be released by Warners. It was formerly "China Bandit."

"Steele" K.C. $9,200 Lead In Dull Week

KANSAS CITY, March 16.—"Nancy Steele Is Missing" and stage show at the Tower made the best showing in a fair week. The combination gave the house $9,200, $2,200 over par.

"Ready, Willing and Able" and "Condemned Row" put the Newman $1,400 over its $7,600 line in eight days, but other first runs fell shy of a normal showing.

The weather was good, but the first college basketball tournament three nights at the Municipal Auditorium cut in.

Total first run business (excluding the Downtown) was $36,400. Average is $36,800.

Estimated takings:

Week Ending March 10:

"MAID OF SALEM" (Para.)
"CLARENCE" (Para.)
MAINSTREET—(3,100), 25c-40c, 6 days. **Gross:** $6,900. (Average, 6 days, $7,200)

"WINGS OF THE MORNING" (20th-Fox)
UPTOWN—(2,000) 25c-40c, 6 days. **Gross:** $3,300. (Average, 6 days, $3,500)

Week Ending March 11:

"ESPIONAGE" (M-G-M)
"MAN WHO COULD WORK MIRACLES" (U.A.)
MIDLAND — (4,000), 25c-40c, 7 days. **Gross:** $8,000. (Average, $11,500)

"READY, WILLING AND ABLE" (W.B.)
"CONDEMNED ROW" (Radio)
NEWMAN — (1,900), 25c-40c, 8 days. **Gross:** $9,000. (Average, 8 days, $7,600)

"NANCY STEELE IS MISSING"
(20th-Fox)
TOWER—(2,200), 25c-40c, 7 days. Stage: Sylvia and Clemence, Morey Amsterdam, Large and Morgner, La Paiva and Legary. **Gross:** $9,200. (Average, $7,000)

Week Ending March 13:

"THE PACE THAT KILLS" (Willis Kent)
"GIRL OVERBOARD" (Univ.)
DOWNTOWN—(800), 25c, 8 days. Stage: Mlle. Corinne. **Gross:** $5,200. No average. Shows continuous from 9 a.m. to 5 a.m.

"Lloyds" on Dual $9,200, Portland

PORTLAND, March 16.—"Lloyds of London" with "They Wanted to Marry" was held for a second week at the Paramount. The take was $9,200, or $4,200 over the line.

At the Orpheum "On the Avenue" and "The Great O'Malley" grossed $8,000, up by $3,000.

Total first run business was $38,700. Average is $24,700.

Estimated takings for the week ending March 6:

"DANIEL BOONE" (RKO)
"SHE'S DANGEROUS" (Univ.)
BROADWAY—(1,912), 30c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"THEODORA GOES WILD" (Col.)
"LADY FROM NOWHERE" (Col.)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 10th downtown week. **Gross:** $2,500. (Average, $1,700)

"ONE IN A MILLION" (20th-Fox)
"NIGHT WAITRESS" (Radio)
MAYFAIR—(1,700), 30c-35c-40c, 7 days (5th DT Week). **Gross:** $5,000. (Average, $3,000)

"ON THE AVENUE" (20th-Fox)
"THE GREAT O'MALLEY" (W. B.)
ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $8,000. (Average, $5,000)

"LLOYDS OF LONDON" (20th-Fox)
"THEY WANTED TO MARRY" (Radio)
PARAMOUNT—(3,008), 30c-35c-40c, 7 days, 2nd week. **Gross:** $9,200. (Average, $5,000)

"ESPIONAGE" (M-G-M)
UNITED ARTISTS—(945), 30c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"Marines" and Vaude $5,100 Seattle Lead

SEATTLE, March 16.—"Join the Marines," helped by Fifi Dorsay and a vaudeville show, turned in the best showing of the week, $5,100, at the Palomar. This was over par by $600.

The only other attraction to get into the profit column was a dual, consisting of "The Last of Mrs. Cheyney" and "Racing Lady."

Total first run business was $33,700. Average is $36,500.

Estimated takings to March 12:

"GOD'S COUNTRY & THE WOMAN" (W. B.)
"DANGEROUS NUMBER" (M-G-M)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 3rd week, extended run from Fifth Ave. **Gross:** $3,300. (Average, $4,000)

"LAST OF MRS. CHEYNEY" (M-G-M)
"RACING LADY" (RKO)
FIFTH AVENUE—(2,500), 25c-40c-55c. 7 days. **Gross:** $7,600. (Average. $7,000)

"WHEN YOU'RE IN LOVE" (Col.)
LIBERTY—(1,800), 15c-25c-40c-55c, 7 days, 3rd wek. **Gross:** $4,350. (Average, $5,000)

"GREEN LIGHT" (F. N.)
"CLARENCE" (Para.)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Fifth Ave. **Gross:** $3,400. (Average, $4,000)

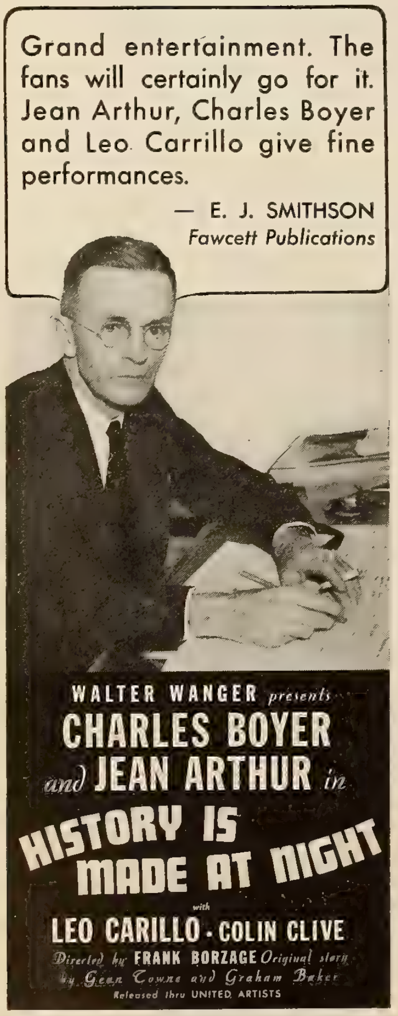
"WHEN'S YOUR BIRTHDAY?" (W. B.)
ORPHEUM—(2,450), 25c-40c-55c, 5 days, 2nd week. Vaudeville and stage band. **Gross:** $5,100. (Average, $6,000)

"JOIN THE MARINES" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Fifi Dorsay. **Gross:** $5,100. (Average, $4,500)

"SEA DEVILS" (RKO)
"ESPIONAGE" (M-G-M)
PARAMOUNT — (3,050), 25c-40c-55c, 7 days. **Gross:** $5,850. (Average, $6,000)

Grand entertainment. The fans will certainly go for it. Jean Arthur, Charles Boyer and Leo Carrillo give fine performances.

— E. J. SMITHSON
Fawcett Publications



WALTER WANGER *presents*
CHARLES BOYER
and JEAN ARTHUR *in*
HISTORY IS MADE AT NIGHT
with
LEO CARILLO · COLIN CLIVE
Directed by FRANK BORZAGE *Original story by Gene Towne and Graham Baker*
Released thru UNITED ARTISTS

"Wings" Given 7th Week in Montreal

MONTREAL, March 16.—"Wings of the Morning" is holding the spotlight among first runs at His Majesty's. The film has gone into its seventh week. The take for the sixth week was $5,500, or $500 above par.

"When You're in Love," on a dual at the Capitol, registered an above-average figure of $10,000 and the second week of "Camille" at the Palace was good for $7,500. "Dangerous Number," heading the lengthy film-stage show at Loew's, accounted for $10,000. "John Meade's Woman" collected $6,500 as first feature at the Princess.

Two hockey matches drew big crowds and there was much Easter shopping activity with the weather cold but fair.

Total first run business was $39,500. Average is $43,000.

Estimated takings for the week ending March 13:

"WHEN YOU'RE IN LOVE" (Col.)
"WOMAN IN DISTRESS" (Col.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,000. (Average, $9,500)

"WINGS OF THE MORNING" (British-Fox)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days, 6th week. **Gross:** $5,500. (Average, $5,000) Held over.

"DANGEROUS NUMBER" (M-G-M)
"CAREER WOMAN" (20th-Fox)
LOEW'S — (3,115), 25c-34c-40c-50c-60c, 7 days. Stage: Salicir Puppets and vaudeville. **Gross:** $10,000. (Average, $10,500)

"CAMILLE" (M-G-M)
PALACE — (2,600), 25c-35c-40c-50c-65c, 7 days, 2nd week. **Gross:** $7,500. (Average, $11,000)

"JOHN MEADE'S WOMAN" (Para.)
"OUTCAST" (Para.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $6,500. (Average, $7,000)

New Mass. Booth Rules

BOSTON, March 16.—New regulations have been imposed on Massachusetts projectionists by the Dept. of Public Safety, replacing rules of 51 years' standing. The new rules require that no operator may leave the operating side of a projector while projecting a picture. Pick-ups, so called, are prohibited when only one licensed operator is in a booth. Fire or accidents in booths must be reported separately, within 24 hours, by both operators and theatre managers. No more than 2,000 feet of film may be wound on any one reel. An exhaust fan must be kept running while the projectors are in operation. Inspectors must approve any proposed alterations in either equipment or booths before such changes may be made.

To Handle Republic

MELBOURNE, Feb. 16. (*By Air Mail Via London*)—Associated Distributors have secured the Australian distribution rights to Republic pictures. Terms of the deal allow Associated a rejection right and Associated states that each film will be submitted to a selection board before acceptance for first-run presentation.

Plan Films in Color

LONDON, March 8.—Mrs. Natalie Kalmus, on arrival here to supervise the Movietone Coronation film in Technicolor, said she was currently negotiating for the production in England of two features and a number of shorts in Technicolor.

Yellow, Not Red

Toronto, March 16.—Ontario censors take no chances on Red propaganda. When "A Son of Mongolia" was presented for inspection they hired a Russian interpreter to make sure the dialogue was something like the English sub-titles.

After a few minutes the interpreter said he couldn't tell what it was all about; the characters were speaking Chinese.

The print was returned to the country of origin.

"Murder" and Show Best in Milwaukee

MILWAUKEE, March 16.—"Murder Goes to College," helped by "Greenwich Village Scandals" on the stage, turned in the best showing of the week at the Palace. The $7,800 take was $2,800 over normal.

"Love Is News" and "Under Cover of Night" managed to get $500 over par in a nine-day stay at the Wisconsin and "On the Avenue" and "Crack-Up" just made a par $1,500 at the Strand.

Mild, fair weather helped to raise hob at box-offices.

Total first run business was $25,800. Average is $24,500.

Estimated takings:

Week Ending March 9:

"YOU ONLY LIVE ONCE" (U. A.)
"WE'RE ON THE JURY" (RKO)
WARNER—(2,400), 25c-35c-50c, 5 days. **Gross:** $2,800. (Average, $5,000)

Week Ending March 10:

"LOVE IS NEWS" (20th-Fox)
"UNDER COVER OF NIGHT" (M-G-M)
WISCONSIN—(3,200), 25c-35c-50c, 9 days. **Gross:** $8,500. (Average, $8,000)

Week Ending March 11:

"MURDER GOES TO COLLEGE" (Para.)
PALACE—(2,400), 25c-35c-50c, 7 days. Stage: "Greenwich Village Scandals." **Gross** $7,800. (Average, $5,000)

"WOMAN IN DISTRESS" (Col.)
RIVERSIDE—(2,300), 20c-30c, 7 days. Stage: "King's Scandals." **Gross:** $5,200. (Average, $5,000)

"ON THE AVENUE" (20th-Fox)
"CRACK-UP" (20th-Fox)
STRAND—(1,400), 25c-35c-50c, 8 days. **Gross:** $1,500. (Average, $1,500)

CEA Asks Conference On Building Problem

LONDON, March 8.—The Cinematograph Exhibitors' Ass'n overbuilding committee, under the chairmanship of Ken Nyman, has requested the president of the Board of Trade to receive a deputation on the problem of excessive theatre erection.

It is understood that the committee favors a request to the Board of Trade that statutory powers to control building should be included in any new Films Act. There is some difference of opinion in the trade on the wisdom of asking for further Government control of the industry.

Approve Child Matinees

LONDON, March 8. — Approval of weekly matinees for children at all theatres and of the provision of special films for young patrons, was registered at a conference here under the auspices of the Cinema Christian Council and the Public Morality Council. Praise of films as a means of entertainment for children was expressed by the Bishop of London.

"Love News," $16,500 Hit In Cleveland

CLEVELAND, March 16.—"Love Is News" at Warners' Hippodrome was the outstanding draw of the week. It grossed $16,500, topping average by $6,500.

"You Only Live Once" at the RKO Palace with the "Broadway Midnight Follies" on the stage, ran a close second with $19,250 for the week as against a $15,000 average.

"Maid of Salem" at the Stillman, following a good week at the State, ended the week $1,000 shy of par.

Weather was snowy and blowy. Also it was tax paying time. Coupled with Lent, all these combined to lower the gross from recent weekly averages.

Total first run business was $55,250. Average is $51,000.

Estimated takings for the week ending March 12:

"THE PLOUGH AND THE STARS" (RKO)
ALLEN — (3,300), 30c-35c-42c, 7 days. **Gross:** $4,500. (Average, $5,000)

"ESPIONAGE" (M-G-M)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $10,000. (Average, $15,000)

"MAID OF SALEM" (Para.)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days, 2nd week. **Gross:** $5,000. (Average, $6,000)

"YOU ONLY LIVE ONCE" (U.A.)
RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: "Broadway Midnight Follies." **Gross:** $19,250. (Average, $15,000)

"LOVE IS NEWS" (20th-Fox)
WARNERS' HIPPODROME — (3,800), 30c-35c-42c, 7 days. **Gross:** $16,500. (Average, $10,000)

Three Players Join Tobis Directorate

By J. K. RUTENBERG

BERLIN, March 4.—Three of the most prominent players in Germany have been elected to the board of directors of the Tobis Film Co. They are Gustav Grundgens, Emil Jannings and Willi Forst, the actor-director. They will handle matters referring to production and the planning of cultural films.

* * *

The Cinema Films A. G., leading Germany exporting company, which has been taken over by the Tobis Tonbild Syndikat A. G., reports a year's loss of 625,000 reichsmarks. The net loss after the application of heavy writeoffs amounts to 625,000 reichsmarks.

* * *

A new Government edict prohibits an increase in admission prices at theatres in Germany.

Sets Sioux City Changes

SIOUX CITY, Ia., March 16.—District Manager Evert R. Cummings of Tri-States, has made the following changes in Sioux City: Manager Sol Shulkin of the Hipp promoted to supervising manager of the Loop and Hipp, promoted Assistant Manager Morris Mirkin of the Iowa to Granada manager, transferred Manager Warren Butler from the Granada to the Hipp as manager and transferred Assistant Manager Bernard Pollack from the Hipp to the Iowa as assistant.

QUIGLEY PUBLICATIONS

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International weekly journal of the motion picture industry. Member Audit Bureau of Circulations. Edited by Terry Ramsaye.

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Swift accurate spot news from the world's film centers every 24 hours. Edited by Maurice D. Kann.

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Devoted to maintenance, equipment, construction and operation of motion picture theatres. Published every four weeks as section 2 of Motion Picture Herald. Edited by George Schutz.

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INTERNATIONAL MOTION PICTURE ALMANAC

Reference annual covering every department of the motion picture industry, including biographies of 13,000 players, directors, artists, writers, technicians and executives. Listing corporations, officers, financial structures, production titles, producing and distributing personnel, theatre circuits. Edited by Terry Ramsaye.

TEATRO AL DÍA

Published in Spanish and circulated to the industry in the Spanish speaking countries of the world. Issued quarterly and devoted to maintenance, equipment, construction and kindred phases of motion picture theatre operation. Edited by Pablo Colon.

Quigley publications present a practical perspective of motion picture activities all over the world in a continuous cycle of publications, daily, weekly, monthly, quarterly and annually.

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LONDON
4 Golden Square

F. C. C. Issues Licenses for Five Stations

By CLARENCE LINZ

Washington, March 16.—The F.C.C. today announced the issuance of licenses to five stations, as follows: KOY, Phoenix, 1,390 kilocycles, 500 watts night, 1,000 watts day; KTSM El Paso, 1,310 kilocycles, 100 watts night, 250 day; WGAL, Lancaster, Pa., 1,500 kilocycles, 100 watts night, 250 day; KUSD, Vermillion, S. D., 890 kilocycles, 500 watts; WEEI, Boston, 590 kilocycles, 1,000 watts night, 5,000 day.

The commission also authorized KRNR, Rosenburg, Ore., to assign its license from the Southern Oregon Publishing Co. to the News Review Co. Four applications for new stations were ordered set for hearing, as follows: Press Union Publishing Co., Atlantic City, 1,200 kilocycles, 100 watts night, 250 day; George W. Taylor Co., Williamson, W. Va., 1,370 kilocycles, 100 watts day only; R. W. Page Corp., Phoenix City, Ala., 1,240 kilocycles, 1,000 watts; WRBC, Inc., Cleveland, 800 kilocycles, 1,000 watts. Also applications of stations WRAX, Philadelphia, for a power increase to 1,000 watts, and WPEN, Philadelphia, for increase to 1,000 watts.

Dismissals Listed

At their request applications of Radio and Television Research Co., Los Angeles; James D. Scannell, Lewiston, Me.; James R. Doss, Jr., Mobile, Ala., and Springfield Newspapers, Inc., Springfield, O., for new stations, have been dismissed. Application of the North Jersey Broadcasting Co., Inc., Paterson, N. J., for a new station was denied.

The commission announced receipt of applications for new stations from the Ohio Broadcasting Co., Steubenville, O., and Anne Jay Levine, Palm Springs, Cal., and the request of KFOR, Lincoln, for a frequency change to 1,450 kilocycles and a power increase to 1,000 watts night, 5,000 day.

Mutual to Get "Coronet"

"Coronet," local WOR program sponsored by the magazine of that name, will go to the Mutual network within a broadcast or so. Mutual is now clearing time on network stations for the series.

Begin Television Survey

Weed & Co., station representatives, are now undertaking a comprehensive survey of television developments for their clients.

WMCA 15 Years Old

WMCA celebrates its fifteenth anniversary tomorrow. The station first began operating March 18, 1922.

LEO SAYS:
The only broadcast based on the life of a woman doctor is WHN's daily "Girl Interne."
WHN DIAL 1010 AFFILIATED with M-G-M • LOEW'S

◀ Radio Personals ▶

WILLIE HOWARD, who takes over the comedy assignment on the "Manhattan Merry-Go-Round" program shortly, leaves today for a two-week vacation trip to Florida . . . Dolph Opfinger, Mutual's program coordinator, yesterday became the father of a boy . . . Margo will be Jeff Spark's guest on WOR Sunday . . . Bert Squires, WINS chieftain, away on station business . . . Tom Martin, of the Rockwell-O'Keefe office, flies to Cincinnati on official business today . . .

✚

Don Shaw, head of McCann-Erickson's radio department, left last night on a business swing that will take him to Detroit, Chicago and St. Louis . . . Arthur Boran has been set for a guest role on the WOR Schaefer Beer program this Sunday . . . Donald Cope, director of the Palmolive "Beauty Box" and "True Adventure" programs for Benton & Bowles, leaves for a three-week vacation tomorrow . . . Bob Lee has taken over the reins of the professional department for the Isham Jones office . . . Larry Nixon, WMCA press chief, yesterday was feted by his colleagues on the anniversary of his 15th year in radio . . . Jean Ellington has signed for a guest spot on the Al Pierce Ford program March 30 . . .

✚

Gypsy Nina, CBS songstress now in England, sends word that her commitments will keep her there until after the coronation in May . . . Birthdays of famous people will be celebrated in a new weekly NBC series which will make its debut March 30, from 8 to 8:30 P.M., E.S.T., on the Blue. The program will feature Jack Norworth as master of ceremonies . . . Joe Marsala's orchestra will replace Mike Riley's bandsmen on WHN beginning next week. The broadcasts emanate from the Hickory House . . . Grace Moore gave up a command performance in England during the coronation to accept her new starring role on the Nash "Speedshow" . . . J. Schainuck & Son now using a transcribed program on WMCA six mornings a week at 8 P.M. . . . "Tim and Irene" will be guests on "All Star Varieties" over WOR March 20 . . . Johnny Green and Fred Astaire have begun a series of recordings of all the numbers from "Shall We Dance?" . . .

Takes Radio Stand

Ed Kuykendall, president of the M. P. T. O. A., took a stand yesterday at the Miami convention against the "unrestricted and unlimited use of screen personalities" on the air.

His views on the subject may be found on Page 7.

Zukor Dinner on Mutual

The Mutual network will air the proceedings of the Adolph Zukor Testimonial Dinner to be given at the Waldorf Astoria March 29.

The broadcast will begin at 11:15 P.M., E.S.T., and carry on for an hour.

New Shows on the Air

"The Answer Man"

From Bridgeport, where he has been appearing on a local station, the Provident Loan Society of New York last night brought to WOR Al Mitchell, "The Answer Man." Mitchell proved himself to be an animated encyclopedia, supplying answers to all questions "within the bounds of professional ethics." The listeners furnished the questions.

The program moves at a fast pace, entertains, informs and is highly enjoyable. We can ask no more of a radio program. Listening, one learned the meaning of the 14 karat gold symbol, the penalties for income tax evasion, the various characteristics of good diamonds and such information. Mitchell's answers are couched in the simple, albeit thorough fashion that bespeaks painstaking research and careful preparation. "The Answer Man" is presented twice weekly, Tuesday and Thursday, at 7:30 P. M.

"Coronet on the Air"

Not much can be said in favor of "Coronet on the Air," etherized version of the vest-pocket magazine, which is now in its second week on WOR. Last night's program dealt with subjects entirely unsuited to radio and exhibited definite traces of poor, or at least hasty, production.

Example of material unsuited to radio was the attempt to describe pictures appearing in the magazine via musical setting. As a concrete example Robert Ambruster's orchestra tried to convey a description of "a reclining blonde," as appearing in the magazine, with 16 bars of "It's De-Lovely." Another example of poor selection was the reenactment of "typical early morning sounds." The sound man did his level best, but heard were only unintelligible noises. We were later informed they were sounds made at the breakfast table by one gulping orange juice, cracking eggs, crunching toast and rustling a newspaper.

Two dramatized reenactments of stories in the current issue of the magazine were offered as well.

"Castles of Romance"

"Castles of Romance," a sustaining series of established standing on WJZ, took unto itself a sponsor last evening, the Harvey Whipple Co., makers of Mastercraft Oil Burners. Despite its newly-won dignity, the series remains a mediocre, run-of-the-mill offering.

Featured on the program are Alice Remsen and George Griffin, vocalists, and a piano duo, Al and Lee Reiser.

The "romantic" idea is carried out by references to the singers as "the boy" and "the girl," plus poetic phraseology by the announcer in setting the scene for the numbers to be offered. Among the offerings were "This Year's Kisses" by "the girl"; "Summer Night" by "the boy," and a duet, "By the Waters of Kalua."

The series is heard on WJZ only, 6:35 to 6:45 P. M., Tuesdays.

Banner

New Answer Program Under Way on WOR

A new program unexpectedly bowed in over WOR last night at 7:30 P. M., E.S.T. It is titled "The Answer Man," and features Al Mitchell. The series will be presented twice weekly, Tuesdays and Thursdays, until April 20, at which time it will add a Saturday broadcast. The Provident Loan Co. of New York sponsors, through McCann-Erickson. The contract is for 39 weeks.

Mitchell's program attracted the agency's attention while broadcasting over WICC, Bridgeport. Hastily summoned for an audition, he clicked with the present sponsor and was penciled in on the WOR schedule yesterday afternoon. Mitchell supplies the answers to any questions of fact submitted by listeners.

Chandler Series for Ford in Time Change

Rex Chandler's musical series for the Ford Motor Co., currently heard Fridays at 9 P. M., E.S.T. on the NBC-Blue network, shifts to a new time and network as of April 10. Thereafter the program will be aired Saturdays from 7 to 7:30 P.M., E.S.T. on the NBC-Red.

Full details are not yet available, but it is believed that the number of stations carrying the program will be reduced. N. W. Ayer & Son is the agency.

Oil Firm Setting Show

Some weeks ago it was foretold in these columns that the Standard Oil of Indiana, through the McCann-Erickson agency, was setting plans for a new network show. Yesterday it was learned that an audition for the company had been held in Chicago, featuring Carl Hoff's orchestra, with Pat O'Malley as "em cee." The program, when talent has finally been determined, will be broadcast over the CBS network.

WNEW Gets New Accounts

WHEW has completed another successful selling week. In the past six days the station's salesmen have written 18 contracts and renewals. The contracts bring in $2,794.13 additional each week.

March and Wife on Lux Hour

Fredric March and his wife, Florence Eldridge, will offer a radio version of "Death Takes a Holiday" in the Lux "Radio Theatre," March 22. This will be the first appearance for either of the Marches on the Lux hour.

WMCA Adds News Broadcast

WMCA adds a Monday through Friday late news broadcast to its schedule, effective immediately, utilizing International and Universal news dispatches. The broadcasts are for 15-minutes, 1 to 1:15 A.M.

KWK to Celebrate Today

St. Louis, March 16.—KWK will celebrate its 10th anniversary tomorrow. NBC will carry a half hour of anniversary program and Mutual will feed two anniversary programs.

More Radio—Page 20

Simplex TRADE MARK REG'D **PROJECTORS — DISTRIBUTED BY NATIONAL THEATRE SUPPLY COMPANY**

New Super Simplex

TRADE MARK REGISTERED

PEDESTAL

Designed

TO ACCOMMODATE HEAVY DUTY EQUIPMENT
MEET PROJECTIONIST REQUIREMENTS
AND SECURE THE
HIGHEST TYPE OF SCREEN PRESENTATION

Super Simplex

OUTSTANDING ADVANTAGES

- Provides excellent balance for heavy duty equipment.
- Pivot point insures proper balance and minimum strain.
- Can be easily tilted between minus 3 and plus 33°.
- Lateral adjustment simplifies installation and insures proper centering of picture on screen at all times.
- Weight gives steadiness heretofore unobtainable.
- Spacious internal compartment for all electrical connections.
- Conduit can be brought into compartment through floor or from side.
- Twist lock receptacles for change-over and motor allow ready disconnection of circuit.
- Two switches for motor circuit.
- Four double pole standard outlet receptacles for soldering iron, work light, threading lamp, and arc lamp feed motor provided.
- Universal type spirit level permits accurate levelling, and levelling bolts secure great rigidity.
- Lamphouse support bracket permits accurate alignment of lamphouse and allows for differences in manufacturing tolerances.
- Lamphouse support bracket of adequate length to support new style lamphouse.
- 100 ampere double pole knife switch furnished for low intensity or suprex arc lamps.
- Heavy switch supporting bracket can be furnished at additional charge for high intensity arc lamp.
- Any standard change-over switch may be attached.
- Spacers provided to accommodate existing port hole construction.
- Soundhead supports to meet requirements of any soundhead attachment.

●

Simplex
TRADE MARK REGISTERED
The International Projector

INTERNATIONAL PROJECTOR CORPORATION
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NEW YORK, N.Y.

Congress on Air Plan May Receive Study

WASHINGTON, March 16.—The assignment to a picked group of radio stations of certain frequencies for the broadcasting of the proceedings of Congress would be studied by the Senate Interstate Commerce Committee under the terms of a resolution introduced by Senator Key Pittman of Nevada.

Investigation of the possibilities of broadcasting from Congress, if undertaken by the committee, might prove to be the basis for a full investigation of the entire broadcasting situation, such as is being sought in the House by Congressman Connery of Massachusetts. If the Interstate Commerce Committee favors the proposal, it will probably be sent to at least four other committees for their consideration at the demand of Senator King of Utah, who pointed out that they would be interested in the broadcasting.

Baseball Airing Starts March 22

The first play-by-play baseball broadcasts will be heard March 22 from 3 to 5 P.M., E.S.T. when WNEW broadcasts the spring training games between the Yankees and the Newark Bears from Sebring, Fla. Five additional training games will be aired. The broadcasts inaugurate WNEW's baseball schedule for General Mills Corp.

DAILY VARIETY DAILY
MG TEST TUBE OPERA
Stothart's 5th Sym.
Webb Wedded Wed
Top flight entertainment. Headed for exceptional grosses. It will stand as one of Walter Wanger's finest offerings. A genuinely high class creation in every dimension.
— Daily Variety

WALTER WANGER presents
CHARLES BOYER
and JEAN ARTHUR in
HISTORY IS MADE AT NIGHT
with
LEO CARILLO · COLIN CLIVE
Directed by FRANK BORZAGE Original story by Gene Towne and Graham Baker
Released thru UNITED ARTISTS

Station WBIG

"We find *Motion Picture Daily* one of the liveliest and most attractive publications we receive. Your radio items are interesting and are mostly 'firsts.' All in all, it is a lively sheet and a fine addition to the entertainment of listeners."—*Edney Ridge*, director, Station WBIG, Greensboro, N. C.

Cukor Still Hunts For Scarlett O'Hara

Joan Crawford and Miriam Hopkins are being considered for the role of Scarlett O'Hara in "Gone With the Wind," George Cukor stated yesterday following his return from an extensive vacation abroad. He will direct the film for Selznick International.

David O. Selznick is anxious to have a prominent player in the leading role, Cukor said, and no unknown actress will be chosen. He will leave for the south in a few days to search for a number of characters resembling those in the novel.

Seidelman Off for Tour of the Orient

Joseph Seidelman, head of Columbia's foreign department, left yesterday for the coast, en route to Japan, China and the Philippines. When he arrives on the coast he will sail on the *Empress of Japan* for a two-month general inspection tour.

Prior to his departure yesterday, Seidelman said he did not contemplate any changes, that he was going to "look over the company's offices."

Upon his return, he will spend some time on the coast for product conferences with Harry Cohn, president.

Gets Imperial Franchise

CINCINNATI, March 16.—Maurice Chase, connected for a number of years with Universal and then with First Division, has obtained the Imperial franchise for the local territory, comprising southern Ohio and Kentucky.

U. A. in Mexico Deal

United Artists has closed a deal with Exito, U. C. P. R. S., Mexico City, for the distribution in all Spanish-speaking countries of "Que Hago Con La Criatura" and "Mas Alla De La Muerte," features, and a short, "La Cucaracha Mexicana."

"Heaven" to Music Hall

W. G. Van Schmus has completed negotiations with 20th Century-Fox for "Seventh Heaven." The picture has been dated into the Music Hall starting March 25.

Warner Club Party Set

The Warner Club will hold its annual Spring dance and card party Friday at 8 P. M. There will be a ballroom and tap dancing contest.

Ettelson Takes House

Dick Ettelson, who operates a small circuit of theatres in New Jersey, will take over the new Clifton, N. J., house as soon as it is completed.

Industry Rule Is in Balance: Ed Kuykendall

(*Continued from page 7*)

ing "more unfair" each selling season, Kuykendall said. "The present situation cannot go on. Distributors must give this more thought and consideration. The present near-sighted policy will boomerang on them."

Cash awards and giveaways were cited as a problem which every exhibitor must answer for himself. Exhibitors were warned, however, that the artificial stimulants eventually lost their box-office attraction, or were outlawed, and patronage would become doubly difficult to win thereafter.

Relief from the music tax may be possible through the passage of the Duffy Bill, Kuykendall told the convention, urging exhibitors to seek support for it in Congress.

The convention opened almost an hour late, which, by this time, is accepted practice at all national exhibitor conventions. About 200 assembled for the initial session with plenty of chairs vacant.

Kuykendall Report First

With amplification furnished by Mirrophonic speakers, the addresses of welcome were made by state and city officials and the return acknowledgment was by M. A. Lightman, a former M.P.T.O.A. president.

Governor Cone was slated to appear, but could not because of legislative business in Tallahassee and so he sent Alto Adams, an aide.

Mayor Fossey of Miami was busy refunding a city bond issue and he failed to show up, but his substitute was Dr. George Henry Bradford, who put on a swell sales talk for Miami, its climate and its beaches and glossed over single hotel rooms at $25 per day.

The first definite business on the convention was Kuykendall's report, which took 45 minutes to read.

Morris Lowenstein, Oklahoma City, switched places with Edward G. Levy, and, as national secretary, confined the bulk of his report not to national affairs, but to the manner in which Oklahoma has developed its own state unit. He did cite, however, what he called the pass evil and urged upon those present the advisability of avoiding such "unnecessary exposure" to the whims of legislators. The way out, he said, was for exhibitors to build up the regard in which their theatres are held.

Roster Half Complete

Levy followed with his report as general counsel. Further details of Levy's report are on Page 8.

Aside from entertainment furnished by Mitchell Wolfson, this marked the extent of the opening session.

A preliminary registration roster later described by David Palfreyman as "approximately half complete" revealed that by 3 o'clock today 200 had been clocked by registration clerks. Of this number, a MOTION PICTURE DAILY check demonstrated that 86 actually were active exhibitors. Twenty-five states and the District of Columbia are represented by one or more theatre operators, according to this listing, including one exhibitor from Quebec and another from Winnipeg.

States with representation are: Alabama, Arkansas, California, Colorado, Florida, Georgia, Illinois, Kansas, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Ohio, Oklahoma, Pennsylvania, North Carolina, New York, Rhode Island, South Dakota, Tennessee, Texas, Virginia, Washington, West Virginia.

The other 114 includes accessory, equipment and distribution men plus exhibitors' wives. Notably absent from this list are Paramount men convening at the Roney-Plaza.

Tonight there was an informal reception in the patio of the Miami-Biltmore. Tomorrow will be devoted to discussions of lighting, seating, theatre fronts and general methods of improving theatre operations.

Consolidated, 306 Have Third Session

The third arbitration meeting between representatives of Local 306 and Consolidated Amusements in regard to the recent "sit-down" strike by the operators was held yesterday at the Hotel Edison.

Melvin Albert of Weisman, Celler, Quinn, Allen & Spett, attorneys for the I.T.O.A., represented the circuit, which is a member of the unit.

Ben Golden, member of Mayor La Guardia's labor survey board, presided at yesterday's session. The dispute concerns an interpretation of the contract.

Time, Inc., to Pay $2

Time, Inc., has declared an interim dividend of $2 on the common payable March 31 to holders of record March 20.

Merle Oberon Injured

LONDON, March 16.—Merle Oberon was taken to a hospital today following an automobile accident. She was cut about the face and hands.

Wall Street

Many Gains on Board

	High	Low	Close	Net Change
Columbia	35	34⅝	34⅝	— ¼
Consolidated	4¾	4¾	4¾	.....
Consolidated, pfd.	16	16	16	— ⅛
Eastman Kodak	166¾	166	166¾	+ ¾
Gen. T. Equip.	31	30	30	— ⅝
K.-A.-O., pfd.	105	105	105	+2
Loew's, Inc.	78⅞	77⅝	78⅞	+1⅜
Paramount	25¼	24¼	24¾	+ ½
Paramount 2 pfd.	22⅞	22	22⅞	+1¼
Pathe Film	8⅝	8¼	8⅝	+ ¼
RKO	8¾	8⅝	8¾	+ ⅛
20th Century-Fox.	40	39½	39½	— ⅜
20th Century, pfd.	49½	49¼	49½	+ ½
Universal, pfd.	90	90	90	—3
Warner Bros.	15½	15	15⅛	+ ⅛

Curb Issues Steady

	High	Low	Close	Net Change
Grand National	3⅛	2⅞	3⅛	+ ¼
Sonotone	1⅞	1⅞	1⅞	— ⅛
Technicolor	23⅜	23	23¼	+ ¼
Trans-Lux	4⅝	4⅝	4⅝	.....
Universal Pict.	12⅜	12	12	.....

Bonds Hold Levels

	High	Low	Close	Net Change
Loew's 3½s '46	98¾	98½	98½	+ ⅜
Paramount B'way 3s '55	75	74¾	74¾	— ¼
Paramount Pict. 6s '55	100⅛	100⅛	100⅛	.....
Warner Bros. 6s '39 wd	96	95⅛	96	+ ½

(Quotations at close of March 16)

Red Kann

is going places!

- - - In Miami to cover the M. P. T. O. A. convention - - - then to Hollywood to take a look at new product, note trends and get a general close-up of the situation there.

MOTION PICTURE DAILY

UNPRECEDENTED!

SINCE THE SIMULTANEOUS NATION-WIDE RELEASE FIVE WEEKS AGO UP TO TODAY, WARNER BROS.' 'GREEN LIGHT' HAS BEEN HELD OVER IN EVERY KEY ENGAGEMENT WITHOUT ONE SINGLE EXCEPTION!

ANOTHER *Socko!*

ERROL FLYNN · ANITA LOUISE
in
"GREEN LIGHT"
By the Author of 'Magnificent Obsession', with
MARGARET LINDSAY
Sir CEDRIC HARDWICKE
Walter Abel • Henry O'Neill
A FRANK BORZAGE PRODUCTION • Music by
Max Steiner • A COSMOPOLITAN PRODUCTION
A First National Picture

SPECIAL
AIR
EDITION
MPTOA
CONVENTION

MOTION PICTURE
DAILY

SPECIAL
AIR
EDITION
MPTOA
CONVENTION

VOL. 41. NO. 63 NEW YORK, WEDNESDAY, MARCH 17, 1937 TEN CENTS

Appeals Court Upholds Sales Tax on Films

Affects New York City; Appeal to Be Sought

ALBANY, March 16.—The Court of Appeals, the state's highest tribunal, today affirmed the ruling of the Appellate Division upholding the right of New York City to levy and collect a sales tax on films exhibited within the city.

The court also affirmed the earlier decision exempting from the tax theatres located outside the city limits even though the film supply is obtained from New York City exchanges.

The decision was handed down in connection with the appeal of the New York United Artists exchange from an original assessment of two per cent for the municipal sales tax against its film rentals which was made almost two years ago by the city comptroller's office. On appeal to the Appellate Division, rentals derived from theatres outside the city, in Westchester, Long Island and New

(*Continued on page* 2)

Bank Night Royalty Actions Up in Mass.

BOSTON, March 16.—Suits have been filed in the District Courts of Brockton, Marlboro, Lynn and Woburn by George S. Ryan, Bank Night attorney, against theatres allegedly refusing to pay royalty charges. The defendants are Campello Corp., Reading Theatre Corp., Hudson Amusement Corp. and R. B. Rubin.

Bank Night has been declared legal by the State Supreme Court, but since that time the U. S. Circuit Court of Appeals has ruled there can be no infringement of the Bank Night copyright.

The suits are based on alleged breach of contract.

Plan No Substitutes For Bank Night Here

With Loew's and RKO eliminating games in all of their local theatres and Skouras and Century in a number of its units, no substitutes are planned, according to executives of the four theatre organizations.

The feeling among circuit representatives is that Bank Night and Screeno have been added attractions

(*Continued on page* 2)

Radio News—Pp. 18-20

Industry Self-Rule At Stake, Says Kuykendall

Spitz Heads KAO And Keith Boards

Leo Spitz, RKO president, was elected chairman of the board of Keith-Albee-Orpheum and B. F. Keith Corp., two of the company's theatre operating subsidiaries, succeeding M. H. Aylesworth, resigned, the company reported yesterday. Spitz is also president of the two subsidiaries.

A dividend of $1.75 per share on the K-A-O cumulative preferred was declared out of capital surplus for the quarter ended Sept. 30, 1933, payable April 1, next, to holders of record on March 26. Dividend arrears on this stock thus will amount to $24.50 a share as of April 1.

Reserve Decision On RKO Petition

Federal Court Judge William Bondy reserved decision yesterday after a hearing on the petition of Irving Trust Co., trustee in the reorganization of RKO, for permission to pay the principal and interest of $600,000 worth of four per cent first lien notes. The trustee stated that $250,000 is now in the hands of the Chemical Bank and Trust Co., as trustee, and that the additional $350,000 can be paid from the cash surplus now held by RKO Radio Pictures, Inc., the producing subsidiary of RKO. A saving of $3,000 a month in interest charges will be effected.

Hamilton C. Rickaby, representing the Atlas Corp., proponent of the RKO plan of reorganization, opposed

(*Continued on page* 4)

Court Permits G. B. Shareholder Action

By BRUCE ALLAN

LONDON, March 16.—Justice Crossman in the Chancery Division here today gave leave to the ordinary shareholders of Gaumont British who are objecting to the payment of the dividend on the preference shares to serve notice of a motion against the company on Friday. The dividend was declared by a five to four vote of the directorate recently, John Maxwell and the 20th Century-Fox interests leading the opposition.

The permission to serve notice

(*Continued on page* 4)

Allied No. Dakota Bill Becomes Law

BISMARCK, N. D., March 16.—Governor Langer signed the bill banning theatre ownership in this state by producers and distributors yesterday. The law becomes effective immediately. Under its terms circuits have one year to divest themselves of theatre holdings in the state.

COLUMBUS, March 16.—A hearing before the Judiciary Committee of the House on the theatre divorcement bill is scheduled tomorrow. Charles C. Pettijohn of the Hays office, here for the purpose of testifying, made this comment today:

"The theatre divorcement bill and the censorship bill will be fought to the bitter end. The other side has invited a fight and they are going to get it."

Exchange Employes Meeting With AFL

INDIANAPOLIS, March 16. — Exchange employes here have held several organizing meetings with A. F. of L. and I.A.T.S.E. representatives with indications that a union will be formed and new minimum wage scales drafted for presentation to exchange managers in the near future.

The move here is the fifth to come to industry attention during recent weeks, although it is known that organizing of exchange employes is proceeding rapidly and on a nationwide scale. Earlier organizing moves were launched in Boston, Detroit, New

(*Continued on page* 2)

"U" to Concentrate On Big Films: Rogers

Charles R. Rogers, executive head of Universal production, said last night that the company would concentrate more on major productions during the coming season than at any time in its past.

Starting the end of this month, he said the company would have a release every week. Three are complete, he said, and others in production will make the maintenance of this schedule possible.

Rogers will leave Saturday for the coast.

Insists MPTOA Declare For New Campaign On Concessions

By RED KANN

MIAMI, March 16.—Continued efforts for self-regulation of the industry, as opposed to campaigns for legislation and litigation, were urged upon the M.PT.O.A. by Ed Kuykendall, president, in his annual report, highlighting the opening session of the exhibitor organization's national convention at the Miami-Biltmore here today.

Pointing out that governmental regulation of the industry could not be confined to production and distribution but must inevitably extend to exhibition, as well, Kuykendall paved the way for the convention itself to declare for a resumption of the M.P. T.O.A. conferences with distributors to obtain liberalized trade practice concessions and for the prompt establishment of local conciliation boards for adjustment of industry grievances.

"The objective of the M.P.T.O.A.," he said, "is to bring about a better understanding between the three divisions of the industry—exhibition, production and distribution. We must—we will—demonstrate to the public and the Government that we can conduct our own business in an ethical and businesslike way."

Kuykendall and all other officers of the M.P.T.O.A., with one exception, were reelected as anticipated, at a meeting of the board of directors this morning, which immediately preceded the first business session of the convention. Mitchell Wolfson of Wometco Theatres, Miami, was elected a vice-president in recognition of his work as chairman of the convention committee, succeeding Ben Berinstein, who continues as a director. It was also felt that no one individual should

(*Continued on page* 7)

Paramount Theatre Men Continue Talks

MIAMI BEACH, March 16.—Paramount theatre partners representing hundreds of houses are meeting here for an interchange of actual experiences in operation and therefore are following no set routine at the Roney-Plaza. The thought behind the meeting is a convergence of the group which is virtually a complete cross-section of the company's exhibition

(*Continued on page* 2)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Warners to Get RCA Sound in All Houses

RCA Photophone has concluded a contract with Warners calling for the installation of new RCA high fidelity sound equipment in all the houses of the Warner circuit, totaling nearly 400, according to Edwin M. Hartley, head of RCA Photophone.

A number of installations were made some time ago, it was indicated, in Philadelphia, Washington and Chicago. In all more than 80 houses already have been re-equipped in various sections of the country. The full circuit contract was then signed. The remaining installations will be completed by the end of the year, Hartley said.

Air Cooling Chief N. J. Allied Topic

Air cooling of theatres, in preparation for summer, was discussed at length by members of Allied of New Jersey at a meeting at the Lincoln yesterday. Jack Unger, secretary, presided in the absence of Lee Newbury, president, who is vacationing in Miami.

Other topics aired included legislation, exchange drives and games.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Seventh Heaven"

(20th Century-Fox)

Hollywood, March 16.—The perennial "Seventh Heaven," written by Austin Strong, produced on the stage by John Golden, and filmed 10 years ago with Janet Gaynor and Charles Farrell, again reaches the screen, with its simple telling of a great love and its emergence from the squalor of the Paris streets, and its great weight of sentimentality. Perhaps there is too much of the latter for many of the screen audience.

It is true that this new version appears overly long, which causes it to drag on several occasions. It might well have been sharpened by reduced length of some sequences, and the picture strengthened thereby. The picture certainly does not suffer, however, by comparison. The performances are excellent throughout. Simone Simon is a perfect Diane, mistreated young girl protected and taken in by the boastful and great hearted Chico, played to the hilt by James Stewart. In support, and particularly noteworthy, are Gregory Ratoff, Chico's friend; Jean Hersholt, the priest, who shows the young atheist the way to God; Gale Sondergard and J. Edward Bromberg.

The story, adapted by Melville Baker, was directed ably by Henry King, who succeeded in drawing out the last possible portion of dramatic intensity inherent in the theme. Care is taken to indicate the circumspect manner in which the girl and the boy occupy the same dwelling for several days, and when war calls him, they marry themselves, taking their vows in the sight of God. Thus the girl who came hopelessly from the gutter finds courage and her heaven in a seventh floor garret, sees it crash about her ears as war comes, and lives on faith and hope and her love for the valient Chico, until he returns, blind but happy, to be reunited with Diane.

Production Code Seal No. 3,013. Running time, 102 minutes. "G."

(Additional Reviews on Page 10)

Plan No Substitutes For Bank Night Here

(Continued from page 1)

which have outlived their popularity. From now on, the consensus is that pictures will not be faced with extraneous competition.

RKO, Loew's and Skouras have tipped scales in some of their Greater New York houses, while Century has not. The latter circuit does not feel its theatres could stand an increase in admissions at this time, the contention being that prices are now at their peak.

Consolidated Amusements and Springer & Cocalis units have not discontinued chance games, and according to representatives of both companies, no plans are afoot to change the present booking setup. Neither of the two independent circuits has boosted admissions.

Members of the I.T.O.A. continue to stand pat on the chance game situation. There are no plans under way by exhibitors in the association to hike admissions. According to counsel for the unit, games will not be disbanded until the major circuits raise admissions.

Meanwhile, Loew and RKO officials state they will make increases in situations where such moves are found feasible. As for independents not dropping games, the major circuits hold they are not concerned, since they will continue to operate under policies generally accepted by the public.

"Steele" Does $20,000

"Nancy Steele Is Missing" garnered approximately $20,000 in its first week at the Rivoli. The Strand tallied about $15,000 on the seven days of "The Great O'Malley."

Paramount Theatre Men Continue Talks

(Continued from page 1)

interests, with the exception of A. H. Blank of Des Moines, and E. C. Beatty of Detroit, who are not in attendance.

It is predicated on open discussions of conditions in the various areas on the theory that one far removed from a particular scene may learn something to his advantage and for his application from the experience of another in the field. Admission prices are being discussed, but this does not mean the group necessarily will determine upon increases as a nationally applied decision. Insurance is of interest as are confirmed reactions to "B" product, although it was stated today "B" pictures will not play an essential part in the discussions.

Adolph Zukor arrived from Hollywood today, accompanied by Shirley Ross and her mother. He will touch upon production in view of the approach of the new season. Primarily, however, this is not a production meeting or a distribution session, although Neil F. Agnew arrived from New York tonight. This is the theatre organization's own palaver. With preliminary sessions yesterday and today, the formal meeting opens Thursday. A banquet at the Roney-Plaza will conclude the meeting.

Balsdon Leaves Today

Los Angeles, March 16.—George Balsdon, booker for National Theatres, is scheduled to leave St. Joseph's Hospital, Stockton, Cal., tomorrow for New York. His family, which arrived from the east shortly after he was injured in an automobile accident, will accompany Balsdon home.

Appeals Court Upholds Sales Tax on Films

(Continued from page 1)

Jersey localities, were exempted from the tax.

With considerably more than $2,000,000 in back taxes, penalties and interest involved, other distributors joined United Artists in making a test case of the assessment against that exchange. Frederick W. Wood of Cravath, de Gersdorff, Swaine & Wood, who successfully argued the appeal which resulted in invalidating of NRA by the U. S. Supreme Court, was retained to represent the other large distributors. With the United Artists counsel, O'Brien, Driscoll & Raftery, the appeal was taken to the state's highest court, where the constitutionality of the sales tax itself was attacked, as well as the right of the municipality to tax a "licensing transaction" involved in interstate commerce. The distributors argued that the licensing of film to an exhibitor did not constitute a "sale" and, hence, films should not be subject to the tax.

The Court of Appeals rejected this line of reasoning and affirmed the lower court decision upholding the city's right to tax theatres without the municipal jurisdiction.

A petition for a writ of certiorari will be sought in the U. S. Supreme Court in a further effort to have film rentals exempted from the two per cent city sales tax, it was stated yesterday at the offices of O'Brien, Driscoll & Raftery, attorneys for United Artists.

New York exchanges have been collecting the tax from local exhibitors pending the outcome of the litigation and will continue to do so until the Supreme Court moves have been completed.

Morton Baum of the Corporation Counsel's office, representing the city, said that no further appeal on the taxability of revenues from out-of-city sources would be sought, thus apparently definitely exempting all theatres except those within the city limits from liability under the tax. Baum said he doubted whether the Supreme Court would hear the case, in any event, as he saw no Federal angle involved.

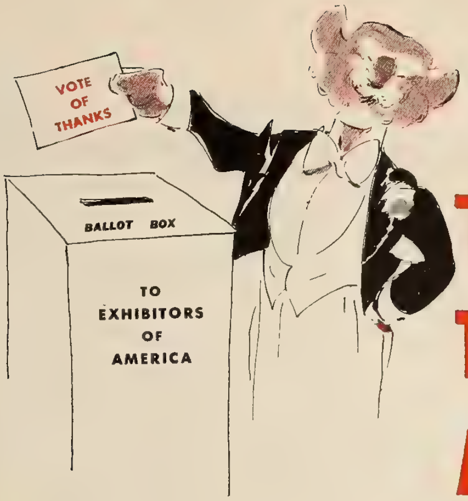
Exchange Employes Meeting With AFL

(Continued from page 1)

Haven and Cleveland. Reports indicate that organization of the exchanges is linked with an impending drive to unionize theatre service staffs and extend union projectionists to small city and rural theatres which never before have had union employes.

Transamerica Profit Up

San Francisco, March 16.—Transameria Corp., has reported net profit for 1936, including its proportionate share of the net profits of subsidiaries, of $25,016,200.95, equal to $1.08 per share, after all charges, which totaled $5,524,697.37. The 1936 net profit compares with $20,319,276 in 1935.



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Reserve Decision On RKO Petition

(*Continued from page* 1)

the motion on the ground that payment will delay the proposed plan and that it would leave insufficient working capital with the producing unit. He stated that RKO Radio Pictures would have only $1,000,000 in cash on July 1 and said that Leo Spitz, president of Radio Pictures, is opposed to payment at the present time. He pointed out that other producers maintained at least $5,000,000 in cash and RKO would be in an unfavorable competitive position if payment were made. He also asserted that he has a purchaser for the notes who will accept a two per cent reduction in interest but refused to name the buyer.

A. Hunt, representing holders of $1,118,500 extended second lien notes, opposed the motion on the ground that litigation would develop between the Irving Trust Co., Central Hanover Bank and Trust Co. and Chemical Bank and Trust Co. on question of priority of payment.

Updike Opposes Delay

Stuart Updike, representing Time, Inc., which also holds extended second lien notes, opposed the motion on the ground that the plan of reorganization would be delayed. RCA, which holds 38 per cent of the debentures and 23 per cent of the stock, opposed payment on the same ground. The stockholders' committee favored the motion.

Judge Bondy indicated that he might send the entire matter to a special master for a report.

Security holders are apprehensive in view of the fact that the elimination of the notes may eliminate the secured position of the RKO debentures. Under the indenture, the debentures may be deprived of their second lien on the RKO assets securing the gold notes if the notes are paid off, according to some legal interpretations.

Blackton, Smith Testify

Los Angeles, March 16.—Technicolor today produced two witnesses in the action of Tricolor against Technicolor for alleged infringement. The two were J. Stuart Blackton and Albert E. Smith, film pioneers. They said that in 1904, two years before the registration of Duplex, cameras existed embodying the principles claimed for the present apparatus.

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Purely Personal

W. G. VAN SCHMUS missed his golf game on his vacation trip to Phoenix, Ariz. He said he sprained his wrist and was thereby prevented from playing during the three weeks he was away. Returning by way of Los Angeles, Van Schmus visited a number of the studios and said "there will be a lot of big pictures this fall."

With no stories to tell about his form on this trip, Van Schmus was eager to recount some of his fishing experiences of last fall. But he decided that these stories were old and best forgotten at this time.

•

J. W. Watts Phillips, director of the London Play Co. and co-author of "Love on the Dole," will arrive from England today on the *Berengaria*. Rudi Feld, former advertising head of Ufa in Berlin, is on the same boat en route to Hollywood from Tel Aviv.

•

Major L. E. Thompson and A. P. Waxman flew to Miami yesterday to attend the M.P.T.O.A. and Paramount theatre partner sessions. Major Thompson will talk to both groups on the Will Rogers Memorial Fund Drive.

•

Arthur Lee has booked passage on the *Normandie* for the latter part of April. He will attend the Coronation in addition to conferring with the Ostrers.

•

Lieut. Franklin Andreon, Jr., of the U. S. Marine Corps., Reserve, has sold an original to Monogram. It will be adapted for "The Marines Are Here."

•

Ralph B. Austrian, assistant vice-president of RCA Photophone, will sail on the *Pilsudski* on Friday for a week in Bermuda. His wife and daughter will accompany him.

•

Reginald S. Evans, formerly with the New York sales staff of the *Saturday Evening Post*, has joined the eastern sales force of Jam Handy Picture Service.

•

Harry C. Arthur and William Schneider plan to return to St. Louis today, but may change their departure until the latter part of the week.

•

Michael Balcon, scheduled to arrive yesterday on the *Berengaria*, has been delayed a day due to bad weather on the high seas.

•

W. A. V. Mack, Chicago branch manager for G. B. has returned to his headquarters after conferring with home office executives on openings of "Silent Barriers."

•

Norman H. Moray, Vitaphone shorts executive, arrives today in Portland on a business tour. He is due in San Francisco tomorrow.

•

I. Rappaport of the Hippodrome, Baltimore, was in town yesterday on his regular trip.

•

Mrs. Joseph L. Mankiewitz (Elizabeth Young) is in town for two weeks, at the Ambassador.

•

Hy Daab was home yesterday with a bad cold.

MIKE RUDIN of Rapf & Rudin is in Miami. Ditto Harry Buxbaum of the local 20th Century-Fox exchange. Jack Sichelman of the distributor's home office sales staff is recuperating there from an illness and will be back in about two weeks. Joe Seider is due to return next week.

•

Roy Haines, eastern sales manager for Warners, last night was tendered a surprise party by the employes of the local exchange. The affair was held at the Suffern Country Club, Suffern, N. Y., with Harry Decker as m. c.

•

C. C. Moskowitz has delayed his Miami vacation until April, when Nicholas M. Schenck is due to return from the coast.

•

Jack Ellis is back from Miami and already busy on the second issue of *The Reel*.

•

Frances Marion, new Columbia producer, is in town from the coast. Grace Moore also is visiting here.

•

George Skouras has gone to Golden Beach, Fla., for a three-week rest.

Kansas Now Has 2% Occupation Tax Bill

Topeka, March 16.—The Senate Committee on Assessment and Taxation in Kansas has submitted a bill providing for a two per cent occupation tax. This is regarded as an alternative to the two per cent sales tax, which the farmers particularly have been opposing. It would be almost impossible for theatres to pass an occupation tax on to the public. Retailers would be responsible for payment of the occupation tax which would be based on gross receipts.

Expect New Alien Bill

Washington, March 16.—A new drive for legislation against alien artists, but primarily directed at the concert field, will be made in Congress in the near future, it was asserted by Charles Henry Freeman, star witness before the Dickstein Immigration Committee, in favor of the alien actor **bill.**

Measures providing for a tax of 50 per cent of the gross fees of foreign artists in excess of $500 a week, and an investigation of alleged monopolistic control of musical activities in this country will be introduced within a few weeks, Freeman said. The revenue from the tax would be used to subsidize a Government grand opera company and a Government symphony orchestra.

Advance Walkathon Bill

Oklahoma City, March 16.—A bill by Senator W. C. Fidler, to make illegal marathons, walkathons and similar endurance contests has been reported favorably to the House by Judiciary No. 1 Committee. The bill already has passed the Senate.

N. H. Against Daylight Time

Concord, N. H., March 16.—A bill to establish daylight saving time in New Hampshire, except in isolated spots where it is adopted by local option, has been voted down nearly two to one by the House.

Court Permits G. B. Shareholder Action

(*Continued from page* 1)

means in effect an application for an injunction to restrain the directors from paying the preference dividend. The application will be heard on Friday.

Dr. Burgin, Parliamentary secretary of the Board of Trade, declared in the House of Commons today in reply to a question that he was not aware G. B. is controlled by American interests, and that he is not prepared to eliminate the word "British" from the name of the company.

May Sell Griffith Assets

Federal Court Judge Samuel Mandelbaum yesterday ordered all creditors and stockholders of D. W. Griffith, Inc., to show cause on March 26 why Joseph Gans, receiver, should not be permitted to sell the assets of the corporation at public auction. The assets include film and musical rights to 20 stories, property in Mamaroneck, N. Y. and office equipment. Cash on hand and cash held by the United Artists Corp. as proceeds of the picture "The Struggle" will not be offered. Counsel for the stockholders who brought the receivership action and counsel for the corporation have consented to the sale.

Cocalis to File Appeal

Sam D. Cocalis says he will file an appeal from the ruling of N. Y. Supreme Court Justice Schientag placing the Melba in the Bronx within one mile of John Bolte's Burke Theatre. Cocalis says the ruling was based on a crow-flight measurement of the distance. He will contend that by street travel the distance is one and three-tenths miles.

Cocalis asserts that he has never had any connection with the Craft, opposition house to Bolte's Wakefield.

Dismisses Robbins Action

Federal Court Judge Alfred C. Coxe yesterday dismissed the $1,000,000 damage suit brought by H. Miles against the Robbins Music Corp. The order was made by consent by both parties and stipulated that the dismissal was to be without costs. The action is based upon an alleged piracy of Miles' lyrics for the song "Anchors Aweigh" which he wrote while a student in the U. S. Naval Academy.

20th-Fox Asks Dismissal

Twentieth Century-Fox Film Corp. filed a motion in U. S. District Court yesterday to dismiss the suit brought by F. K. Kaplan on the ground that his complaint failed to state a cause of action. The action is for an accounting and an injunction based on an alleged infringement of an original painting of George White's "Scandals of 1935" which appeared as a color design on the August, 1929, issue of *Theatre Magazine*.

Warner Trial March 29

Federal Court Judge Alfred C. Coxe yesterday set March 29 as the trial date of a suit brought by Alfred Bein against Warners. Bein claims that the Warner picture, "The Mayor of Hell," infringed on his play which was known under the two titles, "Right Out of Hell" and "Little Ol' Boy." An injunction and an accounting of profits were asked.

Industry Rule Is in Balance: Ed Kuykendall

(*Continued from page* 1)

be an officer as well as a specially designated director.

The officers, in addition to Kuykendall, are: M. E. Comerford, M. A. Lightman, E. C. Beatty, A. Julian Brylawski and Wolfson, vice-presidents; Morris Lowenstein, secretary; Walter Vincent, treasurer; Edward G. Levy, general counsel, and Fred Wehrenberg, chairman of the board. All officers are directors automatically, which adds one member, Wolfson, to the board.

In his report, which touched upon 12 outstanding industry subjects, Kuykendall made repeated references to the dissatisfaction with which M.P.T.O.A. leaders view the responses of distribution companies to the organization's trade practice program. In addition to the M.P.T.O.A. negotiations with distributors, the report referred in detail and separately to cancellation, the score charge and the local conciliation boards, all of which are component parts of the organization's trade practice program.

Reviews Practice Program

The report also covered the new labor developments within the industry, current legislative developments, including the Allied States-sponsored measures for the separation of theatre operation from production and distribution affiliation; radio competition, double featuring, percentage engagements and the designation of preferred playing time, cash awards and other types of giveaways, the music tax and current product.

Reviewing the M.P.T.O.A. efforts of the past year to obtain distributor support for the trade practice program, Kuykendall related that it took 10 months to get the first reply from a distributor and that one company, Warners, among the eight major distributors, declined to participate. He stated, however, that despite the delays, refusals and evasions "a fair trade practice program must be worked out, and without the Government doing it for us."

Citing cancellation as the most important of the M.P.T.O.A.'s famous 10 points, Kuykendall declared that a fair cancellation percentage "without strings attached" holds the cure for "more of the rightful complaints from exhibitors than any other one thing. The cancellation privileges offered so-far by the distributors are not satisfactory."

Attacks Score Charges

Resuming his attack upon the score charges as "a racket," Kuykendall called for its complete elimination from percentage agreements and for consolidation with the film rental on flat buys.

Voicing his discouragement over the "long delay" in the setting up local conciliation boards, the M.P.T.O.A. head asserted that, even allowing for the exercise of proper caution on the part of the distributors in proceeding with the new agencies, "they should have been operating before now." He asked for the establishment of two or three trial boards before they are extended nationally and urged "fair exhibitor representation" for their personnel.

While scoring the distributors' "resistance and indifference" as "discouraging," Kuykendall asserted that the M.P.T.O.A. "does not intend to abandon its efforts to advance its trade practice as rapidly as possible now."

"The present slow progress cannot continue indefinitely," he said. "Either this industry will demonstrate that it has the ability, initiative and intelligence to work out its own busines problems itself or we will inevitably get such regulation by legislation and litigation, however stupid and costly that may be."

Declaring that "serious labor trouble looms ahead," Kuykendall advised the exhibitors "to prepare for a battle to defend our interests and rights." He declared that "there can be no question as to where our sympathy is since, unless the men and women who work for a living earn more than barely enough to live, there can be no prosperity so far as our theatres are concerned. But there must be reason and common sense in labor demands."

Hits Pettengill Bill

He described the current attempts to organize exchange employes "and others of a like service" as "very unfortunate, unworkable and without cause."

Reviewing current legislative activities, Kuykendall urged members to interest themselves in measures affecting the industry and to remain in contact with their state and Federal representatives. He referred to both the Dickstein alien actor bill and the Pettengill block-booking bill as unable to accomplish their ends and offering nothing of value to the industry. He predicted the defeat of the former and urged exhibitors to aid in defeating the second if it is brought up at this session of Congress.

Of the Allied States "theatre divorce" measures, the M.P.T.O.A. head said he could make "no prophecy on the final results," and added that "I am hopeful that it (the legislation) will be constructive."

"What will happen to those Dakota theatres which are owned by a producer?" the M.P.T.O.A. head asked after observing that the theatre divorce measure had become a law in that state. "Will an independent take them over and will they then become an independently owned chain?" he continued. "If so, where will the relief be? Are independent chains any more considerate of the little fellow than the producer-controlled chains? How long will it take to test the constitutionality of the legislation in the courts?"

Urges Radio Control

Declaring that with proper regulation radio and films "could be helpful to each other," Kuykendall took the position that "to try and bar any and all screen stars from the radio is impossible and stupid. On the other hand, the unrestricted and unlimited use of screen personalities and dramatic material on radio programs is equally foolish and stupid. Many authorities in this industry have been and still are working on this problem, but very little actual progress is apparent. Unless the studios which have valuable property rights involved wake up and exercise reasonable control in such situations, they will inevitably find that the public, speaking through the box-office and film rentals, will show them their mistake."

"Double featuring," Kuykendall said, "is apparently completely out of control. The number of second rate productions purposely made for double feature programs is rapidly increasing. Short subject production is being curtailed and cheapened. Some day," he observed, "double featuring will cure itself, after it has cost us millions at the box-office."

Demands for percentage contracts and preferred playing time are becom-

(*Continued on page* 20)

Moon Over Miami

Miami, March 16.—Bob and Maurine McNeil enjoyed their journey from San Francisco via the canal. They flew over from Havana which persuaded Jimmy Grainger to remark: "McNeil's been up in the air all of his life, but the first time in a plane." Confirmed by the head of Golden States Theatres.

* * *

Dave Palfreyman, aided by Mitchell Wolfson, who is in general charge of the convention arrangements, or perhaps the other way around, assembled a bevy of local beauties to register the delegates. Noticed was the length of time the male contingent spent around the entry desks behind which sat the blonde array.

* * *

Percy Phillipson is hiding behind black sun glasses, but is fooling nobody. Mrs. Phillipson immediately repaired to the beach at the Roney for siestas and sun bathing.

* * *

Buddy Harris of Alexander Film—he of the wide rear girth—finds the chairs in the bar grill at the Roney exactly to his measure. When the place is crowded, which is practically always, Buddy squeezes in, then goes from one table to another with his chair firmly attached.

* * *

Bob Gillham arrived by air from New York. Shirley Ross is sole representative of the talent equation from the Paramount lot.

* * *

Oscar C. Lam of the Rome Amusement Co. is here, five weeks of hospitalizing behind him. Suffering from arthritis, he states he is well except for additional treatment of his left arm.

* * *

The Erpi crowd expects to create amusement and perhaps some wonderment with a mechanical robot set up for exclusive convention amusement. They call him Oscar. Charlie Bunn is representing his company as are L. W. Conroy, "Red" Stong and Bert Sanford. Whitford Drake arrived Tuesday evening from New York.

* * *

The races are getting quite a play. Also Johnny Walker, Ballantine, Tom Collins. The latter gentlemen have been on familiar terms with those at this convention for years.

Ten Committees in Hard Work of MPTO

Miami, March 16.—Ten committees will be the work horses of the M.P.T.O.A. convention. They will meet each day on the general theory that complaints, no matter of what nature, should be submitted to committees in closed sessions rather than clutter the open convention floor and thereby delay the set routine.

M. E. Comerford, Scranton, Pa., is chairman of the committee on credentials and rules. This is an honorary post out of deference to Comerford who, in view of his long illness, obviously will not be active.

Ten Groups Named

The committees are:

Resolutions—Edward G. Levy, New Haven, chairman; E. M. Fay, Providence; B. N. Berinstein, Los Angeles; William Vuono, Stamford, and R. A. McNeil, San Francisco; music tax—Charles W. Picquet, Pinehurst, chairman; William Benton, Saratoga Springs; A. J. Brylawski, Washington and J. A. Michael, Buffalo; unfair trade practices—O. C. Lam of Rome, Ga., chairman; H. W. Harvey, San Francisco; Arthur H. Lockwood, Middletown, Conn. and Nat M. Williams, Thomasville, Ga.; radio and non-theatrical competition — John C. Stapel of Columbia, Mo., chairman; Samuel Pinanski, Boston and J. C. Shanklin, Ronceverte, W. Va.; entertainment values—H. J. Griffith, Oklahoma City, chairman; Benjamin Pitts, Fredericksburg, Va.; M. C. McCord, Little Rock, and Mack Jackson, Alexander City, W. Va.

Additional Committees

Public Relations and community affairs—M. A. Lightman, Memphis, chairman; Max Tabackman, New Haven; William Missner, Lancaster, Pa., and Pinanski; conciliation and arbitration — Lewen Pizor, Philadelphia, chairman; William G. Ripley, Longview, Wash.; A. F. Baker, Kansas City. Kan., and Brownie Akers, Oklahoma City; labor relations—Fred Wehrenberg, St. Louis, chairman; I. W. Rogers, Cairo, Ill.; Sidney B. Lust, Washington, and Morris Leonard, Chicago; legislation and taxation—Roy L. Walker, Lampasas, Tex., chairman; R. R. Biechele, Kansas City; Carter Barron, Washington, and M. C. Moore; credentials and rules—M. E. Comerford, Scranton, chairman; Dewey Mousson, Nashville and Louis C. Hehl, St. Louis.

Moral Tone Better

Miami, March 16.—"The moral tone of pictures is greatly improved," Ed Kuykendall, M. P. T. O. A. president, declared in his annual report submitted to the national exhibitor convention here today.

"I have never conceded that pictures were as bad as many contended," he said. "However, they are in better taste and less offensive to those who felt that there was room for improvement. A large number of pictures are being offered every day which are a credit to the industry, as a whole, and to Hollywood, which makes them."

Court Trend Hits Games, States Levy

Miami, March 16.—"The current tendency, due probably to recognition of the fact that all border-line lotteries are against public policy, is to put Bank Night behind the eight-ball on any tenable theory," Edward G. Levy of New Haven, general counsel, told the M. P. T. O. A. convention here today in the course of the annual report of the general counsel.

He cited the opinion of the Supreme Court of Texas at Austin in January in the case of Wink vs. Griffith Amusement Co., which held that "Bank Night is a violation of public policy and unconstitutional. The plan clearly comes within the condemnatory terms of the constitution because it is a gift enterprise involving the lottery principle."

Levy also noted the decision of the U. S. Circuit Court of Appeals in Boston, which, in deciding against Affiliated Enterprises, Inc., Bank Night owners, declared the theory of Bank Night is in the public domain and possessed no property rights that can be appropriated.

Levy presented to the convention a brief outline of the setup of the M. P. T. O. A. and the manner in which the organization operates. He pointed out that the present board of directors consists of 22 state or regional units, five representing the affiliated national circuits and one representing M. P. T. O. A. members not connected with either of the other groups.

Cites Perelman Case

Levy reported "with regret" that there were no new developments in the past year in the pending case of the Government against Ascap. The general counsel went on to explain the significance to exhibitors of various cases pending or recently completed in the courts, in which theatre owners have been involved.

He mentioned, among others, the Perelman double bill case in Philadelphia, in which exhibitors contested the legality of dual banning clauses in exhibition contracts, and the action of Brandt Theatres in New York against Loew's circuit, relative to Loew's recent action in shifting the week's split from four days and three days, to five and two. He also touched on the theatre divorcement law just approved in North Dakota, and expresssed the firm belief that it will be attacked on constitutional grounds and that ultimately the U. S. Supreme Court will be asked to pass upon its legality.

Pick Board Later

Miami, March 16.—The men pictured on this page and noted as directors were not elected to the board at today's meeting of the directorate, since directors are elected by members in their respective territories at a date following the convention. However, the men designated as directors are considered certain of reelection to the national board by their own units.

Leaders of the M.P.T.O.A.

M. E. COMERFORD
Vice-President

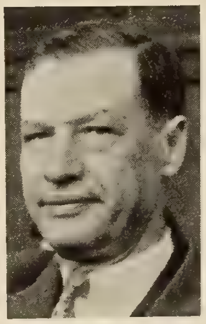
M. A. LIGHTMAN
Vice-President

A. J. BRYLAWSKI
Vice-President

E. G. LEVY
General Counsel

F. WEHRENBERG
Board Chairman

WALTER VINCENT
Treasurer



BEN BERINSTEIN
Director

M. LOWENSTEIN
Secretary

J. BERNHARD
Director

L. E. THOMPSON
Director

S. P. SKOURAS
Director

E. A. SCHILLER
Director

E. M. FAY
Director

O. C. LAM
Director

JACK MILLER
Director

MORGAN A. WALSH
Director

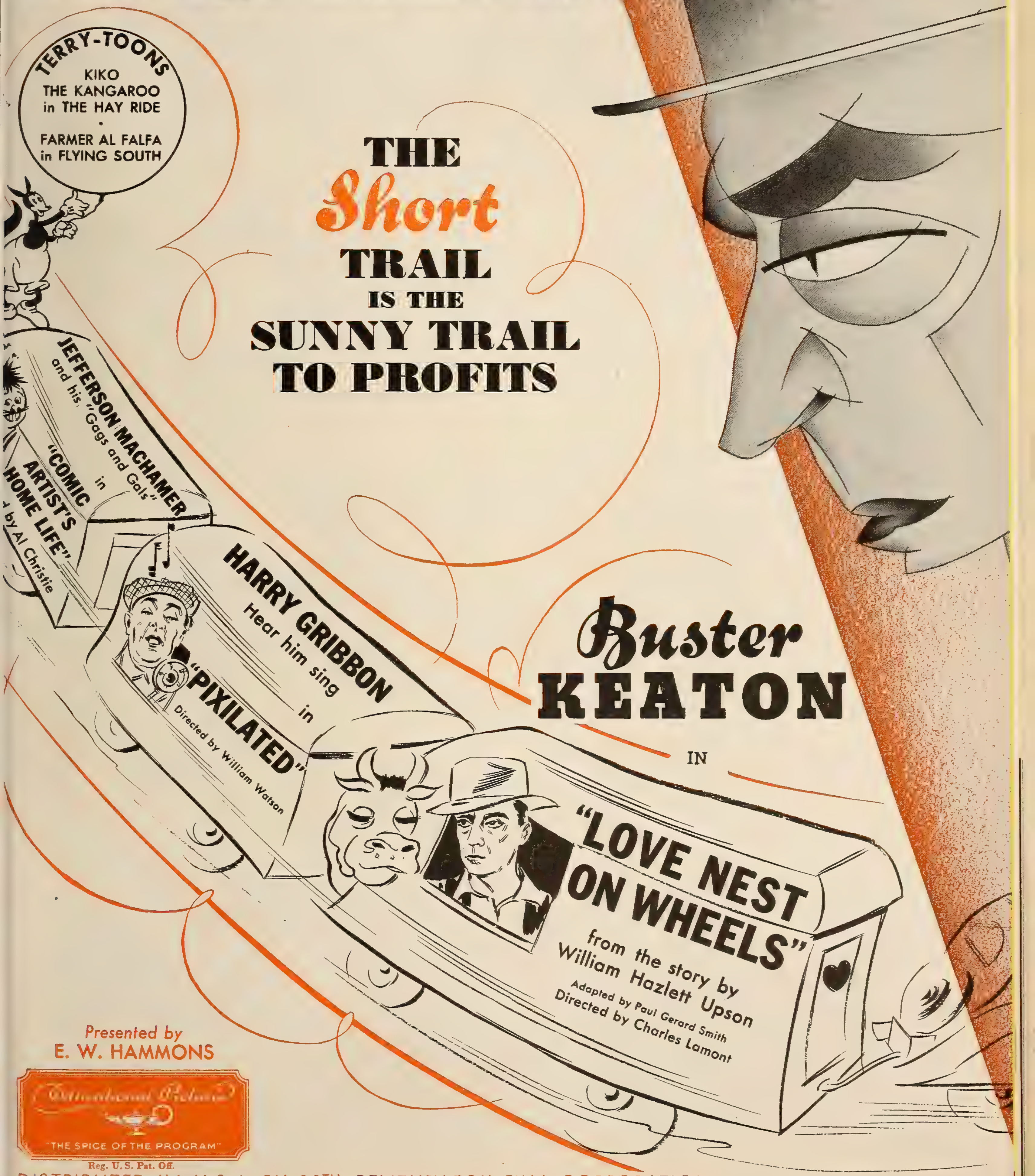
C. E. WILLIAMS
Director

C. W. PICQUET
Director

SIDNEY B. LUST
Director

R. X. WILLIAMS
Director

HITCH UP A LOAD OF LAUGHS ON EVERY SHOW



TERRY-TOONS
KIKO THE KANGAROO in THE HAY RIDE
•
FARMER AL FALFA in FLYING SOUTH

THE *Short* TRAIL IS THE SUNNY TRAIL TO PROFITS

JEFFERSON MACHAMER and his "Gags and Gals" in "COMIC ARTIST'S HOME LIFE" by Al Christie

HARRY GRIBBON
Hear him sing in "PIXILATED"
Directed by William Watson

Buster KEATON IN "LOVE NEST ON WHEELS"
from the story by William Hazlett Upson
Adapted by Paul Gerard Smith
Directed by Charles Lamont

Presented by
E. W. HAMMONS

Educational Pictures
"THE SPICE OF THE PROGRAM"
Reg. U. S. Pat. Off.

DISTRIBUTED IN U.S.A. BY 20TH CENTURY-FOX FILM CORPORATION

"Love News" Show $15,000 In St. Louis

St. Louis, March 16.—"Love Is News" with a stage show had the best take in a below average week, drawing $15,000 to the Ambassador, or about $1,000 above par.

The St. Louis with a return engagement of "Champagne Waltz" and a stage show including vaudeville and a chorus was the only other house to go above par, grossing $7,500, or $500 up.

The weather for the week was very favorable, but it was apparent that the Lenten season was affecting attendance.

"The Good Earth" at the American did excellent business.

Aside from the American, the total first run business was $57,000. Average is $59,000.

Estimated takings for the week ending March 11:

"LOVE IS NEWS" (20th-Fox)
AMBASSADOR — (3,018), 25c-40c-55c, 7 days. Stage, vaudeville. **Gross:** $15,000. (Average, $14,000)

"JOHN MEAD'S WOMAN" (Para.)
"MIDNIGHT COURT" (W.B.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $11,500. (Average, $13,000)

"ESPIONAGE' (M-G-M)
"MEN ARE NOT GODS" (U.A.)
LOEW'S — (3,162), 25c-35c-55c, 7 days. **Gross:** $13,000. (Average, $14,000)

"WHEN YOU'RE IN LOVE" (Col.)
"GREEN LIGHT" (F.N.)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $10,000. (Average, $11,000)

"CHAMPAGNE WALTZ" (Para.)
ST. LOUIS—(4,000), 25c-40c, 7 days. Stage, vaudeville. **Gross:** $7,500. (Average, $7,000)

"Holy Terror" Dual Lincoln's Best Bet

Lincoln, March 16.—"Holy Terror," on a dual with "The Great O'Malley," turned in the best showing of a dull week here. The $2,700 gross at the Lincoln was $500 over normal.

A split week bill at the Orpheum consisting of "Midnight Court" and a stage show the first three days and "As You Like It" on a roadshow basis the last four turned in a total of $2,200 for the week. This was $450 on the profit side.

Total first run business was $9,400. Average is $9,000.

Estimated takings:

Week Ending March 10:

"LAWLESS NINETIES" (Republic)
"WITHOUT ORDERS" (RKO)
"MAN ON THE FLYING TRAPEZE" (Para.)
"BOLD CABALLERO" (Republic)
LIBERTY—(1,200), 10c-15c, 7 days. **Gross:** $800. (Average, $850)

Week Ending March 11:

"GREAT O'MALLEY" (W.B.)
"HOLY TERROR" (20th-Fox)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,700. (Average, $2,200)

"WHEN YOU'RE IN LOVE" (Col.)
VARSITY—(1,100), 10c-25c-35c, 7 days, 3rd week. **Gross:** $900. (Average, $1,100)

"MIDNIGHT COURT" (W.B.)
"AS YOU LIKE IT" (20th-Fox)
ORPHEUM—(1,350), 10c-15c-20c-25c-40c, 7 days. Stage show: "Viennese Vanities," 3 days. Last half on roadshow, twice daily, basis. **Gross:** $2,200. (Avetage, $1,750)

Week Ending March 12:

"MAID OF SALEM" (Para.)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $2,800. (Average, $3,100)

Looking 'Em Over

"Razumov"

(Garrison Films)

From the novel of Joseph Conrad, "Under Western Eyes," written in 1910, Andre Deven, producer, and Marc Allegret, director, have woven a powerful and tragic story of an incident in the long-drawn efforts of the revolutionaries who were active in the Russia of 1910. By screen credit designated as a French production, the reason for its showing at the Cameo, New York's home of Communist screen propaganda, is obvious.

The story is simple in the extreme, and equally strong. The performances are splendid throughout. A slight mistake, an accident, serves to wreck the promising career, brings a shot in the dark to a young and brilliant student, unwittingly made a party to revolutionary activity in which he has no interest.

The student, awarded high honors, finds himself the unintentioned host of a former schoolmate who has just assassinated a prime minister. Through pity he keeps him, mistakingly believes the police have discovered the murderer's hiding place, and by error betrays the revolutionist. A victim of the accident, the police chief forces him ostensibly to join the group, go to their Geneva headquarters, there play the spy. He meets the sister of the betrayed man, is hailed as a hero, passes through a mental turmoil. When he discovers he also has betrayed the girl, again accidentally, he kills the secret agent who is his shadow, confesses his betrayal to the revolutionists, and is shot down in a dark street.

Reviewed without production code seal. Running time, 90 minutes. "A."

"Trouble in Texas"

(Grand National)

Racketeers invade Texas rodeos. The vehicle which illustrates their villainy is a properly done western. Tex Ritter, scrapping and singing alternately, in ensuing reels uncovers the clique of unscrupulous promoters as the murderers of his brother whom he has been tracking for five years.

The story is garnished with the apt portrayal of a Federal agent by Rita Cansino, humorous relief by Horace Murphy and exciting stock shots of rodeo activities. Of course, Miss Canaino and Ritter supply the romantic angle. The substance of the plot evolves about the eventual corralling of the outlaws, but not before a certain number of musical sequences have unreeled. All in all, it is quite satisfactory.

The supporting characterizations offer effective performances in villainy by such standbys as Charles King, Yakima Canutt and Earl Dwire; peace officers by Hal Price and Fred Parker and local color by Dick Palmer and Tom Cooper. R. N. Bradbury directed.

Production Code Seal No. 3,043. Running time, 63 minutes. "G."

"Tsar to Lenin"

(Lenauer-International)

As a compilation of historical films that bear on the theme of Russian revolution from the period covering 1916 to the eventual Soviet triumph this picture has certain value for audiences interested in that upheaval. Because of its off the screen comment by Max Eastman it will bring pickets from radical societies whose views differ, which it is doing at its present showing at the Filmarte.

The material is poorly filmed shots gathered from many sources and chiefly illustrates the personalities, troop movements and general atmosphere that prevailed on all fronts during the period of widespread revolt in Russia and Siberia. There are many scenes that are re-created history. As a record of historical import in years to come it has value but the accompanying narrative is satirical and provoking, and has the tinge of propaganda.

Reviewed without production code seal. Running time, 66 minutes. "A."

Chakeres Leases House

Springfield, O., March 16.—The 750-seat Majestic, dark since 1928, has been leased by Chakeres Amusement Co., from A. M. McKnight, owner. Lessees will spend around $40,000 in remodeling and installation of new equipment. They expect to reopen the house in 90 days.

Australian Film Praised

Melbourne, Feb. 16 (*By Air Mail via London*)—Australia has turned out its most impressive picture in "It Isn't Done," a Cinesound production. Critics say that this is the first picture with which Australian production really attains an international standard.

"Avenue" 4th Week Leader In Pittsburgh

Pittsburgh, March 16.—"On the Avenue," in its fourth week at the Fulton, collected a fine $6,150 and was held for a fifth.

"Green Light" grossed $6,100 in its second week at the Warner, but a third downtown since it had previously played the Stanley. Only a booking jam prevented this one from getting additional time.

At the Penn, "When's Your Birthday?" hit a new low and was yanked after six days to a weak $4,500. The Stanley was only slightly better with "Ready, Willing and Able" going $1,000 under par at $10,500.

Nobody could give the weather for an alibi, since conditions were practically perfect.

Total first run grosses were $35,500. Average is $37,500.

Estimated takings for the week ending March 11:

"WHEN YOU'RE IN LOVE" (Col.)
ALVIN—(2,000), 25c-40c, 9 days. **Gross:** $8,250. (Average, 7 days, $5,500)

"ON THE AVENUE" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days, 4th week. **Gross:** $6,150. (Average, $4,500)

"WHEN'S YOUR BIRTHDAY" (RKO)
PENN—(3,300), 25c-50c, 6 days. **Gross:** $4,500. (Average, 7 days, $11,000)

"READY, WILLING AND ABLE" (W.B.)
STANLEY — (3,600), 25c-50c, 7 days. **Gross:** $10,500. (Average, $11,500)

"GREEN LIGHT" (F.N.)
WARNER—(2,000), 25c-50c, 6 days. Third week. **Gross:** $6,100. (Average, $5,000)

"Plainsman" Sets Pace in Oklahoma

Oklahoma City, March 16.—"The Plainsman" went over in a big way at the Midwest with a take of $5,400, which passed par by $1,400.

"Smart Blonde," with a stage show headed by Borrah Minnevitch, garnered a neat $5,200 in four days at the Warner. Average for seven days is $5,000. The only other attraction to make the grade was "The Last of Mrs. Cheyney" which reached a par $5,000 at the Criterion.

Total first run business was $18,600. Average is $16,500.

Estimated takings for the week ending March 13:

"THE LAST OF MRS. CHEYNEY" (M-G-M)
CRITERION—(1,700), 10c-35c-55c, 7 days. **Gross:** $5,000. (Average, $5,000)

"THE PLAINSMAN" (Para.)
MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $5,400. (Average, $4,000)

"THE BLACK LEGION" (W. B.)
"HAPPY-GO-LUCKY" (Republic)
LIBERTY—(1,500), 10c-25c-35c, 7 days. **Gross:** $2,200. (Average, $2,500)

"SMART BLONDE" (W.B.)
WARNER — (1,800), 10c-20c-25c-35c, 4 days. Stage: Borrah Minevitche's Harmonica Rascals and vaudeville. **Gross:** $5,200. (Average, 7 days, $5,000)

"BULLDOG DRUMMOND ESCAPES" (Para.)
"LET'S MAKE A MILLION" (Para.)
WARNER—(1,800), 10c-20c-25c-35c, 3 days. **Gross:** $800. (Average, 7 days, $5,000)

To Revive Jubilesta

Kansas City, March 16. — The Jubilesta, which drew over 100,000 people to the Municipal Auditorium for a variety of local and imported entertainment and educational shows last fall, will be held again this year, Sept. 18 to 26, it has been decided.

PHOOEY TO MAGIC!

it's just plain common sense...

"PARAMOUNT IS MAGICKING AGAIN", says Fortune Magazine for March, "Paramount is magicking all right", agree exhibitors as Paramount continues the great Jubilee Drive with hit after smash hit. "Paramount is just using a little plain old-fashioned box-office common sense", say we, as we add four more sure-fire box-office productions to grand Jubilee parade . . .

(TURN PLEASE)

NOT MAGIC but plain Box-off

Paramount Silver Jubilee Relea

A smash musical comedy + a sock love story = a box-office hit

1

Carole Lombard and **Fred MacMurray**

in

"SWING HIGH, SWING LOW"

with Charles Butterworth, Jean Dixon, Dorothy Lamour

Harvey Stephens • Directed by Mitchell Leisen

Four stars + hit music + exotic background = a box-office hit

2

"WAIKIKI WEDDING"

with **Bing Crosby, Bob Burns**

Martha Raye, Shirley Ross

George Barbier, Leif Erikson

Directed by Frank Tuttle

ce Arithmetic insures these 4
ses record grosses everywhere!

Two top box-office names + front page drama = a box-office hit

3

Barbara Stanwyck and Joel McCrea
in
"INTERNES CAN'T TAKE MONEY"
with Lloyd Nolan, Stanley Ridges • Directed by Alfred Santell

Drama + humor + an ace cast + superb direction = a box-office hit

4

"MAKE WAY FOR TOMORROW"
with **Beulah Bondi, Victor Moore**
Fay Bainter, Thomas Mitchell, Barbara Read, Porter Hall, Elisabeth Risdon, Louise Beavers • A Leo McCarey Production

BUT no wonder

THEY TALK ABOUT MAGIC . . .

Look at the line-up PARAMOUNT has turned out since the Silver Jubilee started

The Best
GARY COOPER
Picture

The Best
JEAN ARTHUR
Picture

Cecil B. DeMille's
Best Picture
"THE PLAINSMAN"

"Holiday" Is Top Draw in Twin Ci

BIG $16,000 FOR 'HOLIDAY' IN CINCY

"College Holid Big in N

SOME JUBILEE OPENER

"College H Indianap

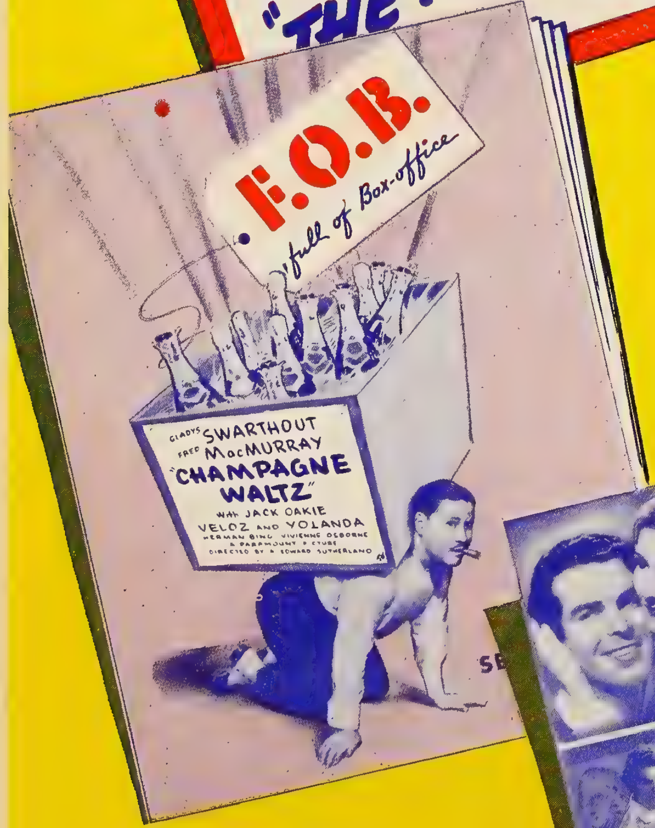
'College' $8,

"College Holiday" Buffalo Rus

College" Is Top

COLLEGE HOLIDAY
Jack Benny
George Burns
Gracie Allen, Mary Boland, Martha Raye

Adolph Zukor presents
College Holiday



F.O.B.
full of Box-office

GLADYS SWARTHOUT
FRED MacMURRAY
"CHAMPAGNE WALTZ"
with JACK OAKIE
VELOZ AND YOLANDA
HERMAN BING VIVIENNE OSBORNE
A PARAMOUNT PICTURE
DIRECTED BY A. EDWARD SUTHERLAND

"COLLEGE HOLIDAY"...
one of the year's top grossers ...

"THE PLAINSMAN"...
one of the top grossers of all time ...

"CHAMPAGNE WALTZ"...
a smash grosser wherever played ...

"MAID OF SALEM"...
piling up records from coast to coast ...

"JOHN MEADE'S WOMAN"...
doing A-1 "A-time" business everywhere

"I found another story with the sweep and surge of 'Mutiny' and 'Cavalcade'!"
Frank Lloyd
Director of 'Mutiny on the Bounty,' 'Cavalcade'

ADOLPH ZUKOR presents
CLAUDETTE COLBERT
FRED MacMURRAY
in Frank Lloyd's
"MAID OF SALEM"
Gale Sondergaard Louise Dresser
Bonita Granville

Paramount Pictures

"Light" High In Two Boston Spots 2nd Run

BOSTON, March 16.—"Green Light," playing second run, and co-featured with "Smart Blonde," first run, drew $11,000 at the Paramount. This was over the line by $4,000. The same program drew $7,500 at the Fenway, above average by $3,000.

"Sea Devils," dualed with "We're On the Jury," drew $6,000 above average at the RKO Memorial with a take of $18,000.

"When You're In Love," co-featured with "Counterfeit Lady," did well at the Orpheum with a gross of $16,800, exceeding average by $5,800. The same program at Loew's State took $14,500, over by $3,500.

Total first run business was $92,300. Average is $88,500.

Estimated takings for the week ending March 12:

"GREEN LIGHT" (F.N.)
(2nd Run)
"SMART BLONDE" (W.B.)

FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $7,500. (Average, $4,500)

"SEA DEVILS" (RKO)
"WE'RE ON THE JURY" (RKO)

RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $18,000. (Average, $12,000)

"WHEN YOU'RE IN LOVE" (Col.)
"COUNTERFEIT LADY" (Col.)

LOEW'S ORPHEUM—(2,970), 25c-45c-65c, 7 days. **Gross:** $16,800. (Average, $12,000)

"WHEN YOU'RE IN LOVE" (Col.)
"COUNTERFEIT LADY" (Col.)

LOEW'S STATE—(3,537), 25c-45c-65c, 7 days. **Gross:** $14,500. (Average, $11,000)

"JOHN MEADE'S WOMAN" (Para.)

METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: "Paradise on Parade." **Gross:** $22,000. (Average, $22,000)

"GREEN LIGHT" (F.N.)
(2nd Run)
"SMART BLONDE" (W.B.)

PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $11,000. (Average, $7,000)

"MYSTERIOUS CROSSING" (Univ.)

RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: "World's Fairest on Parade." **Gross:** $21,000. (Average, $21,000)

"Avenue" Dual 2d Week Hit in N. H.

NEW HAVEN, March 16.—A Sunday which broke house records with higher holdover prices sent the College business to the fore on the second week of "On the Avenue" and "Woman Wise," which grossed $4,000.

Elsewhere grosses stayed at average or somewhat under.

Total first run business was $19,700. Average is $19,300.

Estimated takings for the week ending March 12:

"ON THE AVENUE" (20th-Fox)
"WOMAN WISE" (20th-Fox)

COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $4,000. (Average, $2,800)

"JOHN MEADE'S WOMAN" (Para.)
"CLARENCE" (Para.)

PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $4,300. (Average, $4,800)

"LOVE IS NEWS" (20th-Fox)
"FAIR WARNING" (20th-Fox)

POLI—(3,040), 35c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"READY, WILLING AND ABLE" (W.B.)
"ONCE A DOCTOR" (F.N.)

ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $4,400. (Average, $4,700)

Retitle Hopkins Film

HOLLYWOOD, March 16.—"Woman Chases Man" is the new title of "The Woman's Touch," now being produced by Samuel Goldwyn with Miriam Hopkins starred.

"Sea Devils," Show High in Detroit Boom

DETROIT, March 16.—Despite Lent, every first run went over par for the first time this year, the Michigan leading with $27,600 on "Sea Devils" and a stage show. This was $7,600 to the good.

The Fox was close behind with $26,500 on "Love Is News" and a vaudeville bill. "Green Light," in its third week at the Madison, held up to $10,500.

Total first run business was $87,600. Average is $70,000.

Estimated takings for the week ending March 11:

"ON THE AVENUE" (20th-Fox)
(Second Week)
"WOMAN WISE" (20th-Fox)
(First Week)

ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $5,600. (Average, $5,000)

"LOVE IS NEWS" (20th-Fox)

FOX—(5,100), 15c-75c, 7 days. Stage: Wini Shaw, Sheila Barrett, Radcliffe & Rogers, Loyal's Dogs, 3 Samuels and Harriett Hayes. **Gross:** $26,500. (Average, $20,000)

"SEA DEVILS" (RKO)

MICHIGAN—(4,100), 15c-75c, 7 days. Stage: "French Casino" Revue. **Gross:** $27,600. (Average, $20,000)

"SMART BLONDE" (W.B.)
"CRIMINAL LAWYER" (RKO)

STATE—(3,000), 10c-40c, 7 days. **Gross:** $5,100. (Average, $5,000)

"LAST OF MRS. CHEYNEY" (M-G-M)

UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $12,300. (Average, $10,000)

"GREEN LIGHT" (W. B.)

MADISON—(2,000), 15c-65c, 7 days, 3rd week. **Gross:** $10,500. (Average, $10,000)

"Cheyney," "Races" $5,600 in Spokane

SPOKANE, March 16.—"The Last of Mrs. Cheyney" and "Off to the Races" pulled $5,600 in seven days on a dual at the Fox to top the city last week as box-offices began to thaw out.

"When You're in Love" took $5,100, over par by $300, in seven days at the State with March of Time to help.

"That Girl from Paris," on a dual with "Living Dangerously" at the Orpheum, suffered from being opposed by Grace Moore at the State and drew $2,400 in four days over the weekend, only $200 over average.

Total first run business was $14,300. Average is $13,200.

Estimated takings:

Week Ending March 11:

"THE LAST OF MRS. CHEYNEY" (M-G-M)
"OFF TO THE RACES" (20th-Fox)

FOX—(2,300), 25c-40c, 7 days. **Gross:** $5,600. (Average, $5,200)

"WHEN YOU'RE IN LOVE" (Col.)

STATE—(1,000), 30c-40c, 7 days. **Gross:** $5,100. (Average, $4,800)

"THAT GIRL FROM PARIS" (RKO)
"LIVING DANGEROUSLY" (G.B.)

ORPHEUM — (1,200), 20c-30c, 4 days. **Gross:** $2,400. (Average, $2,200)

"BULLDOG DRUMMOND ESCAPES" (Para.)
"HATS OFF" (G. N.)

ORPHEUM — (1,200), 20c-30c, 3 days. **Gross:** $1,200. (Average, $1,000)

Joins Grand National

DETROIT, March 16.—William Mattingly, formerly with Excellent Pictures Corp., has joined the sales staff of the local Grand National branch.

Bargain Days

St. Louis, March 16.—In an effort to combat the competition offered to theatres in the Lenten season, Fanchon & Marco have adopted strenuous measures.

In one case the patron gets free hamburgers and soft drinks, community dancing on the stage, an opportunity to acquire a radio or electric refrigerator, two features and a stage show—all for one dime. In another, a 25-cent admission will give the patron a good first run feature and a stage show featuring Fred Waring and His Pennsylvanians.

"Green Light" Hits $13,500 Cincy Top

CINCINNATI, March 16. — Green Light" cleared $13,500 at the RKO Albee, plussing par by $1,500. It was moved to the RKO Capitol.

"Wings of the Morning" soared to $13,000 with Gus Arnheim's band on the RKO Shubert stage, up $1,000. "Three Smart Girls" did a brilliant $3,700 on its third week downtown at the RKO Grand, where $2,750 is the weekly figure, It was held over. "Sea Devils" balanced the $10,000 average at the RKO Palace. The other houses had satisfactory takes, although below average. The weather alternated between warm and extreme cold.

Total first run business was $58,450. Average is $58,700.

Estimated takings:

Week Ending March 10:

"SEA DEVILS" (RKO)

RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $10,000. (Average, $10,000)

Week Ending March 11:

"GREEN LIGHT" (F.N.)

RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $13,500. (Average, $12,000) Moved to RKO Capitol.

"WINGS OF THE MORNING" (20th-Fox)

RKO SHUBERT—(2,150), 40c-60c, 7 days. Stage: Gus Arnheim's Band. **Gross:** $13,000. (Average, $12,000)

"LAST OF MRS. CHEYNEY" (M-G-M)

RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $5,800. (Average, $6,500)

"JUNGLE PRINCESS" (Para.)

RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $4,300. (Average, $6,500)

"THREE SMART GIRLS" (Univ.)

RKO GRAND—(1,200), 25c-40c, 7 days, 3rd downtown week. **Gross:** $3,700. (Average, $2,750) Held over.

"ELLIS ISLAND" (Invincible)

RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,300. (Average, $1,250)

"MAN OF THE PEOPLE" (M-G-M)

RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,100. (Average, $1,200)

"YOU ONLY LIVE ONCE" (U.A.)

KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $5,750. (Average, $6,500)

Choose Tragic Ending

LONDON, March 8.—As a result of running "Beloved Enemy" with alternative endings at the Leicester Square, United Artists have decided on the "unhappy" ending for the general release of the picture.

"Bandit" Now "War Lord"

HOLLYWOOD, March 16. — "War Lord" is the new title of the Boris Karloff picture to be released by Warners. It was formerly "China Bandit."

"Steele" K.C. $9,200 Lead In Dull Week

KANSAS CITY, March 16.—"Nancy Steele Is Missing" and stage show at the Tower made the best showing in a fair week. The combination gave the house $9,200, $2,200 over par.

"Ready, Willing and Able" and "Condemned Row" put the Newman $1,400 over its $7,600 line in eight days, but other first runs fell shy of a normal showing.

The weather was good, but the first college basketball tournament three nights at the Municipal Auditorium cut in.

Total first run business (excluding the Downtown) was $36,400. Average is $36,800.

Estimated takings:

Week Ending March 10:

"MAID OF SALEM" (Para.)
"CLARENCE" (Para.)

MAINSTREET—(3,100), 25c-40c, 6 days. **Gross:** $6,900. (Average, 6 days, $7,200)

"WINGS OF THE MORNING" (20th-Fox)

UPTOWN—(2,000) 25c-40c, 6 days. **Gross:** $3,300. (Average, 6 days, $3,500)

Week Ending March 11:

"ESPIONAGE" (M-G-M)
"MAN WHO COULD WORK MIRACLES" (U.A.)

MIDLAND — (4,000), 25c-40c, 7 days. **Gross:** $8,000. (Average, $11,500)

"READY, WILLING AND ABLE" (W.B.)
"CONDEMNED ROW" (Radio)

NEWMAN — (1,900), 25c-40c, 8 days. **Gross:** $9,000. (Average, 8 days, $7,600)

"NANCY STEELE IS MISSING" (20th-Fox)

TOWER—(2,200), 25c-40c, 7 days. Stage: Sylvia and Clemence, Morey Amsterdam, Large and Morgner, La Paiva and Legary. **Gross:** $9,200. (Average, $7,000)

Week Ending March 13:

"THE PACE THAT KILLS" (Willis Kent)
"GIRL OVERBOARD" (Univ.)

DOWNTOWN—(800), 25c, 8 days. Stage: Mlle. Corinne. **Gross:** $5,200. No average. Shows continuous from 9 a.m. to 5 a.m.

"Lloyds" on Dual $9,200, Portland

PORTLAND, March 16.—"Lloyds of London" with "They Wanted to Marry" was held for a second week at the Paramount. The take was $9,200, or $4,200 over the line.

At the Orpheum "On the Avenue" and "The Great O'Malley" grossed $8,000, up by $3,000.

Total first run business was $38,700. Average is $24,700.

Estimated takings for the week ending March 6:

"DANIEL BOONE" (RKO)
"SHE'S DANGEROUS" (Univ.)

BROADWAY—(1,912), 30c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"THEODORA GOES WILD" (Col.)
"LADY FROM NOWHERE" (Col.)

BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 10th downtown week. **Gross:** $2,500. (Average, $1,700)

"ONE IN A MILLION" (20th-Fox)
"NIGHT WAITRESS" (Radio)

MAYFAIR—(1,700), 30c-35c-40c, 7 days (5th DT Week). **Gross:** $5,000. (Average, $3,000)

"ON THE AVENUE" (20th-Fox)
"THE GREAT O'MALLEY" (W. B.)

ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $8,000. (Average, $5,000)

"LLOYDS OF LONDON" (20th-Fox)
"THEY WANTED TO MARRY" (Radio)

PARAMOUNT—(3,008), 30c-35c-40c, 7 days, 2nd week. **Gross:** $9,200. (Average, $5,000)

"ESPIONAGE" (M-G-M)

UNITED ARTISTS—(945), 30c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"Marines" and Vaude $5,100 Seattle Lead

SEATTLE, March 16.—"Join the Marines," helped by Fifi Dorsay and a vaudeville show, turned in the best showing of the week, $5,100, at the Palomar. This was over par by $600.

The only other attraction to get into the profit column was a dual, consisting of "The Last of Mrs. Cheyney" and "Racing Lady."

Total first run business was $33,700. Average is $36,500.

Estimated takings to March 12:

"GOD'S COUNTRY & THE WOMAN" (W. B.)
"DANGEROUS NUMBER" (M-G-M)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 3rd week, extended run from Fifth Ave. **Gross:** $3,300. (Average, $4,000)

"LAST OF MRS. CHEYNEY" (M-G-M)
"RACING LADY" (RKO)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $7,600. (Average, $7,000)

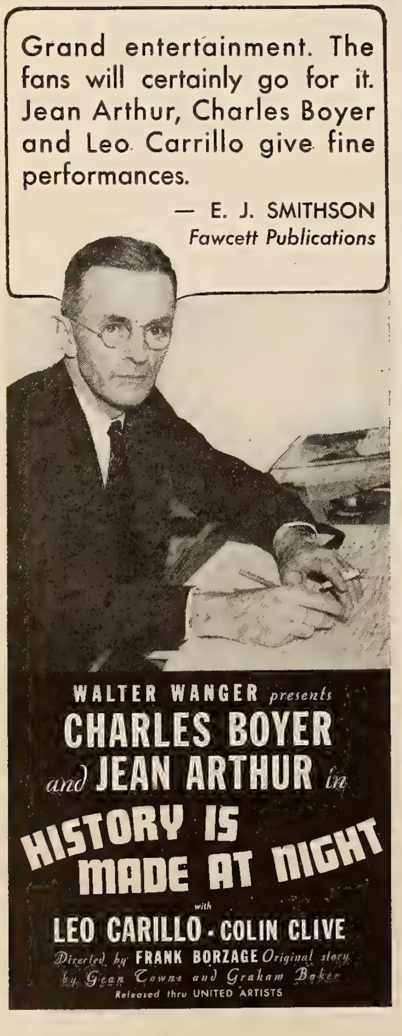
"WHEN YOU'RE IN LOVE" (Col.)
LIBERTY—(1,800), 15c-25c-40c-55c, 7 days, 3rd wek. **Gross:** $4,350. (Average, $5,000)

"GREEN LIGHT" (F. N.)
"CLARENCE" (Para.)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Fifth Ave. **Gross:** $3,400. (Average, $4,000)

"WHEN'S YOUR BIRTHDAY?" (W. B.)
ORPHEUM—(2,450), 25c-40c-55c, 5 days, 2nd week. Vaudeville and stage band. **Gross:** $5,100. (Average, $6,000)

"JOIN THE MARINES" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Fifi Dorsay. **Gross:** $5,100. (Average, $4,500)

"SEA DEVILS" (RKO)
"ESPIONAGE" (M-G-M)
PARAMOUNT — (3,050), 25c-40c-55c, 7 days. **Gross:** $5,850. (Average, $6,000)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LEO CARILLO · COLIN CLIVE
Directed by FRANK BORZAGE Original story by Gene Towne and Graham Baker
Released thru UNITED ARTISTS

"Wings" Given 7th Week in Montreal

MONTREAL, March 16.—"Wings of the Morning" is holding the spotlight among first runs at His Majesty's. The film has gone into its seventh week. The take for the sixth week was $5,500, or $500 above par.

"When You're in Love," on a dual at the Capitol, registered an above-average figure of $10,000 and the second week of "Camille" at the Palace was good for $7,500. "Dangerous Number," heading the lengthy film-stage show at Loew's, accounted for $10,000. "John Meade's Woman" collected $6,500 as first feature at the Princess.

Two hockey matches drew big crowds and there was much Easter shopping activity with the weather cold but fair.

Total first run business was $39,500. Average is $43,000.

Estimated takings for the week ending March 13:

"WHEN YOU'RE IN LOVE" (Col.)
"WOMAN IN DISTRESS" (Col.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,000. (Average, $9,500)

"WINGS OF THE MORNING" (British-Fox)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days, 6th week. **Gross:** $5,500. (Average, $5,000) Held over.

"DANGEROUS NUMBER" (M-G-M)
"CAREER WOMAN" (20th-Fox)
LOEW'S — (3,115), 25c-34c-40c-50c-60c, 7 days. Stage: Salicir Puppets and vaudeville. **Gross:** $10,000. (Average, $10,500)

"CAMILLE" (M-G-M)
PALACE — (2,600), 25c-35c-40c-50c-65c, 7 days, 2nd week. **Gross:** $7,500. (Average, $11,000)

"JOHN MEADE'S WOMAN" (Para.)
"OUTCAST" (Para.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $6,500. (Average, $7,000)

New Mass. Booth Rules

BOSTON, March 16.—New regulations have been imposed on Massachusetts projectionists by the Dept. of Public Safety, replacing rules of 51 years' standing. The new rules require that no operator may leave the operating side of a projector while projecting a picture. Pick-ups, so called, are prohibited when only one licensed operator is in a booth. Fire or accidents in booths must be reported separately, within 24 hours, by both operators and theatre managers. No more than 2,000 feet of film may be wound on any one reel. An exhaust fan must be kept running while the projectors are in operation. Inspectors must approve any proposed alterations in either equipment or booths before such changes may be made.

To Handle Republic

MELBOURNE, Feb. 16. (*By Air Mail Via London*)—Associated Distributors have secured the Australian distribution rights to Republic pictures. Terms of the deal allow Associated a rejection right and Associated states that each film will be submitted to a selection board before acceptance for first-run presentation.

Plan Films in Color

LONDON, March 8.—Mrs. Natalie Kalmus, on arrival here to supervise the Movietone Coronation film in Technicolor, said she was currently negotiating for the production in England of two features and a number of shorts in Technicolor.

Yellow, Not Red

Toronto, March 16.—Ontario censors take no chances on Red propaganda. When "A Son of Mongolia" was presented for inspection they hired a Russian interpreter to make sure the dialogue was something like the English sub-titles.

After a few minutes the interpreter said he couldn't tell what it was all about; the characters were speaking Chinese.

The print was returned to the country of origin.

"Murder" and Show Best in Milwaukee

MILWAUKEE, March 16.—"Murder Goes to College," helped by "Greenwich Village Scandals" on the stage, turned in the best showing of the week at the Palace. The $7,800 take was $2,800 over normal.

"Love Is News" and "Under Cover of Night" managed to get $500 over par in a nine-day stay at the Wisconsin and "On the Avenue" and "Crack-Up" just made a par $1,500 at the Strand.

Mild, fair weather helped to raise hob at box-offices.

Total first run business was $25,800. Average is $24,500.

Estimated takings:

Week Ending March 9:
"YOU ONLY LIVE ONCE" (U. A.)
"WE'RE ON THE JURY" (RKO)
WARNER—(2,400), 25c-35c-50c, 5 days. **Gross:** $2,800. (Average, $5,000)

Week Ending March 10:
"LOVE IS NEWS" (20th-Fox)
"UNDER COVER OF NIGHT" (M-G-M)
WISCONSIN—(3,200), 25c-35c-50c, 9 days. **Gross:** $8,500. (Average, $8,000)

Week Ending March 11:
"MURDER GOES TO COLLEGE" (Para.)
PALACE—(2,400), 25c-35c-50c, 7 days. Stage: "Greenwich Village Scandals." **Gross** $7,800. (Average, $5,000)

"WOMAN IN DISTRESS" (Col.)
RIVERSIDE—(2,300), 20c-30c, 7 days. Stage: "King's Scandals." **Gross:** $5,200. (Average, $5,000)

"ON THE AVENUE" (20th-Fox)
"CRACK-UP" (20th-Fox)
STRAND—(1,400), 25c-35c-50c, 8 days. **Gross:** $1,500. (Average, $1,500)

CEA Asks Conference On Building Problem

LONDON, March 8.—The Cinematograph Exhibitors' Ass'n overbuilding committee, under the chairmanship of Ken Nyman, has requested the president of the Board of Trade to receive a deputation on the problem of excessive theatre erection.

It is understood that the committee favors a request to the Board of Trade that statutory powers to control building should be included in any new Films Act. There is some difference of opinion in the trade on the wisdom of asking for further Government control of the industry.

Approve Child Matinees

LONDON, March 8. — Approval of weekly matinees for children at all theatres and of the provision of special films for young patrons, was registered at a conference here under the auspices of the Cinema Christian Council and the Public Morality Council. Praise of films as a means of entertainment for children was expressed by the Bishop of London.

"Love News," $16,500 Hit In Cleveland

CLEVELAND, March 16.—"Love Is News" at Warners' Hippodrome was the outstanding draw of the week. It grossed $16,500, topping average by $6,500.

"You Only Live Once" at the RKO Palace with the "Broadway Midnight Follies" on the stage, ran a close second with $19,250 for the week as against a $15,000 average.

"Maid of Salem" at the Stillman, following a good week at the State, ended the week $1,000 shy of par.

Weather was snowy and blowy. Also it was tax paying time. Coupled with Lent, all these combined to lower the gross from recent weekly averages.

Total first run business was $55,250. Average is $51,000.

Estimated takings for the week ending March 12:

"THE PLOUGH AND THE STARS" (RKO)
ALLEN — (3,300), 30c-35c-42c, 7 days. **Gross:** $4,500. (Average, $5,000)

"ESPIONAGE" (M-G-M)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $10,000. (Average, $15,000)

"MAID OF SALEM" (Para.)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days, 2nd week. **Gross:** $5,000. (Average, $6,000)

"YOU ONLY LIVE ONCE" (U.A.)
RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: "Broadway Midnight Follies." **Gross:** $19,250. (Average, $15,000)

"LOVE IS NEWS" (20th-Fox)
WARNERS' HIPPODROME — (3,800), 30c-35c-42c, 7 days. **Gross:** $16,500. (Average, $10,000)

Three Players Join Tobis Directorate

By J. K. RUTENBERG

BERLIN, March 4.—Three of the most prominent players in Germany have been elected to the board of directors of the Tobis Film Co. They are Gustav Grundgens, Emil Jannings and Willi Forst, the actor-director. They will handle matters referring to production and the planning of cultural films.

* * *

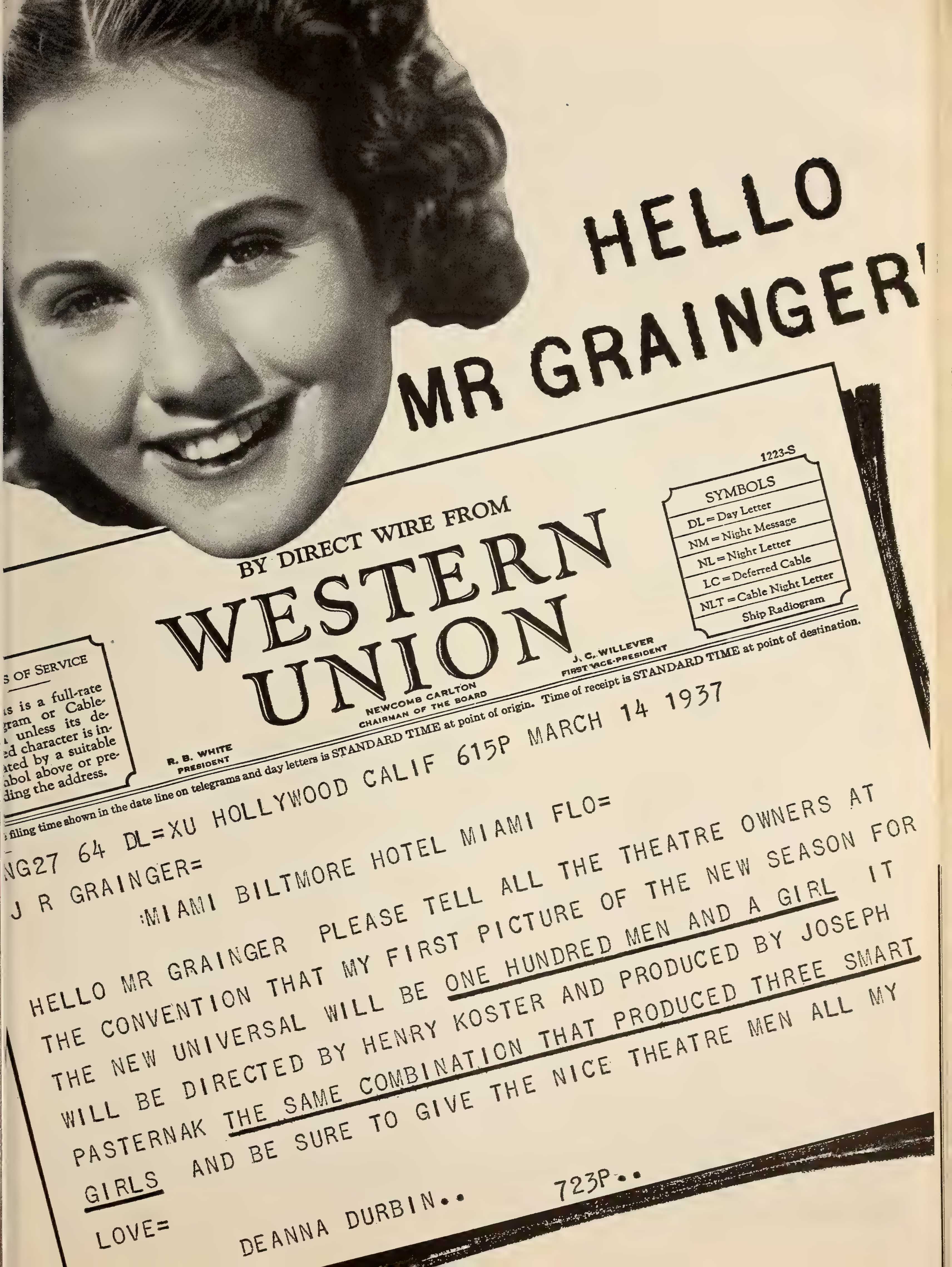
The Cinema Films A. G., leading Germany exporting company, which has been taken over by the Tobis Tonbild Syndikat A. G., reports a year's loss of 625,000 reichsmarks. The net loss after the application of heavy writeoffs amounts to 625,000 reichsmarks.

* * *

A new Government edict prohibits an increase in admission prices at theatres in Germany.

Sets Sioux City Changes

SIOUX CITY, Ia., March 16.—District Manager Evert R. Cummings of Tri-States, has made the following changes in Sioux City: Manager Sol Shulkin of the Hipp promoted to supervising manager of the Loop and Hipp, promoted Assistant Manager Morris Mirkin of the Iowa to Granada manager, transferred Manager Warren Butler from the Granada to the Hipp as manager and transferred Assistant Manager Bernard Pollack from the Hipp to the Iowa as assistant.



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J R GRAINGER=

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DEANNA DURBIN.. 723P..

F.C.C. Issues Licenses for Five Stations

By CLARENCE LINZ

WASHINGTON, March 16. — The F.C.C. today announced the issuance of licenses to five stations, as follows: KOY, Phoenix, 1,390 kilocycles, 500 watts night, 1,000 watts day; KTSM El Paso, 1,310 kilocycles, 100 watts night, 250 day; WGAL, Lancaster, Pa., 1,500 kilocycles, 100 watts night, 250 day; KUSD, Vermillion, S. D., 890 kilocycles, 500 watts; WEEI, Boston, 590 kilocycles, 1,000 watts night, 5,000 day.

The commission also authorized KRNR, Rosenburg, Ore., to assign its license from the Southern Oregon Publishing Co. to the News Review Co. Four applications for new stations were ordered set for hearing, as follows: Press Union Publishing Co., Atlantic City, 1,200 kilocycles, 100 watts night, 250 day; George W. Taylor Co., Williamson, W. Va., 1,370 kilocycles, 100 watts day only; R. W. Page Corp., Phoenix City, Ala., 1,240 kilocycles, 1,000 watts; WRBC, Inc., Cleveland, 800 kilocycles, 1,000 watts. Also applications of stations WRAX, Philadelphia, for a power increase to 1,000 watts, and WPEN, Philadelphia, for increase to 1,000 watts.

Dismissals Listed

At their request applications of Radio and Television Research Co., Los Angeles; James D. Scannell, Lewiston, Me.; James R. Doss, Jr., Mobile, Ala., and Springfield Newspapers, Inc., Springfield, O., for new stations, have been dismissed. Application of the North Jersey Broadcasting Co., Inc., Paterson, N. J., for a new station was denied.

The commission announced receipt of applications for new stations from the Ohio Broadcasting Co., Steubenville, O., and Anne Jay Levine, Palm Springs, Cal., and the request of KFOR, Lincoln, for a frequency change to 1,450 kilocycles and a power increase to 1,000 watts night, 5,000 day.

Mutual to Get "Coronet"

"Coronet," local WOR program sponsored by the magazine of that name, will go to the Mutual network within a broadcast or so. Mutual is now clearing time on network stations for the series.

Begin Television Survey

Weed & Co., station representatives, are now undertaking a comprehensive survey of television developments for their clients.

WMCA 15 Years Old

WMCA celebrates its fifteenth anniversary tomorrow. The station first began operating March 18, 1922.

LEO SAYS:
The only broadcast based on the life of a woman doctor is WHN's daily "Girl Interne."
WHN DIAL 1010
AFFILIATED WITH M-G-M • LOEW'S

Radio Personals

WILLIE HOWARD, who takes over the comedy assignment on the "Manhattan Merry-Go-Round" program shortly, leaves today for a two-week vacation trip to Florida . . . Dolph Opfinger, Mutual's program coordinator, yesterday became the father of a boy . . . Margo will be Jeff Spark's guest on WOR Sunday . . . Bert Squires, WINS chieftain, away on station business . . . Tom Martin, of the Rockwell-O'Keefe office, flies to Cincinnati on official business today . . .

+

Don Shaw, head of McCann-Erickson's radio department, left last night on a business swing that will take him to Detroit, Chicago and St. Louis . . . Arthur Boran has been set for a guest role on the WOR Schaefer Beer program this Sunday . . . Donald Cope, director of the Palmolive "Beauty Box" and "True Adventure" programs for Benton & Bowles, leaves for a three-week vacation tomorrow . . . Bob Lee has taken over the reins of the professional department for the Isham Jones office . . . Larry Nixon, WMCA press chief, yesterday was feted by his colleagues on the anniversary of his 15th year in radio . . . Jean Ellington has signed for a guest spot on the Al Pierce Ford program March 30 . . .

+

Gypsy Nina, CBS songstress now in England, sends word that her commitments will keep her there until after the coronation in May . . . Birthdays of famous people will be celebrated in a new weekly NBC series which will make its debut March 30, from 8 to 8:30 P.M., E.S.T., on the Blue. The program will feature Jack Norworth as master of ceremonies . . . Joe Marsala's orchestra will replace Mike Riley's bandsmen on WHN beginning next week. The broadcasts emanate from the Hickory House . . . Grace Moore gave up a command performance in England during the coronation to accept her new starring role on the Nash "Speedshow" . . . J. Schainuck & Son now using a transcribed program on WMCA six mornings a week at 8 P.M. . . . "Tim and Irene" will be guests on "All Star Varieties" over WOR March 20 . . . Johnny Green and Fred Astaire have begun a series of recordings of all the numbers from "Shall We Dance?" . . .

Takes Radio Stand

Ed Kuykendall, president of the M. P. T. O. A., took a stand yesterday at the Miami convention against the "unrestricted and unlimited use of screen personalities" on the air.

His views on the subject may be found on Page 7.

Zukor Dinner on Mutual

The Mutual network will air the proceedings of the Adolph Zukor Testimonial Dinner to be given at the Waldorf Astoria March 29.

The broadcast will begin at 11:15 P.M., E.S.T., and carry on for an hour.

New Shows on the Air

"The Answer Man"

From Bridgeport, where he has been appearing on a local station, the Provident Loan Society of New York last night brought to WOR Al Mitchell, "The Answer Man." Mitchell proved himself to be an animated encyclopedia, supplying answers to all questions "within the bounds of professional ethics." The listeners furnished the questions.

The program moves at a fast pace, entertains, informs and is highly enjoyable. We can ask no more of a radio program. Listening, one learned the meaning of the 14 karat gold symbol, the penalties for income tax evasion, the various characteristics of good diamonds and such information. Mitchell's answers are couched in the simple, albeit thorough fashion that bespeaks painstaking research and careful preparation. "The Answer Man" is presented twice weekly, Tuesday and Thursday, at 7:30 P. M.

"Coronet on the Air"

Not much can be said in favor of "Coronet on the Air," etherized version of the vest-pocket magazine, which is now in its second week on WOR. Last night's program dealt with subjects entirely unsuited to radio and exhibited definite traces of poor, or at least hasty, production.

Example of material unsuited to radio was the attempt to describe pictures appearing in the magazine via musical setting. As a concrete example Robert Ambruster's orchestra tried to convey a description of "a reclining blonde," as appearing in the magazine, with 16 bars of "It's De-Lovely." Another example of poor selection was the reenactment of "typical early morning sounds." The sound man did his level best, but heard were only unintelligible noises. We were later informed they were sounds made at the breakfast table by one gulping orange juice, cracking eggs, crunching toast and rustling a newspaper.

Two dramatized reenactments of stories in the current issue of the magazine were offered as well.

"Castles of Romance"

"Castles of Romance," a sustaining series of established standing on WJZ, took unto itself a sponsor last evening, the Harvey Whipple Co., makers of Mastercraft Oil Burners. Despite its newly-won dignity, the series remains a mediocre, run-of-the-mill offering.

Featured on the program are Alice Remsen and George Griffin, vocalists, and a piano duo, Al and Lee Reiser.

The "romantic" idea is carried out by references to the singers as "the boy" and "the girl," plus poetic phraseology by the announcer in setting the scene for the numbers to be offered. Among the offerings were "This Year's Kisses" by "the girl"; "Summer Night" by "the boy," and a duet, "By the Waters of Kalua."

The series is heard on WJZ only, 6:35 to 6:45 P. M., Tuesdays.

BANNER

New Answer Program Under Way on WOR

A new program unexpectedly bowed in over WOR last night at 7:30 P. M., E.S.T. It is titled "The Answer Man," and features Al Mitchell. The series will be presented twice weekly, Tuesdays and Thursdays, until April 20, at which time it will add a Saturday broadcast. The Provident Loan Co. of New York sponsors, through McCann-Erickson. The contract is for 39 weeks.

Mitchell's program attracted the agency's attention while broadcasting over WICC, Bridgeport. Hastily summoned for an audition, he clicked with the present sponsor and was penciled in on the WOR schedule yesterday afternoon. Mitchell supplies the answers to any questions of fact submitted by listeners.

Chandler Series for Ford in Time Change

Rex Chandler's musical series for the Ford Motor Co., currently heard Fridays at 9 P. M., E.S.T. on the NBC-Blue network, shifts to a new time and network as of April 10. Thereafter the program will be aired Saturdays from 7 to 7:30 P.M., E.S.T. on the NBC-Red.

Full details are not yet available, but it is believed that the number of stations carrying the program will be reduced. N. W. Ayer & Son is the agency.

Oil Firm Setting Show

Some weeks ago it was foretold in these columns that the Standard Oil of Indiana, through the McCann-Erickson agency, was setting plans for a new network show. Yesterday it was learned that an audition for the company had been held in Chicago, featuring Carl Hoff's orchestra, with Pat O'Malley as "em cee." The program, when talent has finally been determined, will be broadcast over the CBS network.

WNEW Gets New Accounts

WHEW has completed another successful selling week. In the past six days the station's salesmen have written 18 contracts and renewals. The contracts bring in $2,794.13 additional each week.

March and Wife on Lux Hour

Fredric March and his wife, Florence Eldridge, will offer a radio version of "Death Takes a Holiday" in the Lux "Radio Theatre," March 22. This will be the first appearance for either of the Marches on the Lux hour.

WMCA Adds News Broadcast

WMCA adds a Monday through Friday late news broadcast to its schedule, effective immediately, utilizing International and Universal news dispatches. The broadcasts are for 15-minutes, 1 to 1:15 A.M.

KWK to Celebrate Today

ST. LOUIS, March 16.—KWK will celebrate its 10th anniversary tomorrow. NBC will carry a half hour of anniversary program and Mutual will feed two anniversary programs.

More Radio—Page 20

Simplex PROJECTORS — DISTRIBUTED BY NATIONAL THEATRE SUPPLY COMPANY

TRADE MARK REG'D

New Super Simplex

TRADE MARK REGISTERED

PEDESTAL

Designed

TO ACCOMMODATE HEAVY DUTY EQUIPMENT
MEET PROJECTIONIST REQUIREMENTS
AND SECURE THE
HIGHEST TYPE OF SCREEN PRESENTATION

Super Simplex

OUTSTANDING ADVANTAGES

- Provides excellent balance for heavy duty equipment.
- Pivot point insures proper balance and minimum strain.
- Can be easily tilted between minus 3 and plus 33°.
- Lateral adjustment simplifies installation and insures proper centering of picture on screen at all times.
- Weight gives steadiness heretofore unobtainable.
- Spacious internal compartment for all electrical connections.
- Conduit can be brought into compartment through floor or from side.
- Twist lock receptacles for change-over and motor allow ready disconnection of circuit.
- Two switches for motor circuit.
- Four double pole standard outlet receptacles for soldering iron, work light, threading lamp, and arc lamp feed motor provided.
- Universal type spirit level permits accurate levelling, and levelling bolts secure great rigidity.
- Lamphouse support bracket permits accurate alignment of lamphouse and allows for differences in manufacturing tolerances.
- Lamphouse support bracket of adequate length to support new style lamphouse.
- 100 ampere double pole knife switch furnished for low intensity or suprex arc lamps.
- Heavy switch supporting bracket can be furnished at additional charge for high intensity arc lamp.
- Any standard change-over switch may be attached.
- Spacers provided to accommodate existing port hole construction.
- Soundhead supports to meet requirements of any soundhead attachment.

●

Simplex
TRADE MARK REGISTERED
The International Projector

INTERNATIONAL PROJECTOR CORPORATION

88-96 GOLD ST. NEW YORK, N.Y.

Congress on Air Plan May Receive Study

WASHINGTON, March 16.—The assignment to a picked group of radio stations of certain frequencies for the broadcasting of the proceedings of Congress would be studied by the Senate Interstate Commerce Committee under the terms of a resolution introduced by Senator Key Pittman of Nevada.

Investigation of the possibilities of broadcasting from Congress, if undertaken by the committee, might prove to be the basis for a full investigation of the entire broadcasting situation, such as is being sought in the House by Congressman Connery of Massachusetts. If the Interstate Commerce Committee favors the proposal, it will probably be sent to at least four other committees for their consideration at the demand of Senator King of Utah, who pointed out that they would be interested in the broadcasting.

Baseball Airing Starts March 22

The first play-by-play baseball broadcasts will be heard March 22 from 3 to 5 P.M., E.S.T. when WNEW broadcasts the spring training games between the Yankees and the Newark Bears from Sebring, Fla. Five additional training games will be aired. The broadcasts inaugurate WNEW's baseball schedule for General Mills Corp.

Top flight entertainment. Headed for exceptional grosses. It will stand as one of Walter Wanger's finest offerings. A genuinely high class creation in every dimension.
— Daily Variety

DAILY
VARIETY
DAILY
MG TEST TUBE OPERA
Stothart's 5th Sym. Revise
NY Legit Openings
Webb Wedded Wail Nicks Fan Mag 6f

WALTER WANGER presents
CHARLES BOYER and JEAN ARTHUR in
HISTORY IS MADE AT NIGHT
with
LEO CARILLO · COLIN CLIVE
Directed by FRANK BORZAGE Original story by Gene Towne and Graham Baker
Released thru UNITED ARTISTS

Station WBIG

"We find *Motion Picture Daily* one of the liveliest and most attractive publications we receive. Your radio items are interesting and are mostly 'firsts.' All in all, it is a lively sheet and a fine addition to the entertainment of listeners."—*Edney Ridge*, director, Station WBIG, Greensboro, N. C.

Cukor Still Hunts For Scarlett O'Hara

Joan Crawford and Miriam Hopkins are being considered for the role of Scarlett O'Hara in "Gone With the Wind," George Cukor stated yesterday following his return from an extensive vacation abroad. He will direct the film for Selznick International.

David O. Selznick is anxious to have a prominent player in the leading role, Cukor said, and no unknown actress will be chosen. He will leave for the south in a few days to search for a number of characters resembling those in the novel.

Seidelman Off for Tour of the Orient

Joseph Seidelman, head of Columbia's foreign department, left yesterday for the coast, en route to Japan, China and the Philippines. When he arrives on the coast he will sail on the *Empress of Japan* for a two-month general inspection tour.

Prior to his departure yesterday, Seidelman said he did not contemplate any changes, that he was going to "look over the company's offices."

Upon his return, he will spend some time on the coast for product conferences with Harry Cohn, president.

Gets Imperial Franchise

CINCINNATI, March 16.—Maurice Chase, connected for a number of years with Universal and then with First Division, has obtained the Imperial franchise for the local territory, comprising southern Ohio and Kentucky.

U. A. in Mexico Deal

United Artists has closed a deal with Exito, U. C. P. R. S., Mexico City, for the distribution in all Spanish-speaking countries of "Que Hago Con La Criatura" and "Mas Alla De La Muerte," features, and a short, "La Cucaracha Mexicana."

"Heaven" to Music Hall

W. G. Van Schmus has completed negotiations with 20th Century-Fox for "Seventh Heaven." The picture has been dated into the Music Hall starting March 25.

Warner Club Party Set

The Warner Club will hold its annual Spring dance and card party Friday at 8 P. M. There will be a ballroom and tap dancing contest.

Ettelson Takes House

Dick Ettelson, who operates a small circuit of theatres in New Jersey, will take over the new Clifton, N. J., house as soon as it is completed.

Industry Rule Is in Balance: Ed Kuykendall

(*Continued from page 7*)

ing "more unfair" each selling season, Kuykendall said. "The present situation cannot go on. Distributors must give this more thought and consideration. The present near-sighted policy will boomerang on them."

Cash awards and giveaways were cited as a problem which every exhibitor must answer for himself. Exhibitors were warned, however, that the artificial stimulants eventually lost their box-office attraction, or were outlawed, and patronage would become doubly difficult to win thereafter.

Relief from the music tax may be possible through the passage of the Duffy Bill, Kuykendall told the convention, urging exhibitors to seek support for it in Congress.

The convention opened almost an hour late, which, by this time, is accepted practice at all national exhibitor conventions. About 200 assembled for the initial session with plenty of chairs vacant.

Kuykendall Report First

With amplification furnished by Mirrophonic speakers, the addresses of welcome were made by state and city officials and the return acknowledgment was by M. A. Lightman, a former M.P.T.O.A. president.

Governor Cone was slated to appear, but could not because of legislative business in Tallahassee and so he sent Alto Adams, an aide.

Mayor Fossey of Miami was busy refunding a city bond issue and he failed to show up, but his substitute was Dr. George Henry Bradford, who put on a swell sales talk for Miami, its climate and its beaches and glossed over single hotel rooms at $25 per day.

The first definite business on the convention was Kuykendall's report, which took 45 minutes to read.

Morris Lowenstein, Oklahoma City, switched places with Edward G. Levy, and, as national secretary, confined the bulk of his report not to national affairs, but to the manner in which Oklahoma has developed its own state unit. He did cite, however, what he called the pass evil and urged upon those present the advisability of avoiding such "unnecessary exposure" to the whims of legislators. The way out, he said, was for exhibitors to build up the regard in which their theatres are held.

Roster Half Complete

Levy followed with his report as general counsel. Further details of Levy's report are on Page 8.

Aside from entertainment furnished by Mitchell Wolfson, this marked the extent of the opening session.

A preliminary registration roster later described by David Palfreyman as "approximately half complete" revealed that by 3 o'clock today 200 had been clocked by registration clerks. Of this number, a MOTION PICTURE DAILY check demonstrated that 86 actually were active exhibitors. Twenty-five states and the District of Columbia are represented by one or more theatre operators, according to this listing, including one exhibitor from Quebec and another from Winnipeg.

States with representation are: Alabama, Arkansas, California, Colorado, Florida, Georgia, Illinois, Kansas, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Ohio, Oklahoma, Pennsylvania, North Carolina, New York, Rhode Island, South Dakota, Tennessee, Texas, Virginia, Washington, West Virginia.

The other 114 includes accessory, equipment and distribution men plus exhibitors' wives. Notably absent from this list are Paramount men convening at the Roney-Plaza.

Tonight there was an informal reception in the patio of the Miami-Biltmore. Tomorrow will be devoted to discussions of lighting, seating, theatre fronts and general methods of improving theatre operations.

Consolidated, 306 Have Third Session

The third arbitration meeting between representatives of Local 306 and Consolidated Amusements in regard to the recent "sit-down" strike by the operators was held yesterday at the Hotel Edison.

Melvin Albert of Weisman, Celler, Quinn, Allen & Spett, attorneys for the I.T.O.A., represented the circuit, which is a member of the unit.

Ben Golden, member of Mayor La Guardia's labor survey board, presided at yesterday's session. The dispute concerns an interpretation of the contract.

Time, Inc., to Pay $2

Time, Inc., has declared an interim dividend of $2 on the common payable March 31 to holders of record March 20.

Merle Oberon Injured

LONDON, March 16.—Merle Oberon was taken to a hospital today following an automobile accident. She was cut about the face and hands.

Wall Street

Many Gains on Board

	High	Low	Close	Net Change
Columbia	35	34⅝	34⅝	— ¼
Consolidated	4¾	4¾	4¾	.....
Consolidated, pfd.	16	16	16	— ⅛
Eastman Kodak	166¾	166	166¾	+ ¾
Gen. T. Equip.	31	30	30	— ⅝
K.-A.-O., pfd.	105	105	105	+2
Loew's, Inc.	78⅞	77⅝	78⅞	+1⅜
Paramount	25¼	24¼	24¾	+ ½
Paramount 2 pfd.	22⅞	22	22⅞	+1¼
Pathe Film	8⅝	8¼	8⅝	+ ¼
RKO	8¾	8⅝	8¾	+ ⅛
20th Century-Fox	40	39½	39½	— ⅜
20th Century, pfd.	49½	49¼	49½	+ ½
Universal, pfd.	90	90	90	—3
Warner Bros.	15½	15	15⅛	+ ⅛

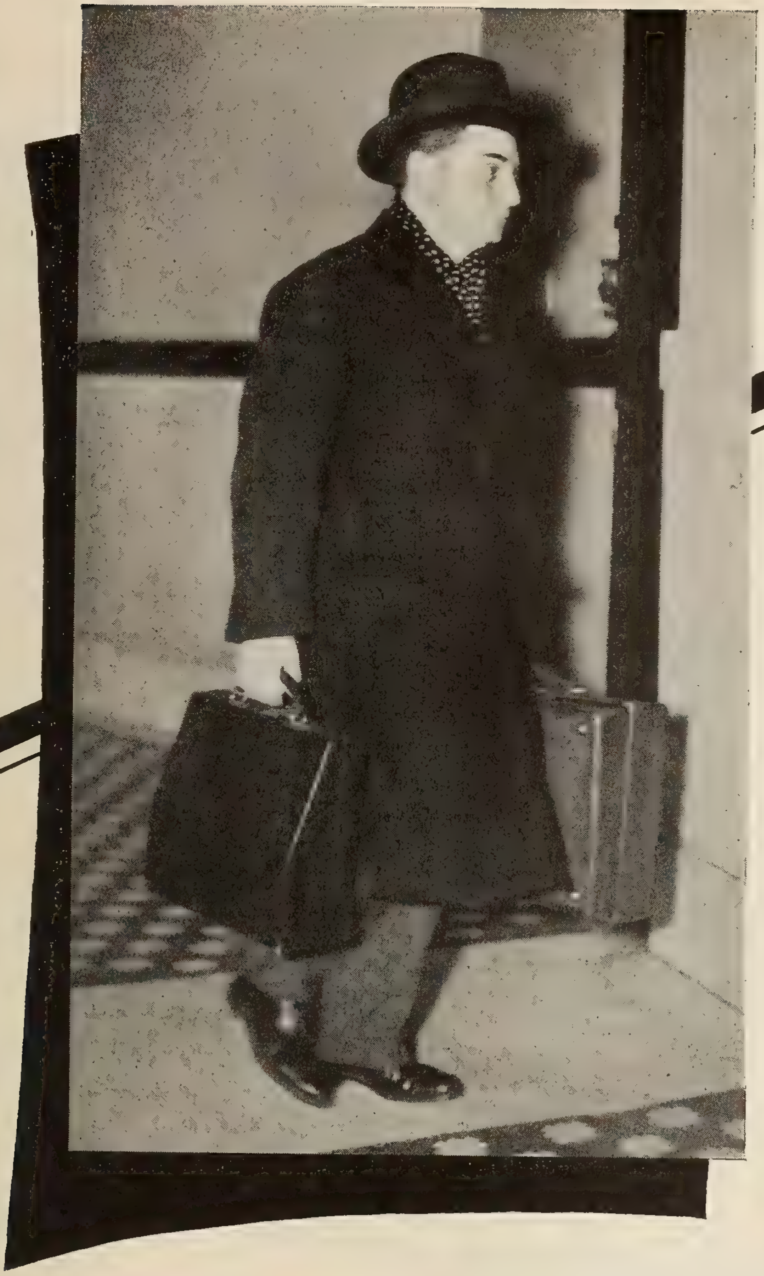
Curb Issues Steady

	High	Low	Close	Net Change
Grand National	3⅛	2⅞	3⅛	+ ¼
Sonotone	1⅞	1⅞	1⅞	— ⅛
Technicolor	23⅜	23	23¼	+ ¼
Trans-Lux	4⅝	4⅝	4⅝	.....
Universal Pict.	12⅜	12	12	.....

Bonds Hold Levels

	High	Low	Close	Net Change
Loew's 3½s '46	98¾	98½	98½	+ ⅜
Paramount B'way 3s '55	75	74¾	74¾	— ¼
Paramount Pict. 6s '55	100⅛	100⅛	100⅛	.....
Warner Bros. 6s '39 wd	96	95⅛	96	+ ½

(Quotations at close of March 16)



Red Kann

is going places!

---In Miami to cover the M. P. T. O. A. convention--- then to Hollywood to take a look at new product, note trends and get a general close-up of the situation there.

MOTION PICTURE DAILY

UNPRECEDENTED!

SINCE THE SIMULTANEOUS NATION-WIDE RELEASE FIVE WEEKS AGO UP TO TODAY, WARNER BROS.' 'GREEN LIGHT' HAS BEEN HELD OVER IN EVERY KEY ENGAGEMENT WITHOUT ONE SINGLE EXCEPTION!

ANOTHER *Socko!*

ERROL FLYNN · ANITA LOUISE
in
"GREEN LIGHT"
By the Author of 'Magnificent Obsession', with
MARGARET LINDSAY
Sir CEDRIC HARDWICKE
Walter Abel • Henry O'Neill
A FRANK BORZAGE PRODUCTION • Music by
Max Steiner • A COSMOPOLITAN PRODUCTION
A First National Picture

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 41. NO. 64 NEW YORK, THURSDAY, MARCH 18, 1937 TEN CENTS

20-Fox '36 Net Jumps to $7,924,126

More Than Double Total Reported for 1935

Net profit for 1936 of $7,924,126 was reported yesterday by 20th Century-Fox. The company's profit for 1935 was $3,563,087.

The company's operating profit for the fourth quarter of 1936 amounted to $3,472,275, compared with $1,566,763 for the corresponding period of 1935 and $1,682,662 for the third quarter of 1936.

The 1936 results include a dividend of $1,134,000 from National Theatres Corp., which paid no dividend during 1935. National Theatres had consolidated net income of $2,923,209 for 1936, compared with $2,192,194 the previous year. 20th Century-Fox owns 42 per cent of the outstanding capital stock of National Theatres and its interest in the 1936 earnings amounted to $1,227,747.

The report discloses that the company received $3,500,000 from Loew's on Feb. 5, last, for "approximately a

(*Continued on page* 11)

GTE Has 7-Month Net Profit of $959,509

General Theatres Equipment Corp. had a net of $959,509 after Federal income taxes and other charges for the seven-month period from June 1 to Dec. 31, 1936. A total of $58,550 was set aside for Federal surtax on undistributed profits, provision for uncollectable accounts and other deductions.

The net is equivalent to $1.80 per share of 532,461 no-par capital shares.

The report includes International Projector Corp., National Theatre Supply Co., Theatre Equipment Contracts Corp., J. E. McAuley Mfg. Co., Hall & Connolly, Inc., and the Strong Electric Corp.

Agreement Reached On Writer Credits

HOLLYWOOD, March 17.—Screen Playwrights, Inc., with 75 active members, has reached an agreement with major producers extending the present Academy pact, but providing for changes in screen credits.

Under its terms screen credits on features, except in unusual cases, will

(*Continued on page* 11)

Radio News—Pp. 14-15

Doubt Raised Over Validity Of Dakota Law

Oppose Similar Bill at Hearing in Ohio

COLUMBUS, O., March 17.—Doubt as to the constitutionality of the theatre divorcement law just signed by Gov. William Langer of North Dakota was expressed by the North Dakota assistant attorney general, C. E. Brase, in an opinion sent to the Governor, Charles C. Pettijohn of the M. P. P. D. A., was informed here today.

Pettijohn is here attending the hearings of the Judiciary Committee of the Ohio House on a similar measure.

A copy of the opinion made public by Pettijohn read: "It is my opinion that there are grave doubts as to the constitutionality of this law. It seems to me that, among others, it violates the constitutionally guaranteed right of equal protection of the law, of being deprived of property without due process of law, of taking property for a public use without a just compensation, as well as the right to acquire and use property for a lawful use. The only justification for the proposed law must be found in what is

(*Continued on page* 11)

Attack Reel Censor At Hearing in Ohio

COLUMBUS, O., March 17.—A sharp attack on newsreel censorship featured the hearing today by the Senate Judiciary Committee on the bill which would provide for the elimination of the censorship of newsreels in the state.

Keith Lawrence of Cleveland, sponsor of the bill, declared the censorship of newsreels delays delivery of prints to theatres and held that censorship of films is no more necessary than censorship of pictures in magazines or newspapers.

Charles C. Pettijohn of the M.P.P.D.A. said that the reels represent a pictorial press with an average weekly

(*Continued on page* 6)

Film Houses Out of Georgia Chain Tax

ATLANTA, March 17.—Film theatres have been eliminated from the chain store tax bill by the Senate Finance Committee on the theory that they are home owned.

Other changes in the measure include cutting of the proposed levies to a top of $200 for each unit in chains of 40 or more, instead of the original $500 maximum.

MPTOA CONCERNED BY LABOR PROBLEM

Conciliation Board Outlook Believed Dark

MIAMI, March 17.—There is a well defined opinion among some M. P. T. O. A. leaders here that the establishment of local conciliation boards is remote at this time in view of the possibility that President Roosevelt will again call for legislation along the lines of N.R.A.

The views of these M. P. T. O. A. leaders coincide with those reported in MOTION PICTURE DAILY on Feb. 18, at which time sentiment both among M. P. T. O. A. officials and distribution executives was disclosed to the effect that no early establishment of the conciliation boards was likely and that the probability of enactment of a revised N.R.A. might eliminate the boards completely.

The M. P. T. O. A. has held that six or seven of the trade subjects which make up its 10-point program depended upon or could be handled by the local boards. Without the boards, the major part of the program, therefore, is threatened with collapse.

The official opinion of a month ago, now reiterated here, obviously has a basis in fact in that the boards admittedly are no nearer to realization

(*Continued on page* 6)

RKO Hearings May Go Before Master

Hearings on the RKO reorganization proceedings may be turned over to a special master by Federal Judge William Bondy today in order to speed up creditors' hearings on the plan itself by separating such hearings from the maize of related litigation which is accumulating in the court.

Judge Bondy has asked counsel for leading creditors' groups for their opinions on such a procedure and on acceptable nominees for a special master who, presumably, would proceed with hearings on the plan while Judge Bondy retained supervision over the other litigation. A hearing on the plan is scheduled for today, but whether or not it actually gets under way appears to be largely dependent upon what disposition is made of the

(*Continued on page* 12)

Paramount Partners Also Disturbed But Matter Is Soft-Pedaled

By **RED KANN**

MIAMI, March 17.—The chief underlying theme of the M. P. T. O. A. convention and the meeting of Paramount theatre partners here as well is a deep concern over the labor situation, despite the fact that the matter thus far has been mentioned only in one portion of his review of the year by Ed Kuykendall, M. P. T. O. A. president.

It is probable that little or nothing in the nature of public utterances will come from the exhibitor parleys and certainly nothing from the Paramount deliberations, yet the national move of the I. A. T. S. E. and C. I. O. to organize exchange workers as a potentially effective means of forcing union booths on small town theatres through threats on film shipments is the most significant development simmering at both meetings.

In private, the move which is afoot is known, but Paramount's partners in particular are decidely loath to air their views or to indicate what, in their opinion, will be the outcome of the program. As a matter of fact, industry leaders shy away from a discussion of the subject and are refusing the usual and accepted assurance that what they may think will remain off the record insofar as quotations attributed to them may be concerned.

MOTION PICTURE DAILY'S story of Tuesday concerning the A. F. L. drive to organize exchange employes in Cleveland and New Haven has excited deep interest here. Silent comment has taken the form of knowing nods with which facts of this latest

(*Continued on page* 4)

Report Wilcox Will End Woolf Alliance

By **BRUCE ALLAN**

LONDON, March 17.—It is reliably reported here that Herbert Wilcox Prod. will drop its distribution arrangement with C. M. Woolf's General Film Distributors following the delivery of the next two pictures of a nine-picture schedule.

It is understood that both C. M. Woolf and his brother, John Woolf, who is general sales manager of General Film Distributors, will leave the board of directors of Wilcox Prod. shortly.

It is reported further that Wilcox will join Alexander Korda, head of London Films.

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(Registered U. S. Patent Office)

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WARSAW: Sienna 32; R. Sillei, Representative.

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Saperstein Reelected

Chicago, March 17.—Aaron Saperstein was elected president of Allied Theatres of Illinois today for the seventh time. All other officers were renamed at the same time.

Plans may be started shortly to campaign against dual bills in the local territory. The topic was discussed today, but no definite decision reached. Other matters taken up included bills now before the state legislature and an outline of the program for the unit in the ensuing year.

Delay Kennedy Action

Washington, March 17.—Members of a sub-committee of the Senate Commerce Committee are delaying action on the nomination of Joseph P. Kennedy as chairman of the Maritime Commission, pending study of his eligibility under the law, due to the fact that he holds stock in the Todd Shipbuilding Corp.

Para. Meet "Progresses"

Miami, March 17.—Paramount officials reported "progress being made" at the close of today's meeting of the company's theatre partners. The formal sessions start Thursday at the Roney Plaza and continue through Saturday. Program arrangements are now being completed.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Girl Loves Boy"

(Zeidman-Grand National)

Hollywood, March 17.—A small town drama romance told in the way that engages the attention of family and neighborhood audiences, B. F. Zeidman's contribution to the Grand National program looms as satisfactory entertainment in the field for which it is intended. Essentially it is a serious problem play, but it is not without those elements in drama, romance and comedy which are well interpreted by soundly conceived situations, dialogue and characterizations. Though not strong in name values, the film does present Eric Linden, Cecelia Parker and Roger Imhof, along with Dorothy Peterson, Bernadene Hayes and Pedro de Cordoba.

The story tells how a small town boy who has made an unfortunate marriage is enabled to work out his moral and mental regeneration by a girl's love. Linden is relieved of the menace of his gold digging bride, Miss Hayes, when his father, Imhof, arranges a settlement and initiates annulment proceedings. In love with Miss Parker, daughter of Dorothy Peterson, a widow, Linden starts out to make a new man of himself. De Cordoba, a pianist, comes to town and discovers Miss Parker is a musical genius. As he trains her, he secretly arranges with Linden to finance a concert. The night of her appearance, Miss Hayes, accompanied by a shyster lawyer, lands in town to scandalize Linden and wreck the girl's debut. In the nick of time detectives expose Miss Hayes and her lawyer as blackmailers. The romantic finale has the young lovers in each others arms.

The film has a human interest that inspires sympathy for all characters but Miss Hayes. The original by Karl Brown and Hinton Smith and the screen play by Duncan Mansfield and Carroll Graham, as well as the direction by Mansfield, combine to give an appealing story an appealing character.

Previewed without production code seal. Running time, 75 minutes. "G."

"Song of the City"

(M-G-M)

Hollywood, March 17.—Aimed at the same audiences which read the pulp magazines, this is a melodrama of the old type. If it is meant seriously it's appeal is nil for first run houses though it might possibly pass as burlesque.

The involved story starts when Jeffrey Dean is rescued from San Francisco bay by Nat Pendleton and Charles Judals, fishermen. Dodging Marla Shelton, his socially prominent fiancee, Dean joins a fishing cruise and falls in love with Margaret Lindsay, Pendleton's sister. Miss Lindsay is ambitious to become a professional singer and is betrothed to J. Carroll Naish, ward boss of the Italian colony, who has volunteered to finance her musical education. Complications are piled up as the various romances become tangled and are straightened out after the fist fights between Pendleton and Dean and the fiery destruction of a liner in the bay.

The story is by Michael Fessier, the direction by Erroll Taggart, the production by Lucien Hubbard and the whole is far below M-G-M standard. It suggests an independent rather than a major effort. The supporting players include Inez Palange, Edward Norris and Fay Helm.

Production Code Seal No. 3,183. Running time, 65 minutes. "G."

"When's Your Birthday?" this morning's opener at the Music Hall, was previewed by wire from Hollywood on Feb. 13.

"Maytime," another of this morning's openers, but at the Capitol, was reviewed from the coast by wire on March 5.

"Her Husband Lies," now current at the Criterion, was previewed on March 12 by wire from Hollywood.

"Breezing Home," tonight's preview at the Roxy, was reviewed from Hollywood on Jan. 21 by wire.

Seek Labor Act Help

Portland, March 17.—A petition for permission to lodge a complaint charging violation of the Wagner Act against four theatres in Klamath Falls, Ore., has been received here by Charles W. Hope, regional director of labor relations. The petition charges that Harry Poole, owner of the theatres, discharged Eugene Bailie and Gordon Shirley, operators, for union activities.

Build at Hudson, N. Y.

Cocalis Enterprises is building a new 1,600-seat theatre at Hudson, N. Y., in association with Grossman & Frieder. William Hohauser is the architect.

Studio Opening April 15

London, March 17.—The Amalgamated Studio is scheduled to open on April 15, with M-G-M definitely set to produce its British pictures there.

Short Subject

"March of Time, No. 8, Vol. 3"

(RKO)

The current agitation over the child labor amendment, Voodoo cults and practices in Harlem, and British industry's recovery from the coronation crisis are offered in the latest of this first-rate series.

The history of the child labor amendment is shown from its original submission to the states in 1924 to the recent arguments and opposition by various personages. There are scenes of child labor shown with the incisive revelation of the candid camera.

Voodo is quite thoroughly covered with sequences of the child-like faith of Harlem residents in weird powders, conjure bags and the attendant orgies. Also a flash to the consequences of voodoo-treated ills. The *World-Telegram* is credited with the exposure. It is a novel slant on a practically unknown condition.

British Crown Situation Treated

The Edward VIII-Mrs. Simpson story is a re-edited treatment of the Empire-shaking romance made to bear on the plight of Lloyd's loss in coronation business policies, when the monarch abdicated. In addition to the principal the manufacturers were also able to convert a quantity of the mementoes into George VI and dispose of Edward VIII stuff to the U. S.

Reviewed without production code seal. Running time, 20 mins. "G."

Ampa Talent Lined Up

Rudy Feld, former Ufa director; Ludwig Lore, New York *Evening Post* columnist; Mrs. Adrienne Peabody, numerologist and writer, and Elizabeth Allan, RKO player, will headline the Ampa talent list at today's luncheon at the Edison College Room.

An election of a nominating committee will be held before the session winds up.

ITOA Meet Routine

The I.T.O.A. held a routine meeting at the Astor yesterday. The session was cut short by Harry Brandt, president, who was not feeling well.

GREAT
EXPECTATIONS
REALIZED
★ ★ ★
MEET ME AT
BOOTHS 2 AND 3
Miami-Biltmore
J. George Feinberg
Spreading Comfort to Millions
SEE
The Sensation of Seating
Original Streamline Posture

WARNERS'

Call it a Day

PREVIEWERS

Call it a Daisy!

Labor Problem Chief Concern Of M.P.T.O.A.

(Continued from page 1)

development have been received. It is obvious that the union moves are not being received with cheers here. Circuit men understand that the problem in its external aspects is not theirs but distributors'. On the other hand, they appreciate the dangers of the situation, and also the manner in which they will be involved if bookers, shippers and inspectors are successfully organized to a degree making impossible the shipment of prints, in the event labor leaders some day should determine on a strike to force small town and country theatres into the I. A. T. S. E.

The formal portion of the second day of the convention opened one hour behind schedule, with the poor attendance excused by Kuykendall on the ground that it was the number of theatres represented, and not individuals, that counted.

Francis M. Falge, Nela Park, Cleveland, was first with the delivery of a very interesting discussion, accompanied by equipment and slides, to demonstrate the latest methods of lifting the faces of theatres through the intelligent use of lighting. The display embraced brightly lit samples of corrugated metals, glass bricks and marble slabs which were rear-lighted to provide unusual optical appeal.

Halpin, on Earphones

Dan D. Halpin, vice-president of Dictograph Products, New York, on behalf of the Acousticon ear phones for the deaf and hard of hearing estimated that $1,600,000 annually represented the untapped gross through catering to "forgotten audiences." Among other interesting facts, he pointed out that the Music Hall in New York had in this manner developed 3,000 new patrons.

The third speaker was E. L. Patton of the Pittsburgh Plate Glass Co., who based a talk on modern theatre fronts on the observation that "sight is the most compelling factor in making sales." He added that theatres trail all other businesses in relieving the drabness and antiquated appearance of their dress and he advised exhibitors to obtain the best value in rehabilitation measures by initial consultations with architects.

"When television finally comes—and it will not be here tomorrow—

(Continued on page 6)

Just a Panic!

Miami, March 17. — The beauties of life in Florida had been touted by the native propagandizers, state and city. Up went Ed Kuykendall:

"I like the idea and I hope that when you all are out of business, you will come here to spend the rest of your days."

Arthur W. Eddy leaned over and remarked at that point: "Headline: 'Kuykendall Predicts Panic.'"

Time Out Under the Palms

Time out from convention discussions at the M. P. T. O. A. meeting in Miami, for a chat under the palms. Left to right are: A. F. Baker, Kansas City; Dick Biechele, secretary-treasurer of the Kansas-Missouri Theatre Ass'n., Ed Kuykendall, M. P. T. O. A. president, and H. V. Harvey, secretary-treasurer of the I. T. O. of Northern California.

Moon Over Miami

Miami, March 17.—Further check: The bevy assembled for registration detail, it appears, was drawn from the runners-up in a statewide bathing beauty contest. Joe Pincus could do business here for Zanuck, even if Lou Irwin is on the ground.

* * *

Lobby scene at the Roney: John Balaban in earnest conversation with John Hertz, the latter sporting a very Florida-looking tan.

* * *

Mrs. Karl Hoblitzelle journeyed from New York with the Leon Netters and met her husband here.

* * *

Al Wilkie has been here 10 days propagandizing for Paramount. He hopes to skip over to Nassau for a couple of days of deep-sea fishing with Bob Gillham when the excitement subsides.

* * *

Glimpsed at the Casa Moresque which is a very good place for dining—gambling tables upstairs front—were James R. Grainger entertaining Bob and Maurine McNeil, N. L. and Mrs. Nathanson and J. J. and Mrs. Fitzgibbons.

* * *

Mrs. Robert Wilby is in from Atlanta to join her husband.

* * *

Barney Balaban and his wife and Nathanson and his were sitting on the observation platform of the Florida Special when the observation car jumped the track in the suburbs of Richmond Saturday night. The Filipino steward ordered them to stretch flat on the floor of the car to avoid injury from flying glass. It was an uncomfortable moment.

* * *

Memorable sights: Dave Palfreyman, nude except for trunks, needing a shave badly and wearing dark glasses lunching and drinking hot coffee in a blazing sun off the 19th hole of the Miami Biltmore golf course. His companion, Helen O'Toole. Both looked about the last word in discomfort.

* * *

Grainger turned in at 2:30 the other morning and four hours and a half later was on the links. "What a man!" sighed Mrs. Nathanson.

* * *

Snow news from the north makes the lead story in the local papers. One headline telling of the slushy snow snarling New York traffic finds Gotham-ites looking at each other with a look that can mean only great contentment with the world.

* * *

Charlie Segall has been here for several months and Joe Seider of the Prudential Circuit for weeks. If they don't look like redskins, they'll do until a couple come off the reservation.

* * *

Tom Connors, sunshade and all, is catching up on his golf. He's been here three weeks and today played a foursome strictly along Metro lines. The other three were O'Shea of Buffalo, Applegate and Schwartz of Philadelphia.

* * *

Halsey Raines of the M-G-M publicity department who spends his vacations penetrating country new to him was here today. Merely passing through from Havana en route to Tampa by way of the Tamiami Trail Tom Gerety of the same department is at Fort Myers on the West Coast of the state.

* * *

Neil F. Agnew is a late arrival.

* * *

Jack Sichelman of 20th Century-Fox, who has been ill, is rounding out his fifth week here and expects to remain a few more. Not officially identified with the convention or any of its goings on, Jack, nevertheless and in keeping with your true film man, couldn't help but look in at the Biltmore this afternoon.

* * *

George Skouras is due Thursday from New York. His family has been spending the winter at Gold Beach which hovers somewhere between Miami and Hollywood, 17 miles up the line.

* * *

Y. Frank Freeman, with Mrs. Freeman as hostess, entertained Paramount theatre partners with a large-scale cocktail party in their suite at the Roney Monday evening. With the possible exception of Bob Wilby of Atlanta and E. V. Richards, Jr., of New Orleans who is compelled to continually guard his health and who left early for his home in Ft. Lauderdale, 18 miles out of Miami, the entire roster turned out, wives and all.

* * *

In case you may have wondered exactly what the spirit of the New Universal is, transcribed into terms of the visual, you may want to know how James R. Grainger interprets it.

He employed two very striking young blondes, bedecked them in the most abbreviated of bathing suits and had them hand out matches advertising "Top of the Town" to arriving delegates. Introduced by names, the conventionites reacted. A slant at the blondes makes the reason why understandable.

* * *

Bob O'Donnell is promoting a mid-winter session of The Off-the-Record Club. The charter members are here, all three of them—Herman Robbins, Sam Dembow and Red Kann.

* * *

Domestic scene: Sam Dembow carrying his infant daughter up the Roney's elevators.

* * *

Charlie Picquet, 14 years president of the Theatre Owners of North and South Carolina, Inc., is touting the forthcoming 25th jubilee convention of his organization at the Carolina Hotel, Pinehurst, the first week of next December.

* * *

Mrs. Herb Ochs has joined her husband here, having entrained from Atlanta where the Warner sales executive's family still lives. Pretty soon now, the Ochs will be united en masse in New York close to papa's headquarters.

* * *

Kuykendalliana: "Deemonstrated" for demonstrated. "Unik" for unique. "Legislation" with a hard "g".

* * *

The Phillipsons are heading for Palm Beach the end of the week with Tom Drew at the helm, or the wheel.

A Crack

Miami, March 17.—Paramount is distributing a handsome brochure done up in color and ballyhooing the company's new releases. Special strips are inserted with material aimed at the convention.

One carries a pencil sketch of the convention chairman addressing the gathering and with it is this copy:

"Excuse me, gents, but here's news from Paramount to keep you awake."

IT'S HERE!

IT'S BIG!

Remember **"3 SMART GIRLS?"**
Prepare for **ANOTHER SMASH**
from the **NEW UNIVERSAL!**

"WHEN LOVE IS YOUNG"

Labor Problem Chief Concern Of M.P.T.O.A.

(*Continued from page 4*)

it is going to help rather than hurt the theatre box-office, in my personal opinion," Thomas F. Joyce, advertising manager of the RCA Manufacturing Co., declared in an address before the convention today.

Joyce expressed the belief that producers will make use of television for advance trailers on outstanding forthcoming product. "I am sure that far sighted film executives see in television the greatest advance agent and exploitation medium that the industry has ever seen," he said.

Joyce emphasized the importance of good sound to the exhibitor, and outlined recent developments in the improvement of sound apparatus and recording equipment. He cited the deal just closed whereby Warners have taken RCA sound for all of the Warner circuit of nearly 400 houses.

Afternoon Session Tardy

The afternoon session was off to another delayed start but better attendance, with late sleeping, golf and swimming behind an increasing number of delegates. By the close of the day the program was running seven speakers behind schedule.

Ben Schlanger, New York architect, opened the resumed agenda with a discussion of modern functional designs in theatres. He told of the S. M. P. E.'s efforts at seeking information directly from exhibitors in an effort to establish theatre construction standards. Replete with interesting information, among the points he emphasized was the maximum depth of the perfect auditorium which, he declared, must not exceed two and one-quarter times its width, while the actual auditorium seating width should never be more than three times the width of the screen. Seats beyond such limitations, he held, were wasted, since from them a spectator could only get distortion.

Byoir Talks Advertising

Carl Byoir, publicity man, but a self-styled "public relations counsel," took it upon himself to tell wherein motion picture publicity was "all wet." Exhibitors were dissipating a cool $100,000,000 annual gross which might be theirs, he said, by having failed to develop a publicity formula which stressed the continuity of their entertainment, thereby failing to prove persuasive enough to bring patrons back as regular patrons.

"Sustaining elements" in film exploitation were what Byoir viewed as essential, which he followed with the bland statement that advertising, as currently keyed, "was driving the patron away." Willingly supplying the information that he was not interested in motion pictures, Byoir also made it quite clear that he might be if some producer came along and offered him a retainer.

"What Air Conditioning Means to the Box Office" was the general title of a paper read by L. L. Lewis, representing the Carrier Engineering Corp., Newark—the designation conveying the substance of the message.

Hal Kopplin, advertising manager of Wometco Theatres, Miami, took as his theme "Theatre Advertising in Newspapers" and, by samples of copy prepared for attractions currently playing his circuit's houses, illustrated his points. He struck for hand-drawn ads to supplement press books, and set up as a guiding note for his listeners a theorem that the copy should first sell the exhibitor himself before he tries it on the public.

Roy L. Smart of the Wilby-Kincey Management Co., Charlotte, declared that it was essential for exhibitors to win new patrons in view of the producer demands for a greater share of the gross. This, he said, meant a greater intake and, therefore, more customers. Untapped sources, such as direct appeals to those engaged in professions and trades illustrated in current product, were available for exhibtor application and ingenuity, he stated.

Kuykendall Promises "Fireworks"

Kuykendall late today promised "fireworks" for the final session Thursday. There are some who have their doubts, so regimented is the convention procedure. The highlight of the meeting, now, is expected to be the address by Adolph Zukor. His appearance will swell the attendance. For one thing, Paramount partners will attend en masse as a gesture to the chairman of the board of the company.

The banquet which usually terminates all M. P. T. O. A. conventions is slated for Thursday evening at the Miami Biltmore, followed by an elaborate water carnival in the hotel's spacious pool. Cotton blossoms appeared from nowhere today with a "Come to Memphis" tag attached and were considered to be M. A. Lightman's effort to bring the 1938 convention to his city. The only other sentiment voiced thus far is for Pinehurst, but the decision, as usual, will be made by the directors in due course.

Despite the approaching termination of the meeting, visitors continued to arrive today, including Frank C. Walker, Major Leslie E. Thompson, who will address both M. P. T. O. A. and Paramount on the Will Rogers Memorial Hospital fund drive, Colvin Brown, Austin Keough, Joe Unger and A. P. Waxman.

The weather, which has been cool, took a turn for the warmer today, which is more than can be said for developments on the convention floor.

Without Armor

Miami, March 17.—Unconscious humor entered the official registration list of the M. P. T. O. A. today. Ed Goldstein was the name, New York the home town and his business: "Bank Knight."

Nine Prizes Set for MPTO Golf Tourney

Miami, March 17.—Nine prizes are set for the golf tournament which is to be held Friday at the Miami-Biltmore Golf and Country Club. Albert Warner is in charge.

The first prize will consist of a modern cocktail tray and glasses, contributed by American Seating Co. The second award will be a leather golf and traveling bag, donated by National Screen Service through Herman Robbins.

Prize three: a silver golf trophy with silver sea shell background, contributed by National Theatre Supply.

Prize four: one case Cutty Sark Scotch, given by Alexander Film Co.

Prize five: a Waltham onyx clock with an inscribed plate, given by Charles Kessnick, Loew's southern district manager.

Prize six: an RCA radio, given by RCA.

Prize seven: a leather golf bag, contributed by Warners.

Prize eight: a set of golfing accessories comprising an umbrella, raincoat and 19 balls; given by Universal through James R. Grainger.

Prize nine: set of Bobby Jones wood clubs, presented by Erpi.

Paramount Partners At Ease

Round-tabling under a Miami Beach umbrella prior to the opening of Paramount theatre partner discussions, which start today. From the left are: Robert J. O'Donnell, Dallas; Barney Balaban, Paramount president; William K. Jenkins, Atlanta; Y. Frank Freeman, vice-president in charge of theatres; Karl Hoblitzelle, Dallas; Adolph Zukor, board chairman; E. V. Richards, New Orleans.

Conciliation Board Outlook Believed Dark

(*Continued from page 1*)

now than they were two months ago, when the last of the distributor replies to the M. P. T. O. A. trade practice program was received. Nothing has been done in the way of defining the procedure of the boards, their jurisdition, the type of complaint they may hear or in agreeing upon their personnel. No distribution company has authorized its branch managers anywhere to participate in the establishment of a board. Without these steps being taken, M. P. T. O. A. leaders here admit, little or nothing can be done in the way of setting up a board or permitting it to function.

Also, as disclosed by Motion Picture Daily a month ago, distributor attitudes toward the boards are sharply divided. No two are in complete agreement on the type of complaint involving their contracts with exhibitors which they would be willing to leave to a conciliation board to settle. Moreover, some contend that they will not support the boards unless exhibitors, as well as distributors, contribute to the cost of maintaining them.

Attack Reel Censor At Hearing in Ohio

(*Continued from page 1*)

circulation of 75,000,000 and that the publicity given Ohio in the reels is worth 100 times as much as the censorship revenue, which was estimated at $35,000 annually. No cuts ever were made in newsreels, he said, and called such action discriminatory. Reels are entitled to the same freedom as the press, he held.

Jack Connolly, general manager of Pathe News, said there is no profit made from newsreels. "Our profit last year was less than $400. We paid $5,400 in Ohio censorship fees," he said. He cited the fact that only two other states, Maryland and Virginia, censor newsreels.

Franklin H. McNutt, of the state Educational Dep't opposed the dropping of censorship of reels because of the loss of revenue, part of which goes to the schools to maintain film libraries, the balance going for the publicizing of the state.

Action by the committee was deferred until some time next week.

Hold Ban on "Flames"

Columbus, March 17.—Although "Spain in Flames" recently was reported released by the censors, the board at the eleventh hour refused to remove the ban, although it consented to another review. It now is officially stated that the ban will be permanent in Ohio because of the film's "extremely partisan propaganda and decidedly negative attitude toward religion."

Two Held Over in B'lyn

Si Fabian is holding over "A Midsummer Night's Dream" at the Brooklyn Strand and "When You're in Love" at the Fox. The first named film garnered about $14,000 for the first seven days, ending last night.

Doubt Raised Over Validity Of Dakota Law

(Continued from page 1)

commonly termed the police power of the state.

"If the proposed law does not bear a real and substantial relation to the public health, safety, morals or some other phase of the general welfare, then it is an unconstitutional invasion of the rights enumerated above. The question, therefore, is debatable with, it seems to me, the preponderance of the argument against the constitutionality.

"It seems to me that this proposed law is, in all essentials, like the law of Pennsylvania which prohibited the ownership and operation of drug stores by anyone other than registered pharmacists. This law was held to be unconstitutional by the Supreme Court of the United States by a seven to two decision of the justices in Louis K. Ligget Co. vs. Boldrige."

Points to Inconsistencies

Replying to a defense of the theatre divorcement measure presented before the Judiciary Committee of the Ohio House today by P. J. Wood, secretary of the Ohio I. T. O., Pettijohn declared, "The bill was not drawn by Ohio citizens but by a group without financial investment who never made or distributed pictures. The bill omits reference to an exhibitor engaging in distribution."

Pettijohn cited the fact that producer-controlled houses pay $8,000 to $10,000 for first runs when subsequents pay as little as $10 for the same pictures. He noted that there are only 39 affiliated houses out of 546 in the Cleveland area and only 66 affiliated out of a total of 830 in the Cincinnati territory, including Louisville, outside of Ohio.

"There is no monopolistic practice here," said Pettijohn, "any more than the fact that three automobile companies control 85 per cent of the automomile output. If there is to be a penalty for success or genius, then the bill applies. The group framing the Ohio bill framed similar measures in other states with almost identical verbiage. The sole aim was to stir trouble. You certainly should not place a penalty on a man earning an honest living. If exhibitors get back into the show business and eliminate Bank Night, double features and other schemes, the industry will be better off."

Constitutionality Doubted

Pettijohn declared further that the bill is invalid on constitutional grounds.

Wood declared the bill is not designed to force anyone out of business or to decrease employment. It is designed, he held, to take the producer out of competition with the customer, the exhibitor. He declared the combination jeopardizes the public interest. He called the producer operation a monopoly, "which is being daily drawn tighter unless checked by the proposed legislation."

Martin Blum, attorney and officer of the Cleveland stagehands' union, declared his organization is "absolutely opposed" to the passage of the bill, observing that there is no reason for divorcing production, distribution and exhibition.

Other opponents of the measure were Frank Drew, M-G-M manager and president of the Cleveland Film Board of Trade, who declared independents in his territory are satisfied at present, and J. M. Ullmer, theatre attorney, who said all independents are not in favor of the legislation.

Sidney Hess, chairman of the Judiciary Committee, declared, "There is insufficient information to enable us to form a proper conception of the situation. Action will be deferred until some future meeting."

Others in attendance at the hearing were Ike Libson, Maurice White, Stanley Jacques, Nat Holt, John Schwalm, Harry Schreiber, Edward Finney, Duke Clark, John Bancroft and A. W. Hill.

Theatre Men Unconcerned

Miami, March 17.—An attitude of unconcern is apparent among theatre men here in discussing Allied's efforts in behalf of state laws to force producers and distributors out of the exhibition field. Major companies will fight the law on constitutional grounds up to the U. S. Supreme Court.

Typical of this attitude was the comment of a theatre operator who said: "What of it! It will take four or five years to prove the legality of the measures. This will carry the issue well into 1942, or thereabouts, and that's a long time off."

◂ *Purely Personal* ▸

MITCHELL LEICHTER, vice-president of Advance Pictures, Inc., has left for a trip that will include stops at Salt Lake City, Denver, Dallas, Atlanta, St. Louis, Chicago, Detroit, Cleveland, Pittsburgh, Cincinnati, Buffalo, Boston and Philadelphia.

•

Edward Golden, general sales manager for Monogram, yesterday celebrated another birthday. Golden says he's 40, because that's when life begins, according to Walter B. Pitkin.

•

Arthur W. Kelly and Monroe Greenthal have returned from the coast after attending production conferences with Dr. A. H. Giannini and George J. Schaefer.

•

Sam A. Galanty, Columbia division manager with headquarters in Washington, will wind up a two-day meeting with home office executives today.

•

Moe Streimer held a special homecoming party for Leo Justin at the Tavern Tuesday. A number of friends attended.

•

Harry Gold will leave today for Miami and then Havana. He plans to be gone several weeks.

•

H. Dulin of Universal flew to the coast yesterday via American Airlines.

•

L. A. Wileman of Wilbar Photo Engraving will leave for Detroit today by plane.

•

Alfred Newman, musical director for Walter Wanger, leaves the coast today for a vacation here.

•

Margaret Lindsay left for the coast yesterday.

PAUL GRAETZ of Paris Export may sail today for home on the *Normandie*. Then again he may delay his trip until next week when the *Queen Mary* sails. He said yesterday that Ludovico Toeplitz is planning to produce six pictures a year in Italy.

•

Eddie Carrier of Loew's left yesterday for Philadelphia, Baltimore and Washington. He'll be gone several days in connection with "The Good Earth" showings.

•

George J. Schaefer has postponed his departure from the coast and is not expected at his office until the latter part of next week.

•

Charles Pati of Loew's purchasing department will add another year to his age today. Max Wolff's falls on March 24.

•

Harry Goldberg, director of Warner theatre advertising and publicity, arrives in Pittsburgh today to prepare Easter campaigns.

•

John W. Hicks, Jr., Paramount vice-president, sails today on the *Normandie*. It is his semi-annual survey trip.

•

George E. Quigley, former vice-president of Vitaphone, arrived from Europe yesterday on the *Berengaria*.

•

Charles Farrell sails today on the *Berengaria*. He will make a film in England.

•

Joseph I. Breen is expected here today from Hollywood.

•

Dave Rubinoff will play at a concert at Bristol, Conn., March 29 for the benefit of the Bristol Hospital.

Agreement Reached On Writer Credits

(Continued from page 1)

not be shared by more than three, the writers chiefly responsible being those to receive the credit. The only exception to this rule will be on musicals where one writer or a team writes both the original story and screenplay. An established writing team will be deemed one writer.

No production executive can share in screen authorship credit unless he does his writing without collaboration of another writer. Where more than one writer has contributed to screen authorship all contributors may agree among themselves as to which one, two or three shall have credit. If the writers cannot agree, the producer will notify the writers which has been chosen. Credits become final if no protests are made within a specified time. If writers request the privilege of reading the script to ascertain how much of their work has been used 48 hours must be allowed before credits become final.

Disavow Michael Mindlin

Morgan Prod., Ltd., of London, has cabled Motion Picture Daily, declaring that Michael Mindlin no longer represents the company for the sale of "our British product in America, including 'The Mill on the Floss'."

20-Fox '36 Net Jumps to $7,924,126

(Continued from page 1)

one-half interest" in its investment in Metropolis & Bradford Trust, Ltd. (Gaumont British). The sum was added to working capital. The report also states that the company's investment in M. & B. was reduced to $7,237,368 by writing off $9,850,250 of the investment under the provisions of a $14,500,000 reserve for revaluation of investments authorized under the company's 1933 financial reorganization plan.

The $4,649,750 balance of this reserve fund was written off the company's investment in Movietonews, Inc., and sundry other companies, rereducing this item to $611,649.

Total dividends paid by the company amounted to $5,066,280 for 1936

The company's balance sheet shows cash of $5,718,032. Operating income amounted to $54,031,780, of which $51,670,694 was income from sales and rentals of film and literature.

In his report to the stockholders, Sidney R. Kent, president, states, "The management of your corporation believes that the results for the past year were satisfactory. New sales records were established and your corporation's product continues to be well received by exhibitors and the public throughout the world."

Frankly devised for the box-office! Spectacular representation of a shipwreck, calculated to rivet you to your seat!

— PHILIP K. SCHEUER
Los Angeles Times

WALTER WANGER presents
CHARLES BOYER
and JEAN ARTHUR in
HISTORY IS MADE AT NIGHT
with
LEO CARILLO · COLIN CLIVE
Directed by FRANK BORZAGE Original story by Gene Towne and Graham Baker
Released thru UNITED ARTISTS

Balcon Arrives for Coast Conferences

Michael Balcon, new British production head for M-G-M under Ben Goetz, arrived yesterday from England on the *Berengaria* to spend the next three to four weeks searching for stories and conferring on production matters on the coast.

Balcon left yesterday on the Century to talk with Nicholas M. Schenck, J. Robert Rubin,, Louis B. Mayer, Goetz, Benny Thau and Bob Ritchie on the number of pictures to be made in England and details in connection with players and technical staffs. Goetz, Thau and Ritchie arrived last week on the *Queen Mary* and are now in Hollywood.

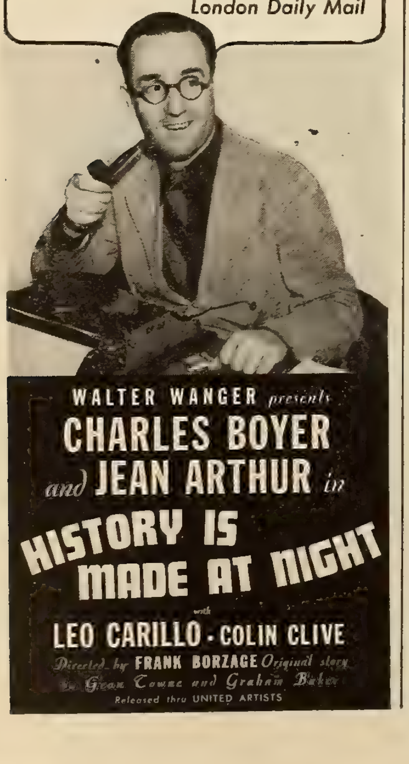
The first two stories, Balcon said, are being prepared. They are "Rage in Heaven," by John Hilton, and "Yank in Oxford." No casts have been selected as yet, but there is an indication that a number of M-G-M players in Hollywood will be sent over to appear in the British lineup.

George A. Wright Dead

SOUTH NORWALK, Conn., March 17.—George A. Wright, Sr., one of the first settlers of the theatrical colony here, is dead at his home in Rowayton after a brief illness. A son, George A. Wright, Jr., for years stage director for Golden and now in Hollywood, survives.

Gabriel Signoret Dead

PARIS, March 17.—Gabriel Signoret, prominent French stage and screen player, died yesterday following an operation. He was 59.


Brilliantly clever mixture of comedy, drama, mystery and melodrama . . . something for everybody, with superb performances by Jean Arthur, Colin Clive, Charles Boyer and Leo Carrillo. —BILL MOORING
Film Weekly and London Daily Mail

WALTER WANGER presents
CHARLES BOYER and JEAN ARTHUR in
HISTORY IS MADE AT NIGHT
with
LEO CARILLO · COLIN CLIVE
Directed by FRANK BORZAGE Original story by Gene Towne and Graham Baker
Released thru UNITED ARTISTS

Boston Trust Suit Dismissal Is Asked

BOSTON, March 17.—A plea to dismiss the $100,000 anti-trust suit brought by Commonwealth Amusement Enterprises, Inc., against Colonial Theatres, Inc., in Federal District Court here was taken under advisement this morning by Judge Sweeney. The case is one of six being prosecuted by George S. Ryan, attorney for the Charles Morse Circuit against major distributors. Ryan has announced his intention in court of trying these six cases and two similar actions, one for Mrs. Loretta Momand and one for Louis Anger, at a single trial.

The M. A. Shea Circuit of New York claimed this morning that inasmuch as only a few of its booking duties are performed in Boston, whereas contracts and other details are attended to in New York, that the local Federal court does not have jurisdiction in the present matter, which alleges conspiracy in restraint of trade and monopoly in the Nashua, N. H., theatre situation.

Voteur Ruling Reserved

Justice Charles B. McLaughlin in N. Y. Supreme Court reserved decision yesterday on a motion made by Columbia for an order which would require Ferdinand Voteur, a writer, to submit a bill of particulars in support of his $1,000,000 suit against Columbia. Voteur asserts that he submitted a play, "Resurrection Morning," to Columbia, that the play was rejected and that subsequently Columbia produced "The Man Who Lived Twice" which was identical in most particulars with his work.

Columbia would have the plaintiff show in what respect the two plays are similar and explain what facts and situations are alike.

Gaige Sues 20th-Fox

Crosby Gaige, writer, has filed suit in N. Y. Supreme Court against 20th Century-Fox in which he charges plagiarization of the title of "Little Miss Nobody." He asks damages of $50,000. The suit was revealed yesterday when Justice Cottillo denied the writer a bill of particulars in support of the film company's general denial.

Warners Seek a Dismissal

Warner Bros. Pictures yesterday filed a motion in Federal Court here to dismiss a $100,000 damage suit brought by Richard Carroll, writer, on the grounds that the complaint failed to state a cause of action.

Carroll alleges that he submitted two scenarios to Warners, which were rejected. Subsequently, he charges, Warners filed notice with the M.P.P.D.A. of intention of producing a film based on the building of the Panama Canal, the subject of the scenarios. Warners deny that notice to produce such a picture was filed by the company.

Tricolor Questions McKeown

LOS ANGELES, March 17.—An all day cross examination of Samuel S. McKeown, assistant professor of physics at California Tech, marked the resumption of trial here today of the Tricolor patent infringement action against Technicolor. McKeown had previously testified for Technicolor, supporting the latter's claims to priority of patents covering the color cameras involved in the action. Tricolor attorneys failed today to alter his testimony.

Technicolor will continue the presentation of its case on Thursday, with indications that the hearings will be concluded by the end of the week.

Premature

Henry Henigson, former Universal studio head, yesterday got a great kick out of a report that he had rejoined the company in the same capacity.

A friend who had read the item in a coast trade paper sent Henigson a wire congratulating him on his appointment.

According to Henigson, he came east to visit a sick member of the family and attend a few shows. Another two days in town and he will be on his way to Hollywood again.

Hii, Chinese Bull, Here Led by Phifer

Hii, the Chinese bull in "The Good Earth," will arrive today from Boston, where he has been for the past two days. The bull will spend two days in town and then leave for Philadelphia where the picture is showing at the Locust.

Hal Phifer of Loew's exploitation department is conducting the appearance tour of the animal under William Ferguson's direction. The itinerary so far calls for the following visits:

Baltimore, March 22-24; Washington, March 25-27; Pittsburgh, March 29-31; Cleveland, April 1-3; Chicago, April 5-8; Buffalo, April 10-12; Erie, Pa., April 13; Akron, April 14; Canton, April 15; Zanesville, April 16; Columbus, April 17; Dayton, April 19; Cincinnati, April 20-21; Detroit; April 23-27.

"The Good Earth" will be playing in each city where the bull arrives.

"Girls" London Success

Lord Portal, General Film Distributors, Ltd., executive, called J. Cheever Cowdin, chairman of the Universal board, yesterday morning on the trans-Atlantic telephone to report the highly successful opening of "Three Smart Girls" in London's West End. It was a charity affair and, Portal added, not only did it establish Deanna Durbin at the box-office, but any of the other three featured players could carry a starring picture of his own in England.

N. O. Cases Postponed

NEW ORLEANS, March 17.—Two court cases, Federal and state, in which exhibitors are asking the courts for relief against so-called arbitrary methods of exchanges have been delayed again.

In the Federal case, Fuller vs. 20th Century- Fox and six others, has been postponed to March 22 by request of attorneys for the exchanges.

The United Theatres vs. Columbia case wherein United asks an injunction prohibiting Columbia from supplying "Theodora Goes Wild" to other houses has been postponed until next week because of the absence of witnesses.

RKO Hearings May Go Before Master

(Continued from page 1)

side litigation. Included in this category are three actions brought by holders of the old RKO Class A stock to test the validity of RKO's recapitalization plan of 1931; actions by Orpheum Circuit preferred stockholders to set aside RKO's acquisition of Orpheum assets and a move for court authority to pay off the outstanding RKO secured notes.

Litigation of this kind has monopolized the court's time so that no hearings on the plan itself have been held since it was presented to the court last November.

RKO Gets Interest In Brooklyn Houses

RKO yesterday completed negotiations for the purchase of a half interest in Randforce's Republic and Lefferts in Brooklyn. The deal becomes effective in September, with the start of the new season. It will make the houses first runs on a day-and-date arrangement with the entire RKO metropolitan circuit.

Nate J. Blumberg represented RKO, while Sam Rinzler acted for the independent circuit. The deal had been on and off for almost a year.

Within the next few months, construction on a new RKO 4,000-seat house on W. 23rd St. will get under way. Plans for another de luxe theatre by the circuit on upper Broadway will most likely be abandoned now that pooling negotiations with Skouras are under way. Several RKO and Skouras uptown houses are involved. This deal also will be ready for operation by September.

Zirn Says Stadium Paid Out $143,000

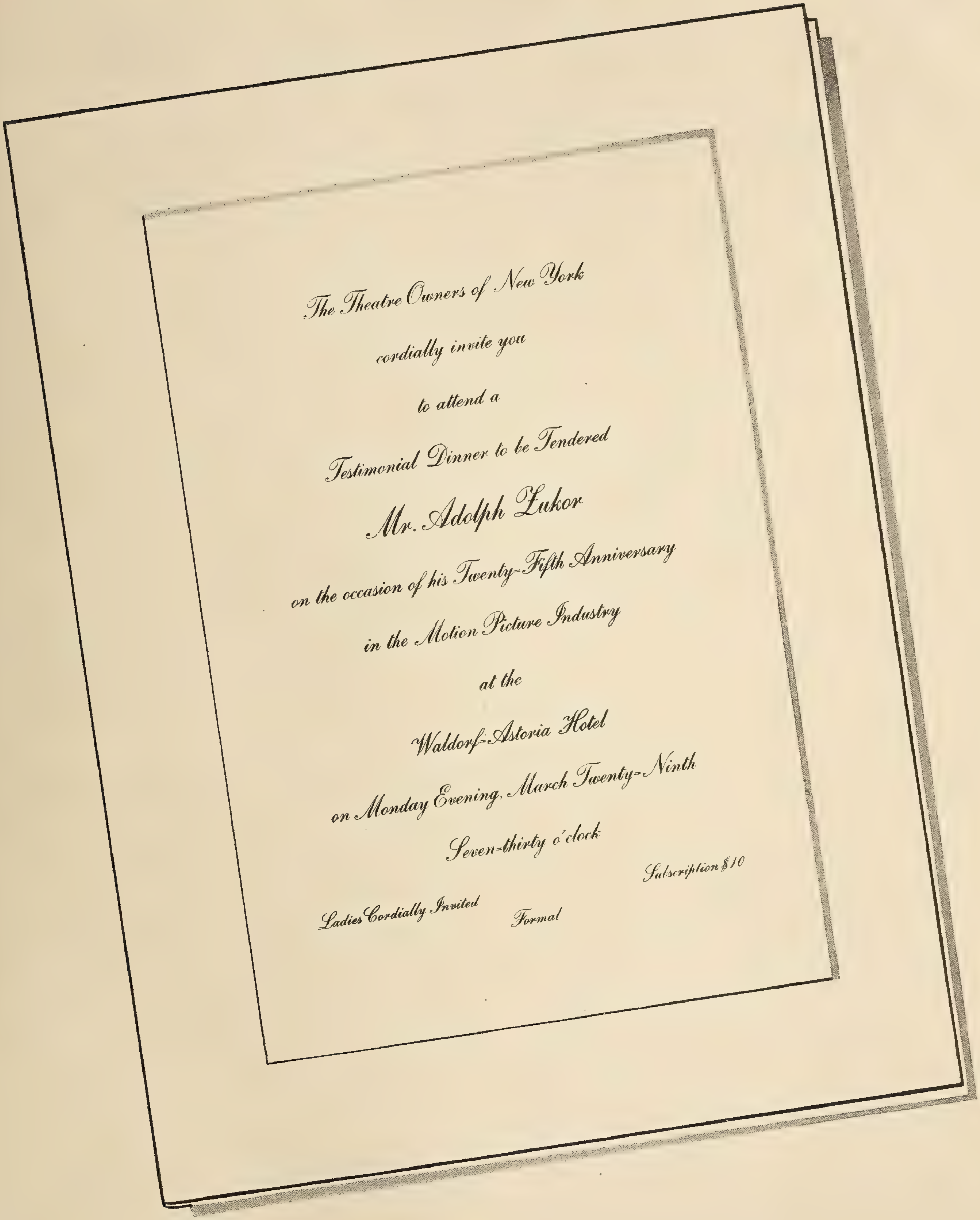
Samuel Zirn, attorney for San Francisco holders of Orpheum Circuit preferred stock, charged at a hearing before Federal Judge Murray W. Hulbert yesterday that Stadium Theatres Corp., RKO subsidiary, acquired Orpheum's assets for a cash outlay of $143,000, instead of the $700,000 cash consideration provided for in the Stadium bid.

Zirn contended that Stadium had $557,000 cash on hand, which he claimed was derived from Orpheum, thereby reducing the cash outlay involved by that amount. Without disclosing the amount of cash on hand, counsel for Stadium admitted that Stadium had realized on a liquidation of Orpheum assets.

Zirn is endeavoring to have the transaction by which Stadium acquired the Orpheum assets set aside and the sale reopened. He also asks the removal of Oscar W. Ehrhorn as referee in the proceedings and the removal of Douglas Black as counsel to Marcus Heiman, Orpheum trustee in bankruptcy. The hearing will be resumed today.

Wary on Joining AFL

NEW HAVEN, March 17.—Sentiment of a group of exchange employes toward making application for an A. F. of L. charter for their budding union organization here appeared to be uncertain following a meeting today. Only seven names were reported to have been given in favor of the charter application. A new organizing meeting has been called for Monday.



The Theatre Owners of New York

cordially invite you

to attend a

Testimonial Dinner to be Tendered

Mr. Adolph Zukor

on the occasion of his Twenty-Fifth Anniversary

in the Motion Picture Industry

at the

Waldorf-Astoria Hotel

on Monday Evening, March Twenty-Ninth

Seven-thirty o'clock

Subscription $10

Ladies Cordially Invited

Formal

Reservations from
WILLIAM BRANDT, Chairman
Globe Theatre
Times Square, New York

FCC Hearings From April to June Are Set

WASHINGTON, March 17. — The F.C.C. today made public a tentative schedule of hearings from the middle of April to the end of June, as follows:

April 15—Before the broadcast division: Applications of the Hannibal Broadcasting Co. and of the Courier-Post Publishing Co. for new stations at Hannibal, Mo., operating on 1,310 kilocycles, 100 watts; Hunt Broadcasting Ass'n, Greenville, Tex., for new station on 1,200 kilocycles, 100 watts, and Stations KFPM, Greenville, Tex., for change of frequency to 1,420 kilocycles and increase of power to 100 watts, and KALB, Alexandria, La., for increase of time.

April 16—Before an examiner: Applications of Stations WIOD-WMBF, Miami Beach, for change of frequency to 610 kilocycles; and KJBS, San Francisco, for change of frequency to 1,080 kilocycles.

Heavy Day for April 19

April 19—Before an examiner: Applications of Valley Broadcasting Co., Youngstown, for 1,350-kilocycle, 1,000-watt station; Abraham Plotkin, Chicago, for 1,570-kilocycle, 1,000-watt station; Philadelphia Radio Broadcasting Co., Philadelphia, for 1,570-kilocycle, 1,000-watt station; Ohio Broadcasting Co., Marion, O., for 880-kilocycle, 250-watt daytime station; Food Terminal Broadcasting Co., Cleveland, for 1,500-kilocycle, 100-watt daytime station, and Summit Radio Corp., Akron, for 1,530-kilocycle, 1,000-watt station; and Stations KGBX, Springfield, Mo., for increase of power to 500 watts; WHK, Cleveland, for increase of day power to 5,000 watts; WDAS, Philadelphia, for change of frequency to 1,390 kilocycles and increase of power to 500 watts night, 1,000 watts day; KQV, Pittsburgh, for increase of power to 1,000 watts; WSMK, Dayton, for increase of power to 250 watts night, 500 watts day; and WMBH, Joplin, Mo., for change of frequency to 1,380 kilocycles and increase of power to 500 watts.

Arkansas Pleas to Be Heard

April 20—Before an examiner: Application of Radio Enterprises, Inc., Hot Springs, Ark., for 1,310-kilocycle, 100-watt daytime station, and Associated Arkansas Newspapers, Inc., Hot Springs, for 1,310-kilocycle, 100-watt daytime station.

April 22—Before the broadcast division: Application of Hildreth & Rogers Co., Lawrence, Mass., for 680-kilocycle, 1,000-watt daytime station, and Old Colony Broadcasting Corp., Brockton, Mass., for 680-kilocycle, 250-watt daytime station; and Station WNBC, New Britain, Conn., for increase of time and increase of day power to 1,000 watts.

April 23—Before an examiner: Application of John C. Hughes, Pheonix City, Ala., for 1,310-kilocycle, 100-watt daytime station; G. Kenneth Miller, Tulsa, Okla., for 1,310-kilocycle, 100-watt station; Galesburg Printing & Publishing Co., Galesburg, Ill., for 1,500-kilocycle, 250-watt daytime station, and Ann Arbor Broadcasting Co., Ann Arbor, for 1,550-kilocycle, 1,000-watt station.

April 26—Before an examiner: Applications of Clark Standiford and L. S. Coburn, Fremont, Neb., for 1,420-kilocycle, 100-watt station; Frank M. Stearns, Salisbury, Md., for 1,200-kilocycle, 250-watt daytime station, and Dan B. Shields, Provo, Utah, for 1,200-kilocycle, 100-watt station.

April 29—Before the broadcast division: Applications of George Harm, Fresno, Cal., for 1,310-kilocycle, 100-watt station, and Station WAAB, Boston, for increase of day power to 1,000 watts.

Coral Gables Asks Station

April 30—Before an examiner: Applications of F. W. Borton, Coral Gables, Fla., for 1,420-kilocycle, 100-watt station; Roberts-MacNab Co., Bozeman, Mont., for 1,420-kilocycle station, 100 watts night, 250 watts day, and Earl Weir, St. Petersburg, Fla., for 1,370-kilocycle, 100-watt station.

May 4—Before an examiner: Applications of C. P. Sudweeks, Spokane, for 950-kilocycle station, 500 watts night, 1,000 watts day; Clarence A. Berger and Saul S. Freeman, Coeur d'Alene, Idaho, for 1,200-kilocycle, 100-watt daytime station.

May 5—Before an examiner: Applications of George W. Young, St. Paul, Minn., for 920-kilocycle station, 1,000 watts night, 5,000 watts day; National Battery Broadcasting Co., St. Paul, for 920-kilocycle station, 1,000 watts; National Battery Broadcasting Co., St. Paul, for 580-kilocycle, 1,000-watt station; Northern Broadcasting Co., Traverse City, Mich., for 830-kilocycle, 500-watt daytime station; Northwest Publications, Inc., Duluth, for 580-kilocycle, 250-watt daytime station; and Station WAAF, Chicago, for increase of time and increase of day power to 5,000 watts.

To Consider Time Increases

May 11—Before an examiner: Applications of Stations KFUO, Clayton, Mo., for increase of time to 1,000-watts night, 5,000 watts day; WAAT, Jersey City, for increase of power to 1,000 watts; and KFRU, Columbia, Mo., for increase of night power to 1,000 watts.

May 12—Before an examiner: Application of Central Michigan Radio Co., Mt. Pleasant, Mich., for 570-kilocycle, 250-watt station.

May 18—Before an examiner: Application of Stations KVOO, Tulsa, Okla., for increase of power to 50,000 watts; and KYW, Philadelphia, for increase of its power to 50,000 watts.

June 1—Before an examiner: Application of W. H. Hartman Co., Waterloo, Ia., for 1,420-kilocycle, 100-watt station.

June 28—Before an examiner: Application of Station KRKO, Everett, Wash., for change of frequency to 1,420 kilocycles and increase of power to 100 watts night, 250 watts day.

"Definite Value"

"I want you to know that I have read with interest your coverage on radio. I can only say that I believe it has a definite value to the exhibitor and I look forward with interest to it."—*R. J. O'Donnell*, general manager, Interstate Circuit, Inc., Dallas.

KDYL in Store Tieup

SALT LAKE CITY, March 17.—KDYL has taken the lead in promoting and broadcasting a new idea in merchandising for department stores. A new contract with the Auerbach Co., leading department store, calls for five remote control broadcasts a day from the store.

KDYL's Engineering Staff has wired the three-story building—providing remote outlets in every department to which portable equipment can be connected.

Department heads, sales people and customers, are interviewed. Broadcasts are planned 10 days in advance with the store's advertising department—coordinating the radio promotion with the store's newspaper and other advertising.

"Welcome Valley" to Fade

"Welcome Valley," long-term network favorite, fades from the NBC airwaves with the broadcast of April 30, and will be succeeded the following Tuesday, April 6, by a new program entitled "It Can Be Done."

The new series will continue to star Edgar Guest, and will feature the band of Frankie Masters. The time and network, Tuesdays, 8:30 to 9 P.M., E. S. T. on the Blue, remain the same as at present.

Sarnoff on Holland Program

David Sarnoff, president of RCA, will broadcast greetings to the N. V. Philips Omroep Holland-Indie, European shortwave transmitter, March 20, on the 10th anniversary of the founding of the foreign station. The address here will be carried over the combined NBC-Red and Blue networks beginning at 9:21 A.M., E.S.T.

Bette Davis, Bogart on Air

Bette Davis and Humphrey Bogart will offer a radio version of their latest film, "Marked Woman," on "Hollywood Hotel" March 26. The engagement marks Miss Davis' first appearance on the program this year, and Bogart's second "Hotel" appearance in the last month. He previously appeared in "Black Legion."

"Mason, Dixon" Starts March 23

"Mason and Dixon," new team discovered by Charles Wilshin, director of WMCA's artists' bureau, start a three-a-week series over the Inter-City network March 23. They will be heard Tuesday, Thursdays and Fridays at 10:45 A.M.

WINS to Broadcast Circus

WINS will broadcast the Cole Bros.-Clyde Beatty Circus daily from the Hippodrome beginning March 18 and continuing through March 22. Additionally, the broadcasts will be fed to the affiliated stations of the New York State network.

Plan Mexican Network

SAN DIEGO, March 17.—Plans are under way for a new Mexican network linking border station in Tijuana and Mexicali, Lower California.

Wave Bouncing Hits San Diego Reception

SAN DIEGO, March 17. — The current prize CBS coast headache is self-interference which messes up KNX programs for the San Diego area.

The network outlet has been via the Don Lee web, serving San Diego through KGB. The recent shakeup which left KGB a Mutual outlet and chopped CBS off at KNX created a situation which has both the San Diego listeners and the chain up in the air.

The reason is that when night sets in, periodic mushiness messes up KNX programs here. Technical men say all stations experience this difficulty at certain distances. It seems the sky wave bounces back from the heavyside layer to clash with the ground wave. The twin waves go in and out of phase. In daylight the sky wave is ionized by the sun's rays and is absorbed before it gets a chance to bounce.

Radio columnists, lacking satisfactory explanations from CBS as to its plans, are taking the KNX outlet for a ride, with fans bombarding the station and sponsors with squawks on reception. Most listeners have to turn to KSL, Salt Lake, which is just far enough away to fight with the noise level at times.

Ruffner Switch Confirmed

It was officially admitted yesterday that "Tiny" Ruffner is leaving Benton & Bowles to accept a production position with Ruthrauff & Ryan, thus confirming MOTION PICTURE DAILY'S exclusive report a week ago. Ruffner leaves for Hollywood in two weeks to supervise production on the Milton Berle, Joe Penner and Community Sing programs.

Atlantic Gets Pirates Games

The Atlantic Refining Co. has signed to broadcast all Pittsburgh Pirates games away from home over WWSW, Pittsburgh, on a reconstructed basis. N. W. Ayer & Son placed the account.

Wall Street

Board Off; U. Drops 8 Points

	High	Low	Close	Net Change
Columbia	34⅜	34	34	— ⅜
Columbia, pfd.	43	43	43	— ½
Consolidated	4⅝	4⅝	4⅝	— ⅛
Consolidated, pfd.	16¼	16⅛	16¼	+ ¼
Eastman Kodak	165¾	164½	164½	—2¼
Gen. T. Equip.	30	28¾	29	—1
Loew's, Inc.	78½	78	78	— ⅞
Paramount	25¼	24½	24⅝	— ⅛
Paramount 2 pfd.	22¾	21⅞	21⅞	—1
Pathe Film	8⅝	8¼	8½	— ⅛
RKO	8¾	8⅝	8⅝	— ⅛
20th Century-Fox.	40	38¾	39	— ½
20th Century, pfd.	49½	48⅝	48⅝	— ⅞
Universal, pfd.	89	82	82	—8
Warner Bros.	15⅜	15	15	— ⅛

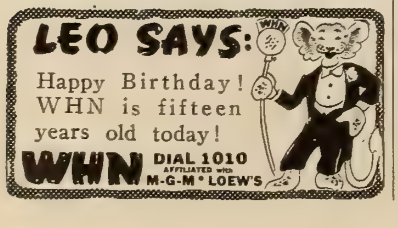
Curb Declines Fractionally

	High	Low	Close	Net Change
Grand National	3⅛	3⅛	3⅛	.....
Sentry Safety	¾	¾	¾	— ⅛
Sonotone	1⅞	1⅞	1⅞	.....
Technicolor	23	22½	22½	— ½
Trans-Lux	4¾	4⅝	4⅝	.....

Warner, Paramount Bonds Gain

	High	Low	Close	Net Change
Loew's 3½s '46	97½	97½	97½	— ¾
Paramount B'way 3s '55	75¼	75¼	75¼	+ ½
Paramount Pict. 6s '55	100¼	100⅛	100⅛	.....
Warner Bros. 6s '39 wd	96½	96	96½	+ ½

(Quotations at close of March 17)


LEO SAYS:
Happy Birthday! WHN is fifteen years old today!
WHN DIAL 1010 AFFILIATED with M-G-M • LOEW'S

KIDO, Boise, to Go Into NBC's Network

KIDO, Boise, Idaho, will be linked to the NBC chain July 1. KIDO operates on a daytime power of 2,500 watts; 1,000 watts at night. C. G. Phillips and Frank L. Hill own the station jointly.

The station will join the North Mountain group, which is an optional web of the NBC network.

Effective with the amalgamation, KIDO will be the only network affiliated station in the entire state. The nearest NBC station is approximately 230 miles away. When the lines are finally linked up, the station will have the longest wire haul of any NBC station.

"Lum and Abner" in Chicago

Chicago, March 17.—"Lum and Abner" arrive here Monday from Hollywood to confer with their sponsors regarding a new premium plan which will be offered on their broadcasts for Horlick this spring. The comedians will continue their program from local studios here, returning to Hollywood next week.

The new premium idea will involve thousands of dollars in cash and merchandise awards, it is reported.

Use Radio in Crime Fight

Detroit, March 17.—Calling radio into service in its war against crime, the Delinquency Prevention Committee of Michigan is presenting a series of educational broadcasts every Monday night at 10:30 P.M., over WWJ. The purpose is to focus civic attention on a basic essential of crime prevention, namely, the reduction of juvenile delinquency.

CBS Men to Confer at Frisco

Hollywood, March 17.—Donald W. Thornburgh and Fox Case, CBS coast officials, leave for San Francisco and Sacramento, tomorrow, to confer with civic and Government officials on the Golden Gate Fiesta in April. The executives will also hold a preliminary discussion on the World's Fair in 1939.

"Coronet" May Be Switched

"Coronet on the Air," currently heard on WOR, may switch to an NBC network instead of a Mutual hookup, it was reliably reported yesterday. The report is that Mutual is experiencing difficulty clearing time for the program.

"Time" to Add Nine Stations

The "March of Time" will add nine CBS stations to the 35 currently carrying the program when it switches on April 15 to the sponsorship of Servel, Inc.

Hal Dieker a Father

Hollywood, March 17.—Hal Dieker, sound effects man with NBC, is celebrating the arrival of a seven-pound girl.

Pictures for Screen Guide

Chicago, March 17.—*Screen Guide*, and not *Radio Guide*, will come out shortly as a pictorial magazine, it is reported here.

McAllister, Menken to Crosley

Cincinnati, March 17.—James McAllister, dramatic player, and Lawrence Menkin, continuity writer, have joined the Crosley radio staff here.

Radio Personals

ARNOLD JOHNSON'S orchestra set for an eight week vaudeville tour, beginning in Philadelphia April 8 . . . Rudy Vallee will highlight the third annual Honor Society of the American Legion broadcast on NBC-Red April 3 . . . Patricia Barclay will be a guest on Crosby Gaige's "Kitchen Cavalcade" March 22 . . . Irene Delroy will guest on Major Bowes' "Capitol Family" broadcast Sunday . . . Principal guest on Ted Hammerstein's "Music Hall" series March 23 will be Tom Chalmers of the "Eternal Road" cast . . . Rubinoff has written a new number, "Banjo Eyes," dedicated to Eddie Cantor, which he'll introduce on his program shortly . . . Pat Casey is Freddie Martin's new vocalist . . . WHN, in addition to WOR-Mutual, will broadcast the Adolph Zukor testimonial dinner March 29 . . . Departing on official business today are John Anderson of Batten, Barton, Durstine & Osborn; W. T. Reddick of N. W. Ayer; and E. L. Petley . . .

* * *

Ed East and Ralph Dumpke, the "Sisters of the Skillet," have been re-signed by Educational for another series of shorts . . . Virginia Seeds, publicity director of WLS, Chicago, is suffering from a broken foot . . . *Advertising Age,* in collaboration with the WMCA "High School Reporter" program, is offering $1,000 in cash prizes in an essay contest . . . Nellie Revell's guests for the next three broadcasts are as follows: Lannie Ross, March 23; Ethel Barrymore, March 30, and Beatrice Lillie, April 6 . . . Albert Payson Terhune added as guest on Joe Cook's "Shell Show" program this Saturday . . . Lee Sullivan and Neila Goodelle, both of NBC, now beginning a new cycle of Educational shorts . . .

* * *

Clyde Beatty will be the guest of Sam Taube on WHN this Sunday at 1 P.M. . . . Billy Glason's "Funfest" on WMCA will be heard at a new hour beginning Sunday. Formerly heard at 6 P.M., the program will thereafter be aired at 2 P.M. . . . "Fats" Waller headlines the CBS "Swing Club" Saturday night . . . Bud Rainey has again started his "Sunshine at Midnight" program on WHN . . . Cookie Bowers sails today on the *Normandie* . . .

* * *

Lanny Ross has returned from Atlantic City . . . June Collyer and Stuart Erwin will be guests on this Saturday's Sealtest program . . . Walter Winchell is en route east . . .

* * *

Alice Frost replaces Joan Banks on the Stoopnagle and Budd series . . . Amelia Umnitz, formerly of Paramount, has joined NBC's press department as assistant to Betty Goodwin on fashions . . . Little Jackie Heller returning from England . . .

* * *

Chicago Town Pump

Chicago, March 17.—Lily Pons and Andre Kostelanetz will be heard in two performances of the Chicago Civic Opera Co. this fall. Plans are being made for the broadcasts of these appearances over the CBS network but definite dates have not been set . . . Don Hancock is back at CBS after a 10-day siege of the flu . . . Hubert Carson, better known as "Shorty" with the Ranch Boys, plans to marry this fall. His engagement to Miss June Fosse, a local girl, has just been announced . . . Northwestern University journalism students attended a seminar at WBBM on Monday . . . Truman Bradley, James Patt and J. Oren Weaver addressed the students on radio news broadcasting.

* * *

Los Angeles Town Pump

Los Angeles, March 17.—The option of Ken Carpenter, announcer for Marion Talley's Ry-Krisp show, has been taken up to June, 1938, and the program has been renewed for a year. . . . Frank Fay set for Jack Oakie's college over CBS March 23. . . . Sidney Skolsky off the next Cantor show for a later appearance. . . . Cliff Howell, announcer for KFWB for the past six years, has resigned to do free lance work. . . . Harriet Hilliard, Basil Rathbone and Vitya Vronsky and Victor Babin, Russian piano team, will be on Bing Crosby's Kraft program Thursday.

New Accounts to Philly Stations

Philadelphia, March 17.—Breyers Ice Cream Co. has returned for its seasonal campaign over WCAU. It is placed by the McKee-Albright-Ivey, and uses 312 spot announcements in addition to daily weather reports and news flashes. Two other national advertisers have joined the WCAU roster—Norge Rollator, refrigerators, set through Cramer-Krasselt of Milwaukee, will air twice weekly the "All Star Varieties" transcriptions for 13 weeks; and Oenida, Ltd., silverware, set by B. B. D. & O. for a quarter hour weekly for 13 weeks for the "Peggy Tudor" transcriptions.

At KYW, two new national advertisers have bought time. Richard Hudnut perfumes carry the Top-Hatters, studio swing band, for a quarter-hour on Fridays, placed by B. B. D. & O., and Graham-Paige Motor Co., through U. S. Advertising Corp., sponsors a daily, five-minute news shot.

WCTU Plans Spots On Drunken Driving

The W. C. T. U. will spend approximately $200,000 on a radio spot campaign to combat drunken driving. The platters will be placed on a score of stations beginning next month and running through the fall.

Sober driving pledges will be distributed to listeners requesting them.

WKRC to Celebrate

Cincinnati, March 17.—WKRC Columbia-owned station in the Hotel Alms, is planning an hour broadcast for the dedication of new studios and a 5,000-watt transmitter March 27. Governors of three states, Mayor Wilson, and City Manager Dykstra and Timothy S. Goodman, station manager, will be heard. Dramatizations of the history of WKRC, the first radio station here and a history of the city will be among the features aired.

Boltke, Sokoloff with WPA

Los Angeles, March 17.—Guy Boltke has been named production manager and Dr. Nicolai Sokoloff has been placed in charge of all musical project work here for the WPA. Their first commission is to make 16-inch electrical transcriptions locally to add to the volume recorded at the RCA studios in New York.

Crosley to Erect Building

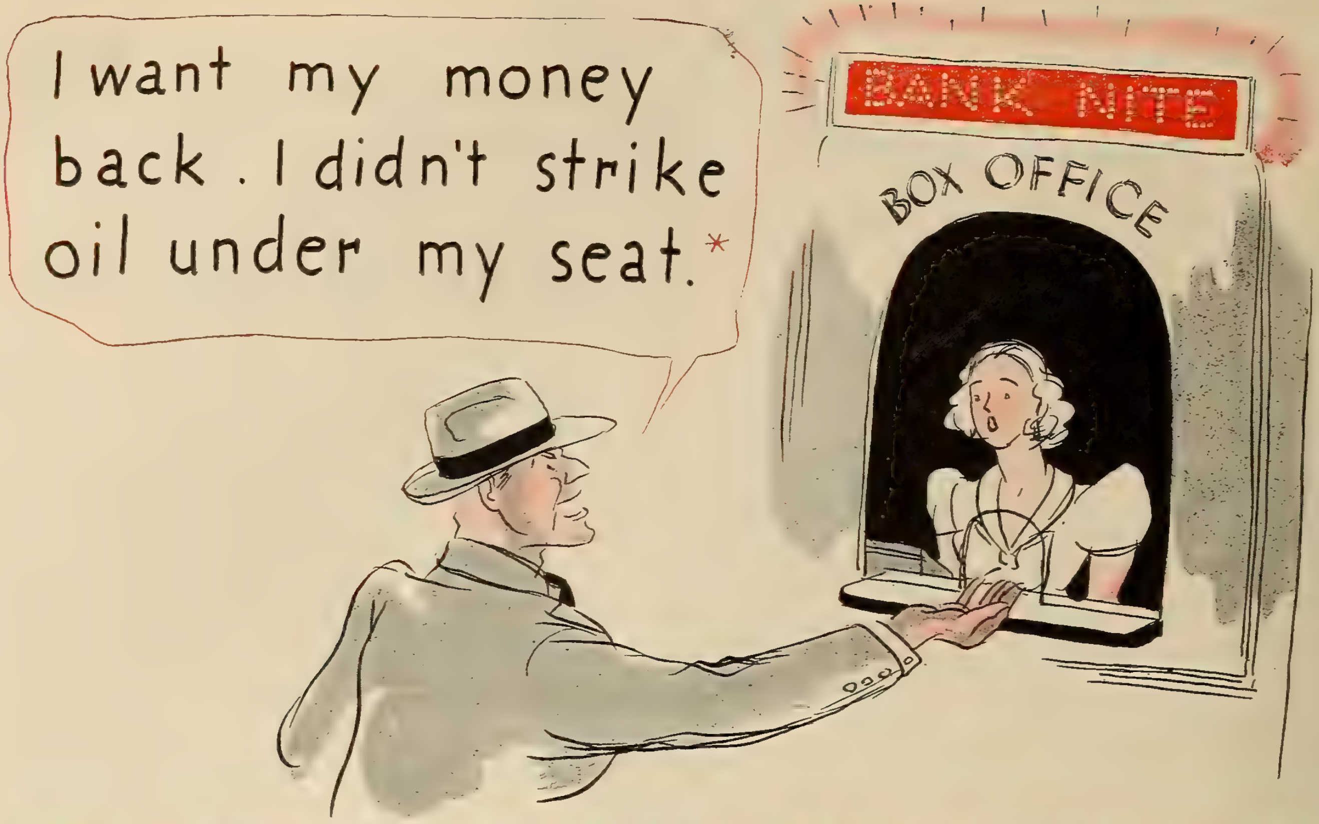
Cincinnati, March 17.—The Crosley Radio Corp. will erect a new building to house the offices and studios of WLW, WSAI and W8XAL, affiliates of NBC and Mutual. Work is expected to start soon.

Propose Radio Censorship

Albany, March 17.—Censorship of all advertising matter broadcast on any New York state station was proposed in a bill introduced in the senate yesterday by William J. Murray, of New York City.

HOLLYWOOD ROOM RECIPES
A
Bigelow Weavers
BROADCAST PROGRAM
33⅓
RPM
START INSIDE
BIGELOW WEAVERS
ADAPTED BY GLADYS MILLER
From
OUTSTANDING
MOTION PICTURES

A LABEL OFF OF A DEALER TRANSCRIPTION SERIES PLANNED BY RADIO EVENTS, INC.


I want my money back. I didn't strike oil under my seat.*
BANK NITE
BOX OFFICE

SOLVE THE PROBLEM—PATRONS WANT PICTURES! TRICK OPPORTUNITY GAGS ARE A CONFESSION OF WEAKNESS . . .

Good features plus good shorts are all that's needed—Here is M-G-M's latest two-reel Showmanship Special which you can absolutely bank on at the boxoffice

SERVANT OF THE PEOPLE

The Story of the Constitution of the United States

IT'S THE MOST TIMELY PICTURE EVER MADE—The most discussed subject in the nation's history will make short subject history on YOUR screen . . . **READY FOR APRIL 9th RELEASE**

**Joke probably by George Jessel*

SPECIAL
AIR
EDITION
MPTOA
CONVENTION

MOTION PICTURE DAILY

SPECIAL
AIR
EDITION
MPTOA
CONVENTION

VOL. 41. NO. 64 NEW YORK, THURSDAY, MARCH 18, 1937 TEN CENTS

20-Fox '36 Net Jumps to $7,924,126

More Than Double Total Reported for 1935

Net profit for 1936 of $7,924,126 was reported yesterday by 20th Century-Fox. The company's profit for 1935 was $3,563,087.

The company's operating profit for the fourth quarter of 1936 amounted to $3,472,275, compared with $1,566,763 for the corresponding period of 1935 and $1,682,662 for the third quarter of 1936.

The 1936 results include a dividend of $1,134,000 from National Theatres Corp., which paid no dividend during 1935. National Theatres had consolidated net income of $2,923,209 for 1936, compared with $2,192,194 the previous year. 20th Century-Fox owns 42 per cent of the outstanding capital stock of National Theatres and its interest in the 1936 earnings amounted to $1,227,747.

The report discloses that the company received $3,500,000 from Loew's on Feb. 5, last, for "approximately a

(*Continued on page* 11)

GTE Has 7-Month Net Profit of $959,509

General Theatres Equipment Corp. had a net of $959,509 after Federal income taxes and other charges for the seven-month period from June 1 to Dec. 31, 1936. A total of $58,550 was set aside for Federal surtax on undistributed profits, provision for uncollectable accounts and other deductions.

The net is equivalent to $1.80 per share of 532,461 no-par capital shares.

The report includes International Projector Corp., National Theatre Supply Co., Theatre Equipment Contracts Corp., J. E. McAuley Mfg. Co., Hall & Connolly, Inc., and the Strong Electric Corp.

Agreement Reached On Writer Credits

HOLLYWOOD, March 17.—Screen Playwrights, Inc., with 75 active members, has reached an agreement with major producers extending the present Academy pact, but providing for changes in screen credits.

Under its terms screen credits on features, except in unusual cases, will

(*Continued on page* 11)

Radio News—Pp. 14-15

Doubt Raised Over Validity Of Dakota Law

Oppose Similar Bill at Hearing in Ohio

COLUMBUS, O., March 17.—Doubt as to the constitutionality of the theatre divorcement law just signed by Gov. William Langer of North Dakota was expressed by the North Dakota assistant attorney general, C. E. Brase, in an opinion sent to the Governor, Charles C. Pettijohn of the M. P. P. D. A., was informed here today.

Pettijohn is here attending the hearings of the Judiciary Committee of the Ohio House on a similar measure.

A copy of the opinion made public by Pettijohn read: "It is my opinion that there are grave doubts as to the constitutionality of this law. It seems to me that, among others, it violates the constitutionally guaranteed right of equal protection of the law, of being deprived of property without due process of law, of taking property for a public use without a just compensation, as well as the right to acquire and use property for a lawful use. The only justification for the proposed law must be found in what is

(*Continued on page* 11)

Attack Reel Censor At Hearing in Ohio

COLUMBUS, O., March 17.—A sharp attack on newsreel censorship featured the hearing today by the Senate Judiciary Committee on the bill which would provide for the elimination of the censorship of newsreels in the state.

Keith Lawrence of Cleveland, sponsor of the bill, declared the censorship of newsreels delays delivery of prints to theatres and held that censorship of films is no more necessary than censorship of pictures in magazines or newspapers.

Charles C. Pettijohn of the M.P.P.D.A. said that the reels represent a pictorial press with an average weekly

(*Continued on page* 6)

Film Houses Out of Georgia Chain Tax

ATLANTA, March 17.—Film theatres have been eliminated from the chain store tax bill by the Senate Finance Committee on the theory that they are home owned.

Other changes in the measure include cutting of the proposed levies to a top of $200 for each unit in chains of 40 or more, instead of the original $500 maximum.

MPTOA CONCERNED BY LABOR PROBLEM

Conciliation Board Outlook Believed Dark

MIAMI, March 17.—There is a well defined opinion among some M. P. T. O. A. leaders here that the establishment of local conciliation boards is remote at this time in view of the possibility that President Roosevelt will again call for legislation along the lines of N.R.A.

The views of these M. P. T. O. A. leaders coincide with those reported in MOTION PICTURE DAILY on Feb. 18, at which time sentiment both among M. P. T. O. A. officials and distribution executives was disclosed to the effect that no early establishment of the conciliation boards was likely and that the probability of enactment of a revised N.R.A. might eliminate the boards completely.

The M. P. T. O. A. has held that six or seven of the trade subjects which make up its 10-point program depended upon or could be handled by the local boards. Without the boards, the major part of the program, therefore, is threatened with collapse.

The official opinion of a month ago, now reiterated here, obviously has a basis in fact in that the boards admittedly are no nearer to realization

(*Continued on page* 6)

RKO Hearings May Go Before Master

Hearings on the RKO reorganization proceedings may be turned over to a special master by Federal Judge William Bondy today in order to speed up creditors' hearings on the plan itself by separating such hearings from the maize of related litigation which is accumulating in the court.

Judge Bondy has asked counsel for leading creditors' groups for their opinions on such a procedure and on acceptable nominees for a special master who, presumably, would proceed with hearings on the plan while Judge Bondy retained supervision over the other litigation. A hearing on the plan is scheduled for today, but whether or not it actually gets under way appears to be largely dependent upon what disposition is made of the

(*Continued on page* 12)

Paramount Partners Also Disturbed But Matter Is Soft-Pedaled

By RED KANN

MIAMI, March 17.—The chief underlying theme of the M. P. T. O. A. convention and the meeting of Paramount theatre partners here as well is a deep concern over the labor situation, despite the fact that the matter thus far has been mentioned only in one portion of his review of the year by Ed Kuykendall, M. P. T. O. A. president.

It is probable that little or nothing in the nature of public utterances will come from the exhibitor parleys and certainly nothing from the Paramount deliberations, yet the national move of the I. A. T. S. E. and C. I. O. to organize exchange workers as a potentially effective means of forcing union booths on small town theatres through threats on film shipments is the most significant development simmering at both meetings.

In private, the move which is afoot is known, but Paramount's partners in particular are decidely loath to air their views or to indicate what, in their opinion, will be the outcome of the program. As a matter of fact, industry leaders shy away from a discussion of the subject and are refusing the usual and accepted assurance that what they may think will remain off the record insofar as quotations attributed to them may be concerned.

MOTION PICTURE DAILY'S story of Tuesday concerning the A. F. L. drive to organize exchange employes in Cleveland and New Haven has excited deep interest here. Silent comment has taken the form of knowing nods with which facts of this latest

(*Continued on page* 4)

Report Wilcox Will End Woolf Alliance

By BRUCE ALLAN

LONDON, March 17.—It is reliably reported here that Herbert Wilcox Prod. will drop its distribution arrangement with C. M. Woolf's General Film Distributors following the delivery of the next two pictures of a nine-picture schedule.

It is understood that both C. M. Woolf and his brother, John Woolf, who is general sales manager of General Film Distributors, will leave the board of directors of Wilcox Prod. shortly.

It is reported further that Wilcox will join Alexander Korda, head of London Films.

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DAILY
(Registered U. S. Patent Office)

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JAMES A. CRON, *Advertising Manager*

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Saperstein Reelected

Chicago, March 17.—Aaron Saperstein was elected president of Allied Theatres of Illinois today for the seventh time. All other officers were renamed at the same time.

Plans may be started shortly to campaign against dual bills in the local territory. The topic was discussed today, but no definite decision reached. Other matters taken up included bills now before the state legislature and an outline of the program for the unit in the ensuing year.

Delay Kennedy Action

Washington, March 17.—Members of a sub-committee of the Senate Commerce Committee are delaying action on the nomination of Joseph P. Kennedy as chairman of the Maritime Commission, pending study of his eligibility under the law, due to the fact that he holds stock in the Todd Shipbuilding Corp.

Para. Meet "Progresses"

Miami, March 17.—Paramount officials reported "progress being made" at the close of today's meeting of the company's theatre partners. The formal sessions start Thursday at the Roney Plaza and continue through Saturday. Program arrangements are now being completed.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Girl Loves Boy"

(Zeidman-Grand National)

Hollywood, March 17.—A small town drama romance told in the way that engages the attention of family and neighborhood audiences, B. F. Zeidman's contribution to the Grand National program looms as satisfactory entertainment in the field for which it is intended. Essentially it is a serious problem play, but it is not without those elements in drama, romance and comedy which are well interpreted by soundly conceived situations, dialogue and characterizations. Though not strong in name values, the film does present Eric Linden, Cecelia Parker and Roger Imhof, along with Dorothy Peterson, Bernadene Hayes and Pedro de Cordoba.

The story tells how a small town boy who has made an unfortunate marriage is enabled to work out his moral and mental regeneration by a girl's love. Linden is relieved of the menace of his gold digging bride, Miss Hayes, when his father, Imhof, arranges a settlement and initiates annulment proceedings. In love with Miss Parker, daughter of Dorothy Peterson, a widow, Linden starts out to make a new man of himself. De Cordoba, a pianist, comes to town and discovers Miss Parker is a musical genius. As he trains her, he secretly arranges with Linden to finance a concert. The night of her appearance, Miss Hayes, accompanied by a shyster lawyer, lands in town to scandalize Linden and wreck the girl's debut. In the nick of time detectives expose Miss Hayes and her lawyer as blackmailers. The romantic finale has the young lovers in each others arms.

The film has a human interest that inspires sympathy for all characters but Miss Hayes. The original by Karl Brown and Hinton Smith and the screen play by Duncan Mansfield and Carroll Graham, as well as the direction by Mansfield, combine to give an appealing story an appealing character.

Previewed without production code seal. Running time, 75 minutes. "G."

"Song of the City"

(M-G-M)

Hollywood, March 17.—Aimed at the same audiences which read the pulp magazines, this is a melodrama of the old type. If it is meant seriously it's appeal is nil for first run houses though it might possibly pass as burlesque.

The involved story starts when Jeffrey Dean is rescued from San Francisco bay by Nat Pendleton and Charles Judals, fishermen. Dodging Marla Shelton, his socially prominent fiancee, Dean joins a fishing cruise and falls in love with Margaret Lindsay, Pendleton's sister. Miss Lindsay is ambitious to become a professional singer and is betrothed to J. Carroll Naish, ward boss of the Italian colony, who has volunteered to finance her musical education. Complications are piled up as the various romances become tangled and are straightened out after the fist fights between Pendleton and Dean and the fiery destruction of a liner in the bay.

The story is by Michael Fessier, the direction by Erroll Taggart, the production by Lucien Hubbard and the whole is far below M-G-M standard. It suggests an independent rather than a major effort. The supporting players include Inez Palange, Edward Norris and Fay Helm.

Production Code Seal No. 3,183. Running time, 65 minutes. "G."

"When's Your Birthday?" this morning's opener at the Music Hall, was previewed by wire from Hollywood on Feb. 13.

"Maytime," another of this morning's openers, but at the Capitol, was reviewed from the coast by wire on March 5.

"Her Husband Lies," now current at the Criterion, was previewed on March 12 by wire from Hollywood.

"Breezing Home," tonight's preview at the Roxy, was reviewed from Hollywood on Jan. 21 by wire.

Seek Labor Act Help

Portland, March 17.—A petition for permission to lodge a complaint charging violation of the Wagner Act against four theatres in Klamath Falls, Ore., has been received here by Charles W. Hope, regional director of labor relations. The petition charges that Harry Poole, owner of the theatres, discharged Eugene Bailie and Gordon Shirley, operators, for union activities.

Build at Hudson, N. Y.

Cocalis Enterprises is building a new 1,600-seat theatre at Hudson, N. Y., in association with Grossman & Frieder. William Hohauser is the architect.

Studio Opening April 15

London, March 17.—The Amalgamated Studio is scheduled to open on April 15, with M-G-M definitely set to produce its British pictures there.

Short Subject

"March of Time, No. 8, Vol. 3"

(RKO)

The current agitation over the child labor amendment, Voodoo cults and practices in Harlem, and British industry's recovery from the coronation crisis are offered in the latest of this first-rate series.

The history of the child labor amendment is shown from its original submission to the states in 1924 to the recent arguments and opposition by various personages. There are scenes of child labor shown with the incisive revelation of the candid camera.

Voodo is quite thoroughly covered with sequences of the child-like faith of Harlem residents in weird powders, conjure bags and the attendant orgies. Also a flash to the consequences of voodoo-treated ills. The *World-Telegram* is credited with the exposure. It is a novel slant on a practically unknown condition.

British Crown Situation Treated

The Edward VIII-Mrs. Simpson story is a re-edited treatment of the Empire-shaking romance made to bear on the plight of Lloyd's loss in coronation business policies, when the monarch abdicated. In addition to the principal the manufacturers were also able to convert a quantity of the mementoes into George VI and dispose of Edward VIII stuff to the U. S.

Reviewed without production code seal. Running time, 20 mins. "G."

Ampa Talent Lined Up

Rudy Feld, former Ufa director; Ludwig Lore, New York *Evening Post* columnist; Mrs. Adrienne Peabody, numerologist and writer, and Elizabeth Allan, RKO player, will headline the Ampa talent list at today's luncheon at the Edison College Room.

An election of a nominating committee will be held before the session winds up.

ITOA Meet Routine

The I.T.O.A. held a routine meeting at the Astor yesterday. The session was cut short by Harry Brandt, president, who was not feeling well.

GREAT
EXPECTATIONS
REALIZED
★ ★ ★
MEET ME AT
BOOTHS 2 AND 3
Miami-Biltmore
J. George Feinberg
Spreading Comfort to Millions
SEE
The Sensation of Seating
Original Streamline Posture

WARNERS'

Call it a Day

PREVIEWERS

Call it a Daisy!

Labor Problem Chief Concern Of M.P.T.O.A.

(*Continued from page* 1)

development have been received. It is obvious that the union moves are not being received with cheers here. Circuit men understand that the problem in its external aspects is not theirs but distributors'. On the other hand, they appreciate the dangers of the situation, and also the manner in which they will be involved if bookers, shippers and inspectors are successfully organized to a degree making impossible the shipment of prints, in the event labor leaders some day should determine on a strike to force small town and country theatres into the I. A. T. S. E.

The formal portion of the second day of the convention opened one hour behind schedule, with the poor attendance excused by Kuykendall on the ground that it was the number of theatres represented, and not individuals, that counted.

Francis M. Falge, Nela Park, Cleveland, was first with the delivery of a very interesting discussion, accompanied by equipment and slides, to demonstrate the latest methods of lifting the faces of theatres through the intelligent use of lighting. The display embraced brightly lit samples of corrugated metals, glass bricks and marble slabs which were rear-lighted to provide unusual optical appeal.

Halpin, on Earphones

Dan D. Halpin, vice-president of Dictograph Products, New York, on behalf of the Acousticon ear phones for the deaf and hard of hearing estimated that $1,600,000 annually represented the untapped gross through catering to "forgotten audiences." Among other interesting facts, he pointed out that the Music Hall in New York had in this manner developed 3,000 new patrons.

The third speaker was E. L. Patton of the Pittsburgh Plate Glass Co., who based a talk on modern theatre fronts on the observation that "sight is the most compelling factor in making sales." He added that theatres trail all other businesses in relieving the drabness and antiquated appearance of their dress and he advised exhibitors to obtain the best value in rehabilitation measures by initial consultations with architects.

"When television finally comes—and it will not be here tomorrow—

(*Continued on page* 6)

Just a Panic!

Miami, March 17. — The beauties of life in Florida had been touted by the native propagandizers, state and city. Up went Ed Kuykendall:

"I like the idea and I hope that when you all are out of business, you will come here to spend the rest of your days."

Arthur W. Eddy leaned over and remarked at that point: "Headline: 'Kuykendall Predicts Panic.'"

Time Out Under the Palms

Time out from convention discussions at the M. P. T. O. A. meeting in Miami, for a chat under the palms. Left to right are: A. F. Baker, Kansas City; Dick Biechele, secretary-treasurer of the Kansas-Missouri Theatre Ass'n., Ed Kuykendall, M. P. T. O. A. president, and H. V. Harvey, secretary-treasurer of the I. T. O. of Northern California.

Moon Over Miami

Miami, March 17.—Further check: The bevy assembled for registration detail, it appears, was drawn from the runners-up in a statewide bathing beauty contest. Joe Pincus could do business here for Zanuck, even if Lou Irwin is on the ground.

* * *

Lobby scene at the Roney: John Balaban in earnest conversation with John Hertz, the latter sporting a very Florida-looking tan.

* * *

Mrs. Karl Hoblitzelle journeyed from New York with the Leon Netters and met her husband here.

* * *

Al Wilkie has been here 10 days propagandizing for Paramount. He hopes to skip over to Nassau for a couple of days of deep-sea fishing with Bob Gillham when the excitement subsides.

* * *

Glimpsed at the Casa Moresque which is a very good place for dining—gambling tables upstairs front—were James R. Grainger entertaining Bob and Maurine McNeil, N. L. and Mrs. Nathanson and J. J. and Mrs. Fitzgibbons.

* * *

Mrs. Robert Wilby is in from Atlanta to join her husband.

* * *

Barney Balaban and his wife and Nathanson and his were sitting on the observation platform of the Florida Special when the observation car jumped the track in the suburbs of Richmond Saturday night. The Filipino steward ordered them to stretch flat on the floor of the car to avoid injury from flying glass. It was an uncomfortable moment.

* * *

Memorable sights: Dave Palfreyman, nude except for trunks, needing a shave badly and wearing dark glasses lunching and drinking hot coffee in a blazing sun off the 19th hole of the Miami Biltmore golf course. His companion, Helen O'Toole. Both looked about the last word in discomfort.

* * *

Grainger turned in at 2:30 the other morning and four hours and a half later was on the links. "What a man!" sighed Mrs. Nathanson.

* * *

Snow news from the north makes the lead story in the local papers. One headline telling of the slushy snow snarling New York traffic finds Gotham-ites looking at each other with a look that can mean only great contentment with the world.

* * *

Charlie Segall has been here for several months and Joe Seider of the Prudential Circuit for weeks. If they don't look like redskins, they'll do until a couple come off the reservation.

* * *

Tom Connors, sunshade and all, is catching up on his golf. He's been here three weeks and today played a foursome strictly along Metro lines. The other three were O'Shea of Buffalo, Applegate and Schwartz of Philadelphia.

* * *

Halsey Raines of the M-G-M publicity department who spends his vacations penetrating country new to him was here today. Merely passing through from Havana en route to Tampa by way of the Tamiami Trail Tom Gerety of the same department is at Fort Myers on the West Coast of the state.

* * *

Neil F. Agnew is a late arrival.

* * *

Jack Sichelman of 20th Century-Fox, who has been ill, is rounding out his fifth week here and expects to remain a few more. Not officially identified with the convention or any of its goings on, Jack, nevertheless and in keeping with your true film man, couldn't help but look in at the Biltmore this afternoon.

* * *

George Skouras is due Thursday from New York. His family has been spending the winter at Gold Beach which hovers somewhere between Miami and Hollywood, 17 miles up the line.

* * *

Y. Frank Freeman, with Mrs. Freeman as hostess, entertained Paramount theatre partners with a large-scale cocktail party in their suite at the Roney Monday evening. With the possible exception of Bob Wilby of Atlanta and E. V. Richards, Jr., of New Orleans who is compelled to continually guard his health and who left early for his home in Ft. Lauderdale, 18 miles out of Miami, the entire roster turned out, wives and all.

* * *

In case you may have wondered exactly what the spirit of the New Universal is, transcribed into terms of the visual, you may want to know how James R. Grainger interprets it.

He employed two very striking young blondes, bedecked them in the most abbreviated of bathing suits and had them hand out matches advertising "Top of the Town" to arriving delegates. Introduced by names, the conventionites reacted. A slant at the blondes makes the reason why understandable.

* * *

Bob O'Donnell is promoting a mid-winter session of The Off-the-Record Club. The charter members are here, all three of them—Herman Robbins, Sam Dembow and Red Kann.

* * *

Domestic scene: Sam Dembow carrying his infant daughter up the Roney's elevators.

* * *

Charlie Picquet, 14 years president of the Theatre Owners of North and South Carolina, Inc., is touting the forthcoming 25th jubilee convention of his organization at the Carolina Hotel, Pinehurst, the first week of next December.

* * *

Mrs. Herb Ochs has joined her husband here, having entrained from Atlanta where the Warner sales executive's family still lives. Pretty soon now, the Ochs will be united en masse in New York close to papa's headquarters.

* * *

Kuykendalliana: "Deemonstrated" for demonstrated. "Unik" for unique. "Legislation" with a hard "g".

* * *

The Phillipsons are heading for Palm Beach the end of the week with Tom Drew at the helm, or the wheel.

A Crack

Miami, March 17.—Paramount is distributing a handsome brochure done up in color and ballyhooing the company's new releases. Special strips are inserted with material aimed at the convention.

One carries a pencil sketch of the convention chairman addressing the gathering and with it is this copy:

"Excuse me, gents, but here's news from Paramount to keep you awake."

IT'S HERE! IT'S BIG!

Remember "3 SMART GIRLS?"
Prepare for ANOTHER SMASH
from the NEW UNIVERSAL!

"WHEN LOVE IS YOUNG"

Labor Problem Chief Concern Of M.P.T.O.A.

(Continued from page 4)

it is going to help rather than hurt the theatre box-office, in my personal opinion," Thomas F. Joyce, advertising manager of the RCA Manufacturing Co., declared in an address before the convention today.

Joyce expressed the belief that producers will make use of television for advance trailers on outstanding forthcoming product. "I am sure that far sighted film executives see in television the greatest advance agent and exploitation medium that the industry has ever seen," he said.

Joyce emphasized the importance of good sound to the exhibitor, and outlined recent developments in the improvement of sound apparatus and recording equipment. He cited the deal just closed whereby Warners have taken RCA sound for all of the Warner circuit of nearly 400 houses.

Afternoon Session Tardy

The afternoon session was off to another delayed start but better attendance, with late sleeping, golf and swimming behind an increasing number of delegates. By the close of the day the program was running seven speakers behind schedule.

Ben Schlanger, New York architect, opened the resumed agenda with a discussion of modern functional designs in theatres. He told of the S. M. P. E.'s efforts at seeking information directly from exhibitors in an effort to establish theatre construction standards. Replete with interesting information, among the points he emphasized was the maximum depth of the perfect auditorium which, he declared, must not exceed two and one-quarter times its width, while the actual auditorium seating width should never be more than three times the width of the screen. Seats beyond such limitations, he held, were wasted, since from them a spectator could only get distortion.

Byoir Talks Advertising

Carl Byoir, publicity man, but a self-styled "public relations counsel," took it upon himself to tell wherein motion picture publicity was "all wet." Exhibitors were dissipating a cool $100,000,000 annual gross which might be theirs, he said, by having failed to develop a publicity formula which stressed the continuity of their entertainment, thereby failing to prove persuasive enough to bring patrons back as regular patrons.

"Sustaining elements" in film exploitation were what Byoir viewed as essential, which he followed with the bland statement that advertising, as currently keyed, "was driving the patron away." Willingly supplying the information that he was not interested in motion pictures, Byoir also made it quite clear that he might be if some producer came along and offered him a retainer.

"What Air Conditioning Means to the Box Office" was the general title of a paper read by L. L. Lewis, representing the Carrier Engineering Corp., Newark—the designation conveying the substance of the message.

Hal Kopplin, advertising manager of Wometco Theatres, Miami, took as his theme "Theatre Advertising in Newspapers" and, by samples of copy prepared for attractions currently playing his circuit's houses, illustrated his points. He struck for hand-drawn ads to supplement press books, and set up as a guiding note for his listeners a theorem that the copy should first sell the exhibitor himself before he tries it on the public.

Roy L. Smart of the Wilby-Kincey Management Co., Charlotte, declared that it was essential for exhibitors to win new patrons in view of the producer demands for a greater share of the gross. This, he said, meant a greater intake and, therefore, more customers. Untapped sources, such as direct appeals to those engaged in professions and trades illustrated in current product, were available for exhibitor application and ingenuity, he stated.

Kuykendall Promises "Fireworks"

Kuykendall late today promised "fireworks" for the final session Thursday. There are some who have their doubts, so regimented is the convention procedure. The highlight of the meeting, now, is expected to be the address by Adolph Zukor. His appearance will swell the attendance. For one thing, Paramount partners will attend en masse as a gesture to the chairman of the board of the company.

The banquet which usually terminates all M. P. T. O. A. conventions is slated for Thursday evening at the Miami Biltmore, followed by an elaborate water carnival in the hotel's spacious pool. Cotton blossoms appeared from nowhere today with a "Come to Memphis" tag attached and were considered to be M. A. Lightman's effort to bring the 1938 convention to his city. The only other sentiment voiced thus far is for Pinehurst, but the decision, as usual, will be made by the directors in due course.

Despite the approaching termination of the meeting, visitors continued to arrive today, including Frank C. Walker, Major Leslie E. Thompson, who will address both M. P. T. O. A. and Paramount on the Will Rogers Memorial Hospital fund drive, Colvin Brown, Austin Keough, Joe Unger and A. P. Waxman.

The weather, which has been cool, took a turn for the warmer today, which is more than can be said for developments on the convention floor.

Without Armor

Miami, March 17.—Unconscious humor entered the official registration list of the M. P. T. O. A. today. Ed Goldstein was the name, New York the home town and his business: "Bank Knight."

Nine Prizes Set for MPTO Golf Tourney

MIAMI, March 17.—Nine prizes are set for the golf tournament which is to be held Friday at the Miami-Biltmore Golf and Country Club. Albert Warner is in charge.

The first prize will consist of a modern cocktail tray and glasses, contributed by American Seating Co. The second award will be a leather golf and traveling bag, donated by National Screen Service through Herman Robbins.

Prize three: a silver golf trophy with silver sea shell background, contributed by National Theatre Supply.

Prize four: one case Cutty Sark Scotch, given by Alexander Film Co.

Prize five: a Waltham onyx clock with an inscribed plate, given by Charles Kessnick, Loew's southern district manager.

Prize six: an RCA radio, given by RCA.

Prize seven: a leather golf bag, contributed by Warners.

Prize eight: a set of golfing accessories comprising an umbrella, raincoat and 19 balls; given by Universal through James R. Grainger.

Prize nine: set of Bobby Jones wood clubs, presented by Erpi.

Paramount Partners At Ease

Round-tabling under a Miami Beach umbrella prior to the opening of Paramount theatre partner discussions, which start today. From the left are: Robert J. O'Donnell, Dallas; Barney Balaban, Paramount president; William K. Jenkins, Atlanta; Y. Frank Freeman, vice-president in charge of theatres; Karl Hoblitzelle, Dallas; Adolph Zukor, board chairman; E. V. Richards, New Orleans.

Conciliation Board Outlook Believed Dark

(Continued from page 1)

now than they were two months ago, when the last of the distributor replies to the M. P. T. O. A. trade practice program was received. Nothing has been done in the way of defining the procedure of the boards, their jurisdition, the type of complaint they may hear or in agreeing upon their personnel. No distribution company has authorized its branch managers anywhere to participate in the establishment of a board. Without these steps being taken, M. P. T. O. A. leaders here admit, little or nothing can be done in the way of setting up a board or permitting it to function.

Also, as disclosed by MOTION PICTURE DAILY a month ago, distributor attitudes toward the boards are sharply divided. No two are in complete agreement on the type of complaint involving their contracts with exhibitors which they would be willing to leave to a conciliation board to settle. Moreover, some contend that they will not support the boards unless exhibitors, as well as distributors, contribute to the cost of maintaining them.

Attack Reel Censor At Hearing in Ohio

(Continued from page 1)

circulation of 75,000,000 and that the publicity given Ohio in the reels is worth 100 times as much as the censorship revenue, which was estimated at $35,000 annually. No cuts ever were made in newsreels, he said, and called such action discriminatory. Reels are entitled to the same freedom as the press, he held.

Jack Connolly, general manager of Pathe News, said there is no profit made from newsreels. "Our profit last year was less than $400. We paid $5,400 in Ohio censorship fees," he said. He cited the fact that only two other states, Maryland and Virginia, censor newsreels.

Franklin H. McNutt, of the state Educational Dep't opposed the dropping of censorship of reels because of the loss of revenue, part of which goes to the schools to maintain film libraries, the balance going for the publicizing of the state.

Action by the committee was deferred until some time next week.

Hold Ban on "Flames"

COLUMBUS, March 17.—Although "Spain in Flames" recently was reported released by the censors, the board at the eleventh hour refused to remove the ban, although it consented to another review. It now is officially stated that the ban will be permanent in Ohio because of the film's "extremely partisan propaganda and decidedly negative attitude toward religion."

Two Held Over in B'lyn

Si Fabian is holding over "A Midsummer Night's Dream" at the Brooklyn Strand and "When You're in Love" at the Fox. The first named film garnered about $14,000 for the first seven days, ending last night.

TWO
GREAT STARS
IN

"one of the most delightful pieces of entertainment of the season . . . a box-office sensation wherever it plays"

HOLLYWOOD REPORTER

"charming cameo of delightful entertainment . . certain box-office"

DAILY VARIETY

"quality production from title to fadeout . . . graceful entertainment delight"

BOX-OFFICE

"quaint and charming picture . . . ladies will love it . . . and men"

FILM DAILY

KATHARINE HEPBURN

["HER FINEST SINCE 'LITTLE WOMEN'

—M. P. DAILY

Quality Street

FROM THE
FAMOUS
STAGE
COMEDY BY J·M·
BARRIE

WITH THIS STELLAR CAST—

ERIC BLORE . . *"as the flirtatious sergeant, proves a comedy treat"—Variety Daily*

CORA WITHERSPOON

. . *"stands out in a well-defined characterization"—Variety Daily*

FAY BAINTER . . *"is magnificent . . no more intelligent acting has ever been seen"—Hollywood Reporter*

ESTELLE WINWOOD

. . *"proves a scene-stealer in each appearance"—Hollywood Reporter*

RKO
RADIO
PICTURES

DIRECTED BY
GEORGE STEVENS

PANDRO S. BERMAN
PRODUCTION

FRANCHOT TONE

["FLAWLESS AND PRAISEWORTHY"
—HOLLYWOOD REPORTER

Quality Street

DAILY VARIETY . . "a first class production . . . Appealing in its quality, amusing in its comedy treatment and dialog, excellently acted and intelligently directed, it is a credit to all who had a hand in its making . . . The picture is produced with infinite care and admirable taste and is destined to do a flattering cash register business."

Quality Street

HOLLYWOOD REPORTER . . "It is inconceivable that 'Quality Street' will be anything other than a box-office sensation wherever it plays . . . Only in a trade journal could it be reported that the picture has honest belly laughs . . . Laughter mounts and continues to mount until the audience is in gales of laughter."

Quality Street

FILM DAILY . . "Charming picture from the Barrie play gives Hepburn a delightful comedy role . . . Packed with delicious humor that rolls along with never a dull moment . . . 'Quality Street' should do well everywhere—the ladies will love it, but it will also amuse the men."

Quality Street

M. P. DAILY . . "completely captures the delicacy of Barrie's work . . . The situations build as the action progresses, finally culminating in a degree of hilarity that will surprise . . . Credit for the mirth is largely due to the direction of George Stevens, who maintains the atmosphere while driving home the comedy."

LITHO U

Doubt Raised Over Validity Of Dakota Law

(Continued from page 1)

commonly termed the police power of the state.

"If the proposed law does not bear a real and substantial relation to the public health, safety, morals or some other phase of the general welfare, then it is an unconstitutional invasion of the rights enumerated above. The question, therefore, is debatable with, it seems to me, the preponderance of the argument against the constitutionality.

"It seems to me that this proposed law is, in all essentials, like the law of Pennsylvania which prohibited the ownership and operation of drug stores by anyone other than registered pharmacists. This law was held to be unconstitutional by the Supreme Court of the United States by a seven to two decision of the justices in Louis K. Ligget Co. vs. Boldrige."

Points to Inconsistencies

Replying to a defense of the theatre divorcement measure presented before the Judiciary Committee of the Ohio House today by P. J. Wood, secretary of the Ohio I. T. O., Pettijohn declared, "The bill was not drawn by Ohio citizens but by a group without financial investment who never made or distributed pictures. The bill omits reference to an exhibitor engaging in distribution."

Pettijohn cited the fact that producer-controlled houses pay $8,000 to $10,000 for first runs when subsequents pay as little as $10 for the same pictures. He noted that there are only 39 affiliated houses out of 546 in the Cleveland area and only 66 affiliated out of a total of 830 in the Cincinnati territory, including Louisville, outside of Ohio.

"There is no monopolistic practice here," said Pettijohn, "any more than the fact that three automobile companies control 85 per cent of the automomile output. If there is to be a penalty for success or genius, then the bill applies. The group framing the Ohio bill framed similar measures in other states with almost identical verbiage. The sole aim was to stir trouble. You certainly should not place a penalty on a man earning an honest living. If exhibitors get back into the show business and eliminate Bank Night, double features and other schemes, the industry will be better off."

Constitutionality Doubted

Pettijohn declared further that the bill is invalid on constitutional grounds.

Wood declared the bill is not designed to force anyone out of business or to decrease employment. It is designed, he held, to take the producer out of competition with the customer, the exhibitor. He declared the combination jeopardizes the public interest. He called the producer operation a monopoly, "which is being daily drawn tighter unless checked by the proposed legislation."

Martin Blum, attorney and officer of the Cleveland stagehands' union, declared his organization is "absolutely opposed" to the passage of the bill, observing that there is no reason for divorcing production, distribution and exhibition.

Other opponents of the measure were Frank Drew, M-G-M manager and president of the Cleveland Film Board of Trade, who declared independents in his territory are satisfied at present, and J. M. Ullmer, theatre attorney, who said all independents are not in favor of the legislation.

Sidney Hess, chairman of the Judiciary Committee, declared, "There is insufficient information to enable us to form a proper conception of the situation. Action will be deferred until some future meeting."

Others in attendance at the hearing were Ike Libson, Maurice White, Stanley Jacques, Nat Holt, John Schwalm, Harry Schreiber, Edward Finney, Duke Clark, John Bancroft and A. W. Hill.

Theatre Men Unconcerned

MIAMI, March 17.—An attitude of unconcern is apparent among theatre men here in discussing Allied's efforts in behalf of state laws to force producers and distributors out of the exhibition field. Major companies will fight the law on constitutional grounds up to the U. S. Supreme Court.

Typical of this attitude was the comment of a theatre operator who said: "What of it! It will take four or five years to prove the legality of the measures. This will carry the issue well into 1942, or thereabouts, and that's a long time off."

Purely Personal

MITCHELL LEICHTER, vice-president of Advance Pictures, Inc., has left for a trip that will include stops at Salt Lake City, Denver, Dallas, Atlanta, St. Louis, Chicago, Detroit, Cleveland, Pittsburgh, Cincinnati, Buffalo, Boston and Philadelphia.

•

EDWARD GOLDEN, general sales manager for Monogram, yesterday celebrated another birthday. GOLDEN says he's 40, because that's when life begins, according to WALTER B. PITKIN.

•

ARTHUR W. KELLY and MONROE GREENTHAL have returned from the coast after attending production conferences with DR. A. H. GIANNINI and GEORGE J. SCHAEFER.

•

SAM A. GALANTY, Columbia division manager with headquarters in Washington, will wind up a two-day meeting with home office executives today.

•

MOE STREIMER held a special homecoming party for LEO JUSTIN at the Tavern Tuesday. A number of friends attended.

•

HARRY GOLD will leave today for Miami and then Havana. He plans to be gone several weeks.

•

H. DULIN of Universal flew to the coast yesterday via American Airlines.

•

L. A. WILEMAN of Wilbar Photo Engraving will leave for Detroit today by plane.

•

ALFRED NEWMAN, musical director for Walter Wanger, leaves the coast today for a vacation here.

•

MARGARET LINDSAY left for the coast yesterday.

PAUL GRAETZ of Paris Export . may sail today for home on the *Normandie*. Then again he may delay his trip until next week when the *Queen Mary* sails. He said yesterday that LUDOVICO TOEPLITZ is planning to produce six pictures a year in Italy.

•

EDDIE CARRIER of Loew's left yesterday for Philadelphia, Baltimore and Washington. He'll be gone several days in connection with "The Good Earth" showings.

•

GEORGE J. SCHAEFER has postponed his departure from the coast and is not expected at his office until the latter part of next week.

•

CHARLES PATI of Loew's purchasing department will add another year to his age today. MAX WOLFF's falls on March 24.

•

HARRY GOLDBERG, director of Warner theatre advertising and publicity, arrives in Pittsburgh today to prepare Easter campaigns.

•

JOHN W. HICKS, JR., Paramount vice-president, sails today on the *Normandie*. It is his semi-annual survey trip.

•

GEORGE E. QUIGLEY, former vice-president of Vitaphone, arrived from Europe yesterday on the *Berengaria*.

•

CHARLES FARRELL sails today on the *Berengaria*. He will make a film in England.

•

JOSEPH I. BREEN is expected here today from Hollywood.

•

DAVE RUBINOFF will play at a concert at Bristol, Conn., March 29 for the benefit of the Bristol Hospital.

Agreement Reached On Writer Credits

(Continued from page 1)

not be shared by more than three, the writers chiefly responsible being those to receive the credit. The only exception to this rule will be on musicals where one writer or a team writes both the original story and screenplay. An established writing team will be deemed one writer.

No production executive can share in screen authorship credit unless he does his writing without collaboration of another writer. Where more than one writer has contributed to screen authorship all contributors may agree among themselves as to which one, two or three shall have credit. If the writers cannot agree, the producer will notify the writers which has been chosen. Credits become final if no protests are made within a specified time. If writers request the privilege of reading the script to ascertain how much of their work has been used 48 hours must be allowed before credits become final.

Disavow Michael Mindlin

Morgan Prod., Ltd., of London, has cabled MOTION PICTURE DAILY, declaring that Michael Mindlin no longer represents the company for the sale of "our British product in America, including 'The Mill on the Floss'."

20-Fox '36 Net Jumps to $7,924,126

(Continued from page 1)

one-half interest" in its investment in Metropolis & Bradford Trust, Ltd. (Gaumont British). The sum was added to working capital. The report also states that the company's investment in M. & B. was reduced to $7,237,368 by writing off $9,850,250 of the investment under the provisions of a $14,500,000 reserve for revaluation of investments authorized under the company's 1933 financial reorganization plan.

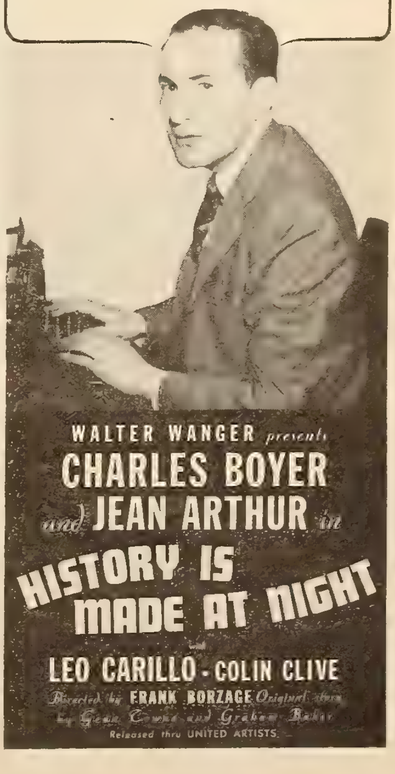
The $4,649,750 balance of this reserve fund was written off the company's investment in Movietonews, Inc., and sundry other companies, rereducing this item to $611,649.

Total dividends paid by the company amounted to $5,066,280 for 1936

The company's balance sheet shows cash of $5,718,032. Operating income amounted to $54,031,780, of which $51,670,694 was income from sales and rentals of film and literature.

In his report to the stockholders, Sidney R. Kent, president, states, "The management of your corporation believes that the results for the past year were satisfactory. New sales records were established and your corporation's product continues to be well received by exhibitors and the public throughout the world."

Frankly devised for the box-office! Spectacular representation of a shipwreck, calculated to rivet you to your seat!
— PHILIP K. SCHEUER
Los Angeles Times


WALTER WANGER presents
CHARLES BOYER
and JEAN ARTHUR in
HISTORY IS MADE AT NIGHT
LEO CARILLO - COLIN CLIVE
Directed by FRANK BORZAGE Original story by Gene Towne and Graham Baker
Released thru UNITED ARTISTS

Balcon Arrives for Coast Conferences

Michael Balcon, new British production head for M-G-M under Ben Goetz, arrived yesterday from England on the *Berengaria* to spend the next three to four weeks searching for stories and conferring on production matters on the coast.

Balcon left yesterday on the Century to talk with Nicholas M. Schenck, J. Robert Rubin, Louis B. Mayer, Goetz, Benny Thau and Bob Ritchie on the number of pictures to be made in England and details in connection with players and technical staffs. Goetz, Thau and Ritchie arrived last week on the *Queen Mary* and are now in Hollywood.

The first two stories, Balcon said, are being prepared. They are "Rage in Heaven," by John Hilton, and "Yank in Oxford." No casts have been selected as yet, but there is an indication that a number of M-G-M players in Hollywood will be sent over to appear in the British lineup.

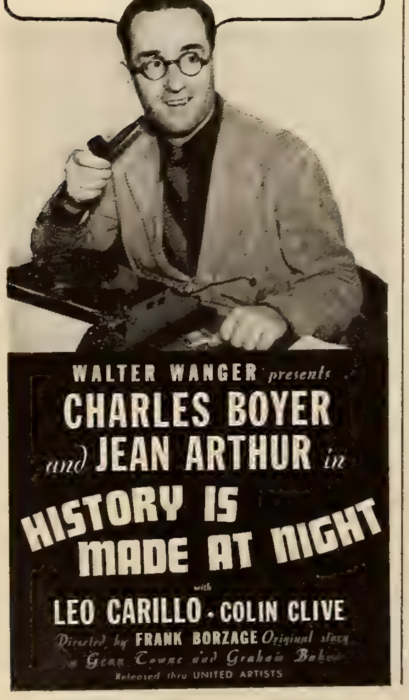
George A. Wright Dead

South Norwalk, Conn., March 17.—George A. Wright, Sr., one of the first settlers of the theatrical colony here, is dead at his home in Rowayton after a brief illness. A son, George A. Wright, Jr., for years stage director for Golden and now in Hollywood, survives.

Gabriel Signoret Dead

Paris, March 17.—Gabriel Signoret, prominent French stage and screen player, died yesterday following an operation. He was 59.

Brilliantly clever mixture of comedy, drama, mystery and melodrama . . . something for everybody, with superb performances by Jean Arthur, Colin Clive, Charles Boyer and Leo Carrillo. —BILL MOORING
Film Weekly and London Daily Mail


WALTER WANGER presents
CHARLES BOYER
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HISTORY IS MADE AT NIGHT
with
LEO CARILLO · COLIN CLIVE
Directed by FRANK BORZAGE Original story by Gene Towne and Graham Baker
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Boston Trust Suit Dismissal Is Asked

Boston, March 17.—A plea to dismiss the $100,000 anti-trust suit brought by Commonwealth Amusement Enterprises, Inc., against Colonial Theatres, Inc., in Federal District Court here was taken under advisement this morning by Judge Sweeney. The case is one of six being prosecuted by George S. Ryan, attorney for the Charles Morse Circuit against major distributors. Ryan has announced his intention in court of trying these six cases and two similar actions, one for Mrs. Loretta Momand and one for Louis Anger, at a single trial.

The M. A. Shea Circuit of New York claimed this morning that inasmuch as only a few of its booking duties are performed in Boston, whereas contracts and other details are attended to in New York, that the local Federal court does not have jurisdiction in the present matter, which alleges conspiracy in restraint of trade and monopoly in the Nashua, N. H., theatre situation.

Voteur Ruling Reserved

Justice Charles B. McLaughlin in N. Y. Supreme Court reserved decision yesterday on a motion made by Columbia for an order which would require Ferdinand Voteur, a writer, to submit a bill of particulars in support of his $1,000,000 suit against Columbia. Voteur asserts that he submitted a play, "Resurrection Morning," to Columbia, that the play was rejected and that subsequently Columbia produced "The Man Who Lived Twice" which was identical in most particulars with his work.

Columbia would have the plaintiff show in what respect the two plays are similar and explain what facts and situations are alike.

Gaige Sues 20th-Fox

Crosby Gaige, writer, has filed suit in N. Y. Supreme Court against 20th Century-Fox in which he charges plagiarization of the title of "Little Miss Nobody." He asks damages of $50,000. The suit was revealed yesterday when Justice Cottillo denied the writer a bill of particulars in support of the film company's general denial.

Warners Seek a Dismissal

Warner Bros. Pictures yesterday filed a motion in Federal Court here to dismiss a $100,000 damage suit brought by Richard Carroll, writer, on the grounds that the complaint failed to state a cause of action.

Carroll alleges that he submitted two scenarios to Warners, which were rejected. Subsequently, he charges, Warners filed notice with the M.P.P.D.A. of intention of producing a film based on the building of the Panama Canal, the subject of the scenarios. Warners deny that notice to produce such a picture was filed by the company.

Tricolor Questions McKeown

Los Angeles, March 17.—An all day cross examination of Samuel S. McKeown, assistant professor of physics at California Tech, marked the resumption of trial here today of the Tricolor patent infringement action against Technicolor. McKeown had previously testified for Technicolor, supporting the latter's claims to priority of patents covering the color cameras involved in the action. Tricolor attorneys failed today to alter his testimony.

Technicolor will continue the presentation of its case on Thursday, with indications that the hearings will be concluded by the end of the week.

Premature

Henry Henigson, former Universal studio head, yesterday got a great kick out of a report that he had rejoined the company in the same capacity.

A friend who had read the item in a coast trade paper sent Henigson a wire congratulating him on his appointment.

According to Henigson, he came east to visit a sick member of the family and attend a few shows. Another two days in town and he will be on his way to Hollywood again.

Hii, Chinese Bull, Here Led by Phifer

Hii, the Chinese bull in "The Good Earth," will arrive today from Boston, where he has been for the past two days. The bull will spend two days in town and then leave for Philadelphia where the picture is showing at the Locust.

Hal Phifer of Loew's exploitation department is conducting the appearance tour of the animal under William Ferguson's direction. The itinerary so far calls for the following visits:

Baltimore, March 22-24; Washington, March 25-27; Pittsburgh, March 29-31; Cleveland, April 1-3; Chicago, April 5-8; Buffalo, April 10-12; Erie, Pa., April 13; Akron, April 14; Canton, April 15; Zanesville, April 16; Columbus, April 17; Dayton, April 19; Cincinnati, April 20-21; Detroit; April 23-27.

"The Good Earth" will be playing in each city where the bull arrives.

"Girls" London Success

Lord Portal, General Film Distributors, Ltd., executive, called J. Cheever Cowdin, chairman of the Universal board, yesterday morning on the trans-Atlantic telephone to report the highly successful opening of "Three Smart Girls" in London's West End. It was a charity affair and, Portal added, not only did it establish Deanna Durbin at the box-office, but any of the other three featured players could carry a starring picture of his own in England.

N. O. Cases Postponed

New Orleans, March 17. — Two court cases, Federal and state, in which exhibitors are asking the courts for relief against so-called arbitrary methods of exchanges have been delayed again.

In the Federal case, Fuller vs. 20th Century- Fox and six others, has been postponed to March 22 by request of attorneys for the exchanges.

The United Theatres vs. Columbia case wherein United asks an injunction prohibiting Columbia from supplying "Theodora Goes Wild" to other houses has been postponed until next week because of the absence of witnesses.

RKO Hearings May Go Before Master

(*Continued from page 1*)

side litigation. Included in this category are three actions brought by holders of the old RKO Class A stock to test the validity of RKO's recapitalization plan of 1931; actions by Orpheum Circuit preferred stockholders to set aside RKO's acquisition of Orpheum assets and a move for court authority to pay off the outstanding RKO secured notes.

Litigation of this kind has monopolized the court's time so that no hearings on the plan itself have been held since it was presented to the court last November.

RKO Gets Interest In Brooklyn Houses

RKO yesterday completed negotiations for the purchase of a half interest in Randforce's Republic and Lefferts in Brooklyn. The deal becomes effective in September, with the start of the new season. It will make the houses first runs on a day-and-date arrangement with the entire RKO metropolitan circuit.

Nate J. Blumberg represented RKO, while Sam Rinzler acted for the independent circuit. The deal had been on and off for almost a year.

Within the next few months, construction on a new RKO 4,000-seat house on W. 23rd St. will get under way. Plans for another de luxe theatre by the circuit on upper Broadway will most likely be abandoned now that pooling negotiations with Skouras are under way. Several RKO and Skouras uptown houses are involved. This deal also will be ready for operation by September.

Zirn Says Stadium Paid Out $143,000

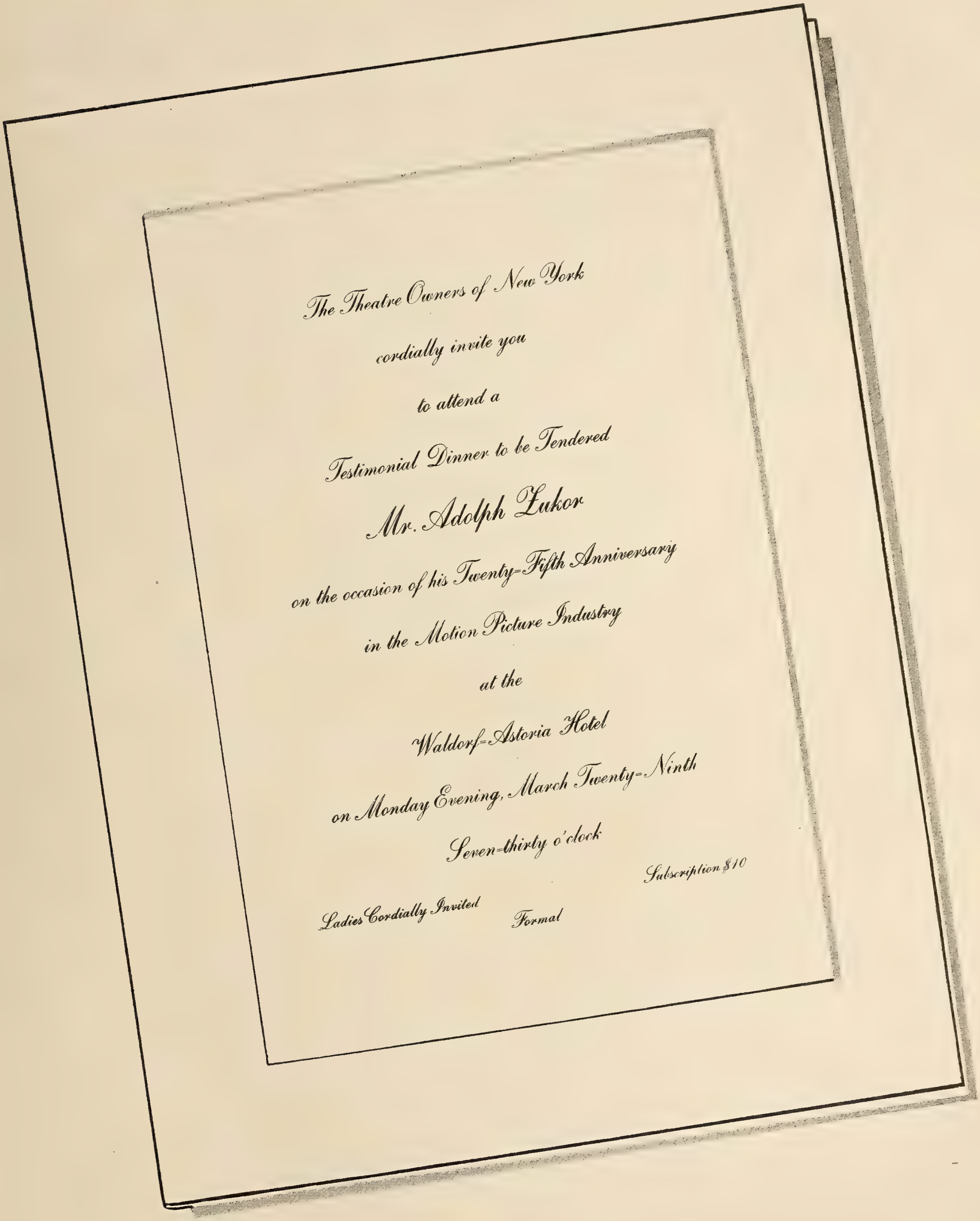
Samuel Zirn, attorney for San Francisco holders of Orpheum Circuit preferred stock, charged at a hearing before Federal Judge Murray W. Hulbert yesterday that Stadium Theatres Corp., RKO subsidiary, acquired Orpheum's assets for a cash outlay of $143,000, instead of the $700,000 cash consideration provided for in the Stadium bid.

Zirn contended that Stadium had $557,000 cash on hand, which he claimed was derived from Orpheum, thereby reducing the cash outlay involved by that amount. Without disclosing the amount of cash on hand, counsel for Stadium admitted that Stadium had realized on a liquidation of Orpheum assets.

Zirn is endeavoring to have the transaction by which Stadium acquired the Orpheum assets set aside and the sale reopened. He also asks the removal of Oscar W. Ehrhorn as referee in the proceedings and the removal of Douglas Black as counsel to Marcus Heiman, Orpheum trustee in bankruptcy. The hearing will be resumed today.

Wary on Joining AFL

New Haven, March 17.—Sentiment of a group of exchange employes toward making application for an A. F. of L. charter for their budding union organization here appeared to be uncertain following a meeting today. Only seven names were reported to have been given in favor of the charter application. A new organizing meeting has been called for Monday.



The Theatre Owners of New York

cordially invite you

to attend a

Testimonial Dinner to be Tendered

Mr. Adolph Zukor

on the occasion of his Twenty-Fifth Anniversary

in the Motion Picture Industry

at the

Waldorf-Astoria Hotel

on Monday Evening, March Twenty-Ninth

Seven-thirty o'clock

Subscription $10

Ladies Cordially Invited

Formal

Reservations from
WILLIAM BRANDT, Chairman
Globe Theatre
Times Square, New York

FCC Hearings From April to June Are Set

WASHINGTON, March 17. — The F.C.C. today made public a tentative schedule of hearings from the middle of April to the end of June, as follows:

April 15—Before the broadcast division: Applications of the Hannibal Broadcasting Co. and of the Courier-Post Publishing Co. for new stations at Hannibal, Mo., operating on 1,310 kilocycles, 100 watts; Hunt Broadcasting Ass'n, Greenville, Tex., for new station on 1,200 kilocycles, 100 watts, and Stations KFPM, Greenville, Tex., for change of frequency to 1,420 kilocycles and increase of power to 100 watts, and KALB, Alexandria, La., for increase of time.

April 16—Before an examiner: Applications of Stations WIOD-WMBF, Miami Beach, for change of frequency to 610 kilocycles; and KJBS, San Francisco, for change of frequency to 1,080 kilocycles.

Heavy Day for April 19

April 19—Before an examiner: Applications of Valley Broadcasting Co., Youngstown, for 1,350-kilocycle, 1,000-watt station; Abraham Plotkin, Chicago, for 1,570-kilocycle, 1,000-watt station; Philadelphia Radio Broadcasting Co., Philadelphia, for 1,570-kilocycle, 1,000-watt station; Ohio Broadcasting Co., Marion, O., for 880-kilocycle, 250-watt daytime station; Food Terminal Broadcasting Co., Cleveland, for 1,500-kilocycle, 100-watt daytime station, and Summit Radio Corp., Akron, for 1,530-kilocycle, 1,000-watt station; and Stations KGBX, Springfield, Mo., for increase of power to 500 watts; WHK, Cleveland, for increase of day power to 5,000 watts; WDAS, Philadelphia, for change of frequency to 1,390 kilocycles and increase of power to 500 watts night, 1,000 watts day; KQV, Pittsburgh, for increase of power to 1,000 watts; WSMK, Dayton, for increase of power to 250 watts night, 500 watts day; and WMBH, Joplin, Mo., for change of frequency to 1,380 kilocycles and increase of power to 500 watts.

Arkansas Pleas to Be Heard

April 20—Before an examiner: Application of Radio Enterprises, Inc., Hot Springs, Ark., for 1,310-kilocycle, 100-watt daytime station, and Associated Arkansas Newspapers, Inc., Hot Springs, for 1,310-kilocycle, 100-watt daytime station.

April 22—Before the broadcast division: Application of Hildreth & Rogers Co., Lawrence, Mass., for 680-kilocycle, 1,000-watt daytime station, and Old Colony Broadcasting Corp., Brockton, Mass., for 680-kilocycle, 250-watt daytime station; and Station WNBC, New Britain, Conn., for increase of time and increase of day power to 1,000 watts.

April 23—Before an examiner: Application of John C. Hughes, Pheonix City, Ala., for 1,310-kilocycle, 100-watt daytime station; G. Kenneth Miller, Tulsa, Okla., for 1,310-kilocycle, 100-watt station; Galesburg Printing & Publishing Co., Galesburg, Ill., for 1,500-kilocycle, 250-watt daytime station, and Ann Arbor Broadcasting Co., Ann Arbor, for 1,550-kilocycle, 1,000-watt station.

April 26—Before an examiner: Applications of Clark Standiford and L. S. Coburn, Fremont, Neb., for 1,420-kilocycle, 100-watt station; Frank M. Stearns, Salisbury, Md., for 1,200-kilocycle, 250-watt daytime station, and Dan B. Shields, Provo, Utah, for 1,200-kilocycle, 100-watt station.

April 29—Before the broadcast division: Applications of George Harm, Fresno, Cal., for 1,310-kilocycle, 100-watt station, and Station WAAB, Boston, for increase of day power to 1,000 watts.

Coral Gables Asks Station

April 30—Before an examiner: Applications of F. W. Borton, Coral Gables, Fla., for 1,420-kilocycle, 100-watt station; Roberts-MacNab Co., Bozeman, Mont., for 1,420-kilocycle station, 100 watts night, 250 watts day, and Earl Weir, St. Petersburg, Fla., for 1,370-kilocycle, 100-watt station.

May 4—Before an examiner: Applications of C. P. Sudweeks, Spokane, for 950-kilocycle station, 500 watts night, 1,000 watts day; Clarence A. Berger and Saul S. Freeman, Coeur d'Alene, Idaho, for 1,200-kilocycle, 100-watt daytime station.

May 5—Before an examiner: Applications of George W. Young, St. Paul, Minn., for 920-kilocycle station, 1,000 watts night, 5,000 watts day; National Battery Broadcasting Co., St. Paul, for 920-kilocycle station, 1,000 watts; National Battery Broadcasting Co., St. Paul, for 580-kilocycle, 1,000-watt station; Northern Broadcasting Co., Traverse City, Mich., for 830-kilocycle, 500-watt daytime station; Northwest Publications, Inc., Duluth, for 580-kilocycle, 250-watt daytime station; and Station WAAF, Chicago, for increase of time and increase of day power to 5,000 watts.

To Consider Time Increases

May 11—Before an examiner: Applications of Stations KFUO, Clayton, Mo., for increase of time to 1,000-watts night, 5,000 watts day; WAAT, Jersey City, for increase of power to 1,000 watts; and KFRU, Columbia, Mo., for increase of night power to 1,000 watts.

May 12—Before an examiner: Application of Central Michigan Radio Co., Mt. Pleasant, Mich., for 570-kilocycle, 250-watt station.

May 18—Before an examiner: Application of Stations KVOO, Tulsa, Okla., for increase of power to 50,000 watts; and KYW, Philadelphia, for increase of its power to 50,000 watts.

June 1—Before an examiner: Application of W. H. Hartman Co., Waterloo, Ia., for 1,420-kilocycle, 100-watt station.

June 28—Before an examiner: Application of Station KRKO, Everett, Wash., for change of frequency to 1,420 kilocycles and increase of power to 100 watts night, 250 watts day.

"Definite Value"

"I want you to know that I have read with interest your coverage on radio. I can only say that I believe it has a definite value to the exhibitor and I look forward with interest to it."—*R. J. O'Donnell*, general manager, Interstate Circuit, Inc., Dallas.

LEO SAYS:
Happy Birthday! WHN is fifteen years old today!
WHN DIAL 1010 AFFILIATED with M-G-M • LOEW'S

KDYL in Store Tieup

SALT LAKE CITY, March 17.—KDYL has taken the lead in promoting and broadcasting a new idea in merchandising for department stores. A new contract with the Auerbach Co., leading department store, calls for five remote control broadcasts a day from the store.

KDYL's Engineering Staff has wired the three-story building—providing remote outlets in every department to which portable equipment can be connected.

Department heads, sales people and customers, are interviewed. Broadcasts are planned 10 days in advance with the store's advertising department—coordinating the radio promotion with the store's newspaper and other advertising.

"Welcome Valley" to Fade

"Welcome Valley," long-term network favorite, fades from the NBC airwaves with the broadcast of April 30, and will be succeeded the following Tuesday, April 6, by a new program entitled "It Can Be Done."

The new series will continue to star Edgar Guest, and will feature the band of Frankie Masters. The time and network, Tuesdays, 8:30 to 9 P.M., E. S. T. on the Blue, remain the same as at present.

Sarnoff on Holland Program

David Sarnoff, president of RCA, will broadcast greetings to the N. V. Philips Omroep Holland-Indie, European shortwave transmitter, March 20, on the 10th anniversary of the founding of the foreign station. The address here will be carried over the combined NBC-Red and Blue networks beginning at 9:21 A.M., E.S.T.

Bette Davis, Bogart on Air

Bette Davis and Humphrey Bogart will offer a radio version of their latest film, "Marked Woman," on "Hollywood Hotel" March 26. The engagement marks Miss Davis' first appearance on the program this year, and Bogart's second "Hotel" appearance in the last month. He previously appeared in "Black Legion."

"Mason, Dixon" Starts March 23

"Mason and Dixon," new team discovered by Charles Wilshin, director of WMCA's artists' bureau, start a three-a-week series over the Inter-City network March 23. They will be heard Tuesday, Thursdays and Fridays at 10:45 A.M.

WINS to Broadcast Circus

WINS will broadcast the Cole Bros.-Clyde Beatty Circus daily from the Hippodrome beginning March 18 and continuing through March 22. Additionally, the broadcasts will be fed to the affiliated stations of the New York State network.

Plan Mexican Network

SAN DIEGO, March 17.—Plans are under way for a new Mexican network linking border station in Tijuana and Mexicali, Lower California.

Wave Bouncing Hits San Diego Reception

SAN DIEGO, March 17. — The current prize CBS coast headache is self-interference which messes up KNX programs for the San Diego area.

The network outlet has been via the Don Lee web, serving San Diego through KGB. The recent shakeup which left KGB a Mutual outlet and chopped CBS off at KNX created a situation which has both the San Diego listeners and the chain up in the air.

The reason is that when night sets in, periodic mushiness messes up KNX programs here. Technical men say all stations experience this difficulty at certain distances. It seems the sky wave bounces back from the heavyside layer to clash with the ground wave. The twin waves go in and out of phase. In daylight the sky wave is ionized by the sun's rays and is absorbed before it gets a chance to bounce.

Radio columnists, lacking satisfactory explanations from CBS as to its plans, are taking the KNX outlet for a ride, with fans bombarding the station and sponsors with squawks on reception. Most listeners have to turn to KSL, Salt Lake, which is just far enough away to fight with the noise level at times.

Ruffner Switch Confirmed

It was officially admitted yesterday that "Tiny" Ruffner is leaving Benton & Bowles to accept a production position with Ruthrauff & Ryan, thus confirming MOTION PICTURE DAILY'S exclusive report a week ago. Ruffner leaves for Hollywood in two weeks to supervise production on the Milton Berle, Joe Penner and Community Sing programs.

Atlantic Gets Pirates Games

The Atlantic Refining Co. has signed to broadcast all Pittsburgh Pirates games away from home over WWSW, Pittsburgh, on a reconstructed basis. N. W. Ayer & Son placed the account.

Wall Street

Board Off; U. Drops 8 Points

	High	Low	Close	Net Change
Columbia	34⅜	34	34	— ⅜
Columbia, pfd.	43	43	43	— ½
Consolidated	4⅝	4⅝	4⅝	— ⅛
Consolidated, pfd..	16¼	16⅛	16¼	+ ¼
Eastman Kodak ..	165¾	164½	164½	—2¼
Gen. T. Equip. ...	30	28¾	29	—1
Loew's, Inc.	78½	78	78	— ⅞
Paramount	25¼	24½	24⅝	— ⅛
Paramount 2 pfd..	22¾	21⅞	21⅞	—1
Pathe Film	8⅝	8¼	8½	— ⅛
RKO	8¾	8⅝	8⅝	— ⅛
20th Century-Fox.	40	38¾	39	— ½
20th Century, pfd..	49½	48⅝	48⅝	— ⅞
Universal, pfd.....	89	82	82	—8
Warner Bros.	15⅜	15	15	— ⅛

Curb Declines Fractionally

	High	Low	Close	Net Change
Grand National ..	3⅛	3⅛	3⅛	.....
Sentry Safety	¾	¾	¾	— ⅛
Sonotone	1⅞	1⅞	1⅞	.....
Technicolor	23	22½	22½	— ½
Trans-Lux	4¾	4⅝	4⅝	.....

Warner, Paramount Bonds Gain

	High	Low	Close	Net Change
Loew's 3½s '46....	97½	97½	97½	— ¾
Paramount B'way 3s '55	75¼	75¼	75¼	+ ½
Paramount Pict. 6s '55	100¼	100⅛	100⅛	.....
Warner Bros. 6s '39 wd	96½	96	96½	+ ½

(Quotations at close of March 17)

KIDO, Boise, to Go Into NBC's Network

KIDO, Boise, Idaho, will be linked to the NBC chain July 1. KIDO operates on a daytime power of 2,500 watts; 1,000 watts at night. C. G. Phillips and Frank L. Hill own the station jointly.

The station will join the North Mountain group, which is an optional web of the NBC network.

Effective with the amalgamation, KIDO will be the only network affiliated station in the entire state. The nearest NBC station is approximately 230 miles away. When the lines are finally linked up, the station will have the longest wire haul of any NBC station.

"Lum and Abner" in Chicago

Chicago, March 17.—"Lum and Abner" arrive here Monday from Hollywood to confer with their sponsors regarding a new premium plan which will be offered on their broadcasts for Horlick this spring. The comedians will continue their program from local studios here, returning to Hollywood next week.

The new premium idea will involve thousands of dollars in cash and merchandise awards, it is reported.

Use Radio in Crime Fight

Detroit, March 17.—Calling radio into service in its war against crime, the Delinquency Prevention Committee of Michigan is presenting a series of educational broadcasts every Monday night at 10:30 P.M., over WWJ. The purpose is to focus civic attention on a basic essential of crime prevention, namely, the reduction of juvenile delinquency.

CBS Men to Confer at Frisco

Hollywood, March 17.—Donald W. Thornburgh and Fox Case, CBS coast officials, leave for San Francisco and Sacramento, tomorrow, to confer with civic and Government officials on the Golden Gate Fiesta in April. The executives will also hold a preliminary discussion on the World's Fair in 1939.

"Coronet" May Be Switched

"Coronet on the Air," currently heard on WOR, may switch to an NBC network instead of a Mutual hookup, it was reliably reported yesterday. The report is that Mutual is experiencing difficulty clearing time for the program.

"Time" to Add Nine Stations

The "March of Time" will add nine CBS stations to the 35 currently carrying the program when it switches on April 15 to the sponsorship of Servel, Inc.

Hal Dieker a Father

Hollywood, March 17.—Hal Dieker, sound effects man with NBC, is celebrating the arrival of a seven-pound girl.

Pictures for Screen Guide

Chicago, March 17.—*Screen Guide*, and not *Radio Guide*, will come out shortly as a pictorial magazine, it is reported here.

McAllister, Menken to Crosley

Cincinnati, March 17.—James McAllister, dramatic player, and Lawrence Menkin, continuity writer, have joined the Crosley radio staff here.

◂ Radio Personals ▸

ARNOLD JOHNSON'S orchestra set for an eight week vaudeville tour, beginning in Philadelphia April 8 . . . Rudy Vallee will highlight the third annual Honor Society of the American Legion broadcast on NBC-Red April 3 . . . Patricia Barclay will be a guest on Crosby Gaige's "Kitchen Cavalcade" March 22 . . . Irene Delroy will guest on Major Bowes' "Capitol Family" broadcast Sunday . . . Principal guest on Ted Hammerstein's "Music Hall" series March 23 will be Tom Chalmers of the "Eternal Road" cast . . . Rubinoff has written a new number, "Banjo Eyes," dedicated to Eddie Cantor, which he'll introduce on his program shortly . . . Pat Casey is Freddie Martin's new vocalist . . . WHN, in addition to WOR-Mutual, will broadcast the Adolph Zukor testimonial dinner March 29 . . . Departing on official business today are John Anderson of Batten, Barton, Durstine & Osborn; W. T. Reddick of N. W. Ayer; and E. L. Petley . . .

✚

Ed East and Ralph Dumpke, the "Sisters of the Skillet," have been re-signed by Educational for another series of shorts . . . Virginia Seeds, publicity director of WLS, Chicago, is suffering from a broken foot . . . *Advertising Age*, in collaboration with the WMCA "High School Reporter" program, is offering $1,000 in cash prizes in an essay contest . . . Nellie Revell's guests for the next three broadcasts are as follows: Lannie Ross, March 23; Ethel Barrymore, March 30, and Beatrice Lillie, April 6 . . . Albert Payson Terhune added as guest on Joe Cook's "Shell Show" program this Saturday . . . Lee Sullivan and Neila Goodelle, both of NBC, now beginning a new cycle of Educational shorts . . .

✚

Clyde Beatty will be the guest of Sam Taube on WHN this Sunday at 1 P.M. . . . Billy Glason's "Funfest" on WMCA will be heard at a new hour beginning Sunday. Formerly heard at 6 P.M., the program will thereafter be aired at 2 P.M. . . . "Fats" Waller headlines the CBS "Swing Club" Saturday night . . . Bud Rainey has again started his "Sunshine at Midnight" program on WHN . . . Cookie Bowers sails today on the *Normandie* . . .

✚

Lanny Ross has returned from Atlantic City . . . June Collyer and Stuart Erwin will be guests on this Saturday's Sealtest program . . . Walter Winchell is en route east . . .

✚

Alice Frost replaces Joan Banks on the Stoopnagle and Budd series . . . Amelia Umnitz, formerly of Paramount, has joined NBC's press department as assistant to Betty Goodwin on fashions . . . Little Jackie Heller returning from England . . .

✚

Chicago Town Pump

Chicago, March 17.—Lily Pons and Andre Kostelanetz will be heard in two performances of the Chicago Civic Opera Co. this fall. Plans are being made for the broadcasts of these appearances over the CBS network but definite dates have not been set . . . Don Hancock is back at CBS after a 10-day siege of the flu . . . Hubert Carson, better known as "Shorty" with the Ranch Boys, plans to marry this fall. His engagement to Miss June Fosse, a local girl, has just been announced . . . Northwestern University journalism students attended a seminar at WBBM on Monday . . . Truman Bradley, James Patt and J. Oren Weaver addressed the students on radio news broadcasting.

✚

Los Angeles Town Pump

Los Angeles, March 17.—The option of Ken Carpenter, announcer for Marion Talley's Ry-Krisp show, has been taken up to June, 1938, and the program has been renewed for a year. . . . Frank Fay set for Jack Oakie's college over CBS March 23. . . . Sidney Skolsky off the next Cantor show for a later appearance. . . . Cliff Howell, announcer for KFWB for the past six years, has resigned to do free lance work. . . . Harriet Hilliard, Basil Rathbone and Vitya Vronsky and Victor Babin, Russian piano team, will be on Bing Crosby's Kraft program Thursday.

New Accounts to Philly Stations

Philadelphia, March 17.—Breyers Ice Cream Co. has returned for its seasonal campaign over WCAU. It is placed by the McKee-Albright-Ivey, and uses 312 spot announcements in addition to daily weather reports and news flashes. Two other national advertisers have joined the WCAU roster—Norge Rollator, refrigerators, set through Cramer-Krasselt of Milwaukee, will air twice weekly the "All Star Varieties" transcriptions for 13 weeks; and Oenida, Ltd., silverware, set by B. B. D. & O. for a quarter hour weekly for 13 weeks for the "Peggy Tudor" transcriptions.

At KYW, two new national advertisers have bought time. Richard Hudnut perfumes carry the Top-Hatters, studio swing band, for a quarter-hour on Fridays, placed by B. B. D. & O., and Graham-Paige Motor Co., through U. S. Advertising Corp., sponsors a daily, five-minute news shot.

WCTU Plans Spots On Drunken Driving

The W. C. T. U. will spend approximately $200,000 on a radio spot campaign to combat drunken driving. The platters will be placed on a score of stations beginning next month and running through the fall.

Sober driving pledges will be distributed to listeners requesting them.

WKRC to Celebrate

Cincinnati, March 17.—WKRC Columbia-owned station in the Hotel Alms, is planning an hour broadcast for the dedication of new studios and a 5,000-watt transmitter March 27. Governors of three states, Mayor Wilson, and City Manager Dykstra and Timothy S. Goodman, station manager, will be heard. Dramatizations of the history of WKRC, the first radio station here and a history of the city will be among the features aired.

Boltke, Sokoloff with WPA

Los Angeles, March 17.—Guy Boltke has been named production manager and Dr. Nicolai Sokoloff has been placed in charge of all musical project work here for the WPA. Their first commission is to make 16-inch electrical transcriptions locally to add to the volume recorded at the RCA studios in New York.

Crosley to Erect Building

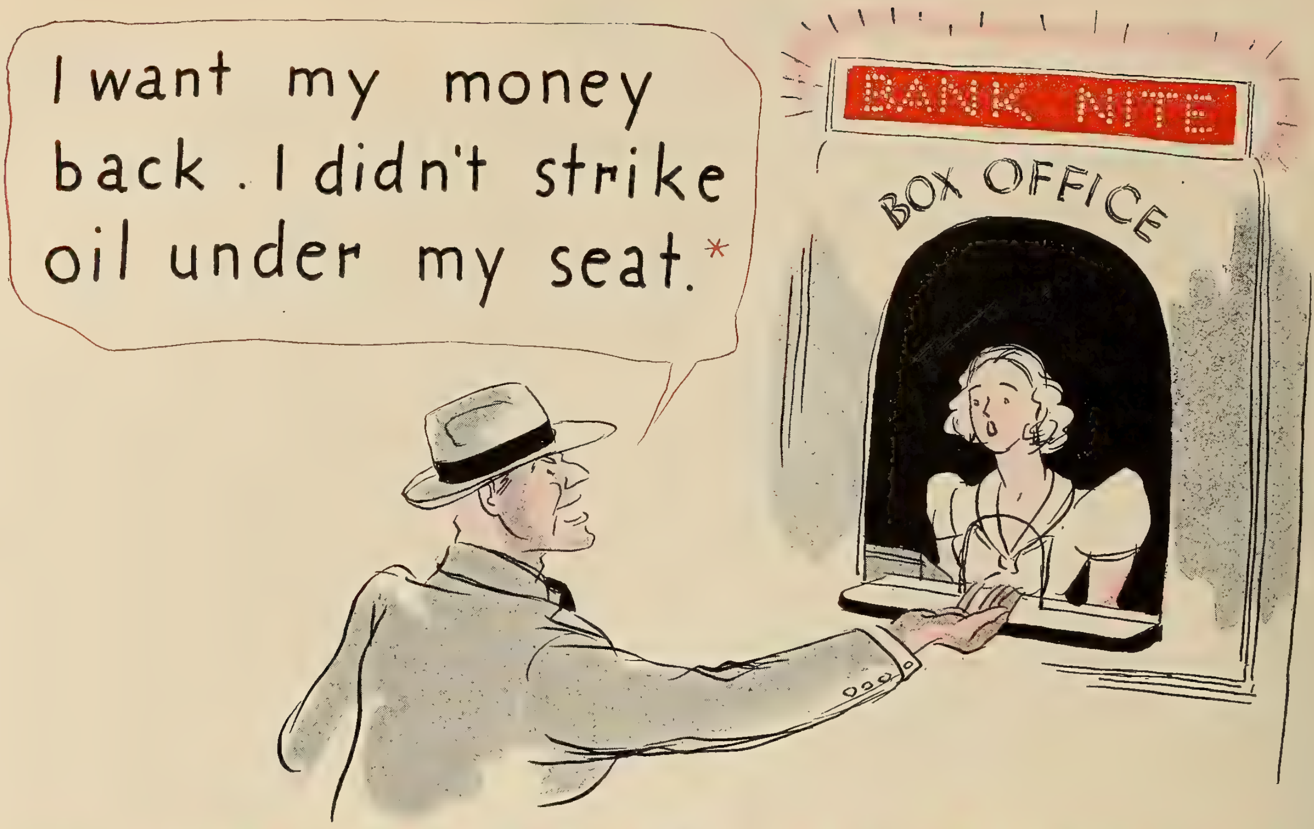
Cincinnati, March 17.—The Crosley Radio Corp. will erect a new building to house the offices and studios of WLW, WSAI and W8XAL, affiliates of NBC and Mutual. Work is expected to start soon.

Propose Radio Censorship

Albany, March 17.—Censorship of all advertising matter broadcast on any New York state station was proposed in a bill introduced in the senate yesterday by William J. Murray, of New York City.

HOLLYWOOD ROOM RECIPES
BROADCAST PROGRAM
33⅓
R.P.M.
BIGELOW WEAVERS
RADIO EVENTS
ADAPTED BY GLADYS MILLER
from
OUTSTANDING
MOTION PICTURES

A LABEL OFF OF A DEALER TRANSCRIPTION SERIES PLANNED BY RADIO EVENTS, INC.


I want my money back. I didn't strike oil under my seat.*
BANK NITE
BOX OFFICE

SOLVE THE PROBLEM—PATRONS WANT PICTURES! TRICK OPPORTUNITY GAGS ARE A CONFESSION OF WEAKNESS . . .

Good features plus good shorts are all that's needed—Here is M-G-M's latest two-reel Showmanship Special which you can absolutely bank on at the boxoffice

SERVANT
OF THE
PEOPLE

The Story of the Constitution of the United States

IT'S THE MOST TIMELY PICTURE EVER MADE—The most discussed subject in the nation's history will make short subject history on YOUR screen . . .
READY FOR APRIL 9th RELEASE

**Joke probably by George Jessel*

Alert.
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 41. NO. 65 NEW YORK, FRIDAY, MARCH 19, 1937 TEN CENTS

Pathe to Put Up $200,000 For Monogram

Franchise Holders Will Furnish $150,000

Pathe will finance Monogram for $200,000 and franchise holders throughout the country have pledged an additional $150,000, it was learned yesterday with the filing of registration papers with S.E.C. in Washington.

Under the terms of the Pathe contract signed late Wednesday night, Pathe will receive approximately 200,000 shares of stock in Monogram in addition to a five-year printing deal. Franchise holders will receive stock according to the amounts invested in the company.

Sisto & Co. has closed a deal to underwrite a $1,000,000 stock issue, which is expected to be placed on the New York Curb as soon as S.E.C. approves the corporate and financial setup. There will be 1,000,000 shares at $1 par value with about 650,000 to be offered for public subscription.

Signing the Pathe-Monogram contract were W. Ray Johnston, president of Monogram, and O. Henry Briggs, head of Pathe, for their respective companies. This is the first independent production financing deal

(*Continued on page* 11)

Skouras Is Making Single Film Tests

Skouras Theatres is experimenting with a single feature policy in one of its Long Island theatres to test public reaction. If the policy proves successful, it will be extended to other houses in the circuit, it was stated yesterday.

The theatre showing only one picture is the Manhasset, Manhasset, a new structure which was opened last November with the policy. Under a

(*Continued on page* 12)

Report Unionization Is Inactive in K. C.

Kansas City, March 18.—Rumors have it that exchange employees here are being organized, but investigation reveals that most of it is talk. Apparently a member of the local independent union of operators, carrying letters from John L. Lewis's C. I. O., has approached employees, but the effort doesn't appear to be a real one. The I. A. T. S. E. is not yet in the field.

Film Theatre Grosses for '35 Totaled $508,196,000

By BERTRAM F. LINZ

Washington, March 18.—A total of 12,024 film theatres, including those also showing vaudeville, with box-office receipts in 1935 of $508,196,000, was reported tonight by the U. S. Census Bureau in making public the results of its 1935 census of places of amusement.

Details of the survey of the exhibition industry were not made public, but will be issued in the near future. However, it was shown that there were 6,104 proprietors and firm members active in the operation of the houses, which gave employment to an average of 93,052 persons during the year and had an aggregate payroll of $102,804,000, of which $98,855,000 was for full-time and $3,949,000 for part-time work.

The bureau also reported that it had counted 158 legitimate theatres and opera houses, with receipts of $19,630,000, in the conduct of which 62 proprietors and firm members were active and which gave employment to an average of 3,642 persons, the aggregate payroll for 1935 being $8,030,000, of which $6,582,000 was for full-time and $1,448,000 for part-time employment.

The theatre figures, made public in connection with a summary of the amusement business as a whole, were admittedly deficient, the bureau

(*Continued on page* 2)

Universal to Raise Budget 25 Per Cent

Universal will increase its production budget for the new season by approximately 25 per cent, with the bulk of the increase being applied to production of a larger number of specials than heretofore, company officials stated yesterday following a series of conferences on new season plans which have been under way here since the arrival of Charles R. Rogers from the studio 10 days ago.

At present, indications are that the company's 1937-'38 schedule will not be materially increased and probably will be held to the same number of features as in the past, that is 36 features and six westerns. Under this plan the budget increase would not go into the making of a greater number of pictures, but rather toward the production of a larger proportion of specials, first and the enhancement of

(*Continued on page* 12)

Master Will Hear RKO Proceedings

Definite indications that the RKO reorganization proceedings will be turned over to a special master some time next week were given yesterday by Federal Judge William Bondy at a hearing at which no progress toward consideration of the fairness of the proposed reorganization plan, presented to the court last November, was made.

Yesterday's hearing, in fact, brought

(*Continued on page* 11)

Pittman Will Seek Inquiry On Air Profit

Washington, March 18.—An investigation of the allegedly excessive profits of broadcasting stations and their designation as public utilities in order that their rates and practices may be regulated, will be sought in the near future by Senator Key Pittman of Nevada.

Study of such data as has been available, Senator Pittman said, indicates that some of the stations are making profits of as much as $620,000 a year, on rates which, in at least one instance, run up to $532 for 15 minutes of air time.

The Senator also warned that the acquisition of stations by newspapers

(*Continued on page* 11)

Additional developments in radio on pages 10 and 11.

Major Distributors Win Point in Macon

Macon, Ga., March 18.—Judge Bascom S. Deaver, in U. S. District Court, has refused to issue the preliminary injunction sought by the Broadway Theatre, Inc., of Tampa, against Vitagraph, Inc., 20th Century-Fox Film Corp., Paramount Pictures Dist. Co., Inc., United Artists Corp., Columbia Pictures Corp., Universal Film Exchange and RKO.

The Tampa concern, owned by B.

(*Continued on page* 11)

Film Players On Air Target Of Miami Meet

Convention Also Takes Stand on 10 Points

By RED KANN

Miami, March 18.—Radio came in for a severe pummeling as the 17th annual M.P.T.O.A. convention came to a close at the Miami Biltmore this afternoon and a committee of three was voted to express the exhibitor disapproval of the widespread appearance of film stars on the air to producers who permit the practice.

The committee members are to be named by Ed Kuykendall at a future date. He said he "wanted to think over the personnel of the committee in view of the importance of the matter."

The convention also reiterated its determination to "fully accomplish the universal acceptance of its 10-point plan." Both resolutions emerged in language evidencing strength somewhat beyond the tenor usual in similar and earlier actions of this organization.

Describing the appearance of film stars on the air as having increased "alarmingly in the past year," and their skits hastily prepared and poorly presented, the resolution hit at distributors "guilty of an appalling error." It wore out star value with the public, it was maintained, and a demand was made that the practice must cease.

Wide discussion preceded passage of the resolution, which was unanimous. It ranged from a reading by Edward G. Levy of New Haven of a denunciatory editorial by John C. Flinn in the current issue of *Variety,* in which he described the nation's receiving

(*Continued on page* 8)

Zukor Holds Bigger Returns Are Needed

Miami, March 18.—Exhibitors must develop a method of assuring producers of worthwhile attractions a greater return if showmen of the nation expect pictures to reach their theatres in their present flow, Adolph Zukor, chairman of the Paramount board, told the M. P. T. O. A. convention at the final afternoon session today.

"I don't know whether the method is one of extended runs or higher prices. I'm not advising you because I have troubles of my own," he said. "But I do know this will have to

(*Continued on page* 9)

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RIO DE JANEIRO: Caixa Postal 3358; A. Weissman, Representative.
ROME: Viale Gorizia; Vittorio Malpassuti, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Nuestiftgasse, 55; Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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Ampa's Nominating Committee Is Named

Paul Lazarus, Jr., Arthur Jeffry, Vincent Trotta, Paul Benjamin, Edward Finney, Milton Weiss and Ken O'Brien were appointed yesterday as the committee on nominations for the Ampa at the organization's luncheon meeting at the Edison. The committee will report back in two weeks with a list of proposed officers for the ensuing year.

The annual dinner and dance will be held at the New Yorker on May 1, at which time awards for outstanding advertising, publicity and exploitation copy will be announced. An exhibit will be held at Loew's State Bldg., starting April 26.

Rudy Feld, former Ufa director; Victor Shapiro, publicity head for Major Prod. and Adrienne Peabody, numerologist, were among the speakers yesterday.

Bernhard to Europe

Joseph G. Bernhard, general manager of Warner theatres, will sail May 27 on the *Paris*. While abroad he will join Harry M. Warner and Sam E. Morris, who are inspecting the company's interests in Italy, France, Norway, Sweden and Great Britain. The trio will return in May.

Film Theatre Grosses for '35 Totaled $508,196,000

(*Continued from page 1*)

showing that while it made every effort to check its reports, some places of amusement were closed at the time the field canvass was made and enumerators were not always able to contact the owners, while in other cases information was refused and the bureau could do nothing in the absence of legislation making reports compulsory.

All told, the bureau found a total of 37,677 places of amusement, with total receipts of $699,051,000, these figures including all types of recreational activity such as theatres, amusement devices and parks, bands and orchestras, baseball and other sporting places, bathing beaches, boat rental, circulating libraries, dance halls, race tracks, riding academies, skating rinks and swimming pools.

The figures indicate that theatres accounted for approximately one-third of all amusement establishments and about 75 per cent of all amusement receipts. The most important other amusements were billiard and pool parlors and bowling alleys, 12,412 establishments with receipts of $43,271,000; horse and dog race tracks, 64 with receipts of $32,466,000; baseball, football and other sports, 426 places with receipts of $25,273,000; dance halls, 3,872 with receipts of $14,831,000; amusement parks, 303 with receipts of $8,982,000, and bands and orchestras, 708 with receipts of $4,611,000.

Amusements Hired 157,789

The amusement industry as a whole gave employment to an average of 157,789 persons during the year, and had a total payroll of $159,641,000.

The bureau's figures on theatres, while probably somewhat under the actual, represent a decided improvement over the 1933 census, the first to be taken, which showed 10,143 film theatres with receipts of $460,542,000, and 122 legitimate theatres with receipts of $8,611,000.

The accompanying table shows the number of amusement establishments of all types and receipts in 1935, by states.

Amusement Totals

Division and State	Number of Establishments	Receipts (add 000)
NEW ENGLAND	2,760	58,952
Connecticut	550	11,522
Maine	392	4,010
Massachusetts	1,281	32,724
New Hampshire	227	2,908
Rhode Island	177	6,365
Vermont	133	1,423
MID. ATLANTIC	7,415	222,799
New Jersey	1,181	29,683
New York	3,850	143,139
Pennsylvania	2,384	49,977
E. N. CENTRAL	7,404	137,457
Illinois	1,724	51,080
Indiana	1,086	15,416
Michigan	1,557	23,728
Ohio	2,196	36,750
Wisconsin	841	10,483
W. N. CENTRAL	5,063	56,342
Iowa	1,016	8,502
Kansas	773	7,739
Minnesota	871	11,881
Missouri	1,212	19,217
Nebraska	618	4,789
North Dakota	267	1,947
South Dakota	306	2,267
S. ATLANTIC	3,997	59,710
Delaware	70	1,083
District of Columbia	156	7,915
Florida	594	11,349
Georgia	671	5,248
Maryland	426	10,683
North Carolina	712	7,350
South Carolina	371	3,071
Virginia	607	8,096
West Virginia	390	4,915
E. S. CENTRAL	2,088	20,939
Alabama	495	4,539
Kentucky	613	7,810
Mississippi	304	1,421
Tennessee	676	7,169
W. S. CENTRAL	3,629	41,525
Arkansas	448	3,756
Louisiana	453	4,974
Oklahoma	833	8,379
Texas	1,895	24,416
MOUNTAIN	1,719	19,091
Arizona	158	2,379
Colorado	452	4,861
Idaho	243	2,331
Montana	226	2,902
Nevada	66	1,218
New Mexico	145	1,455
Utah	254	2,266
Wyoming	175	1,679
PACIFIC	3,602	82,236
California	2,619	66,805
Oregon	388	5,865
Washington	595	9,566
TOTALS FOR U. S.	37,677	$699,051

William Murray Dies

PITTSBURGH, March 18.—William J. Murray, 72, for the last 15 years a manager for Harris Amusement Co., died this morning in Youngstown, O., of pneumonia. He was stricken prior to departing on a leave of absence granted because of ill health.

James Wiest Passes

James Wiest, theatre manager, whose last post was at the Regal, Hartford, passed away suddenly Wednesday morning. His widow and one child survive.

Sentry Net Is $1,792

The financial report of Sentry Safety Control Corp. and its subsidiaries for the year ended Dec. 31, 1936, showed a net profit of $1,792 after depreciation and charges. This is equivalent to less than one cent a share on 267,950 shares of common stock. The net compares with $3,622 in 1935, which was equal to one cent a common share

Mayer at Frisco Lunch

SAN FRANCISCO, March 18.—Louis B. Mayer was one of the principal speakers here yesterday at a St. Patrick's Day luncheon staged by the Shrine temple and the Ancient Order of Hibernians. More than 1,000 were present, including most of the principal city officials.

Skouras Party Enroute

LOS ANGELES, March 18.—Spyros Skouras, William T. Powers, Ed Zabel and Milton Hossfeld entrained for New York today after completing details on the Fox West Coast deal for 20th Century-Fox product next season.

John D. Clark, general sales manager for the distributor, will leave tomorrow. Herman Wobber, western division head for 20th Century-Fox, plans to remain here several days conferring with Al Hanson, Charles Skouras' assistant, to iron out minor details.

◀ *Purely Personal* ▶

MILT KUSELL returned yesterday from a tour of the south, Hollywood, where he visited his family, and Cincinnati, Columbus and Pittsburgh. Next week he will visit New England, Philadelphia and Washington. After this trip he will have covered 50,000 miles by air in connection with the Zukor Silver Jubilee drive.

●

MARQUIS' JAMES biography of SAM HOUSTON, called "The Raven," will most likely be produced by a major film company shortly. Several firms are after the Pulitzer prize book. One company has had an option on it, which has just expired, with C. C. WILKENNING & SON now refusing further optional agreements.

●

TILLY LOSCH, who made a personal appearance yesterday at the Astor in conjunction with "The Good Earth," in which she appears, will leave for Hollywood today with her mother.

●

DINTY MOORE, metropolitan district manager for Warners, has gone to Homer, Ill., to attend the funeral of his mother-in-law. He will be back next Tuesday.

●

SAM GOLDSTEIN, treasurer of Guaranteed Pictures, arrives today on the *Manhattan* from a two-month business trip in Europe.

●

WILLIAM K. SAXTON, city manager for Loew's in Baltimore, was in town yesterday conferring with JOSEPH R. VOGEL.

●

VLADIMIR VERLINSKY, president of Amkino, is due today from a month in Hollywood, where he bought films and equipment.

●

BELLE GOLDSTEIN, secretary to ADOLPH ZUKOR, left for the coast Tuesday to join the casting department.

●

ELIZABETH ALLAN sails tonight on the *Europa* for a vacation in England She will attend the coronation.

●

BUDDY MARCUS, Loew librarian, will return Monday on the *Volendam* from a cruise to Bermuda.

●

ARTHUR GOTTLIEB of DuArt Laboratories, leaves the coast Monday by car for New York.

●

KEITH FALKNER, English player signed by Warners, arrives on the *Queen Mary* Monday.

●

PAUL GRAETZ of Paris Export sailed yesterday on the *Normandie* after a 10-day visit here.

●

JOSEPH I. BREEN arrived in New York from Chicago by plane yesterday.

●

MRS. HENRY GINSBERG will take a train west tomorrow.

●

CHARLES SONIN, Loew purchasing head, is Miami-ing.

●

ARTHUR LEE is due back tomorrow from Chicago.

●

EDWIN WILLIS en route to the coast.

There's no word in the Dictionary

BIG

**enough to
describe it!**

"MAYTIME"

means

EXTENDED PLAYTIME!

"It *is* true! There *is* a heaven . . . and it's you!"

"I'm not used to being happy! It hurts...I can't believe it! Oh, hold, me close forever!"

STOP PRESS FLASH!!!

"Seventh Heaven" sneak previewed at Pasadena. Audience wept, laughed, sighed . . . then climaxed its tribute with ovation of handclapping. Simone Simon and James Stewart held crowd enraptured. Reaction insures boxoffice smash of first rank!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

THEY'LL LIFT YOUR GROSSES TO THE STARS

in this tenderest romance of our time!

Two young personalities who soar to fame's pinnacle ...capturing the fragile beauty and youthful freshness in this great story of an all-possessing love that transfigures with a golden glow their hard, harsh world of reality.

SIMONE SIMON

greater than you ever dreamed as
"Diane", the role she was born to play!

and

JAMES STEWART

as the valiant "Chico" whose love
gave her courage!

in

'SEVENTH HEAVEN'

with

JEAN HERSHOLT • GREGORY RATOFF
GALE SONDERGAARD • J. EDWARD BROMBERG
JOHN QUALEN • VICTOR KILIAN • THOMAS BECK
SIG RUMANN • MADY CHRISTIANS

Directed by Henry King
Associate Producer Raymond Griffith
Adapted from the stage play "Seventh Heaven" produced and directed by John Golden, written by Austin Strong
Darryl F. Zanuck in charge of Production

There have been all kinds of pictures . .

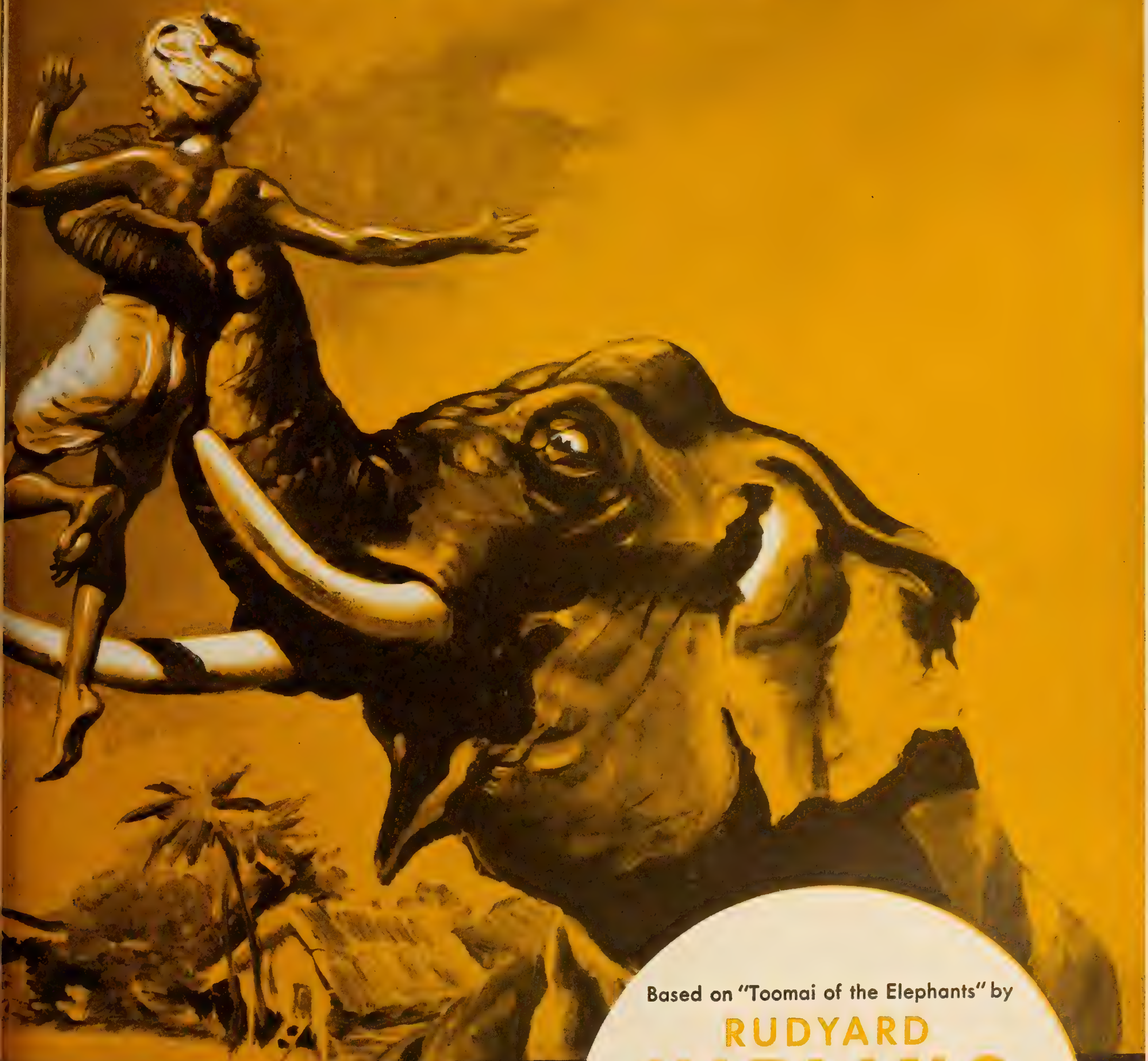
For three decades producers have wanted to make this great Kipling adventure story. But Korda was first to dare the staggering dangers it involved!

THE PICTURE WITH A THOUSAND ELEPHANTS AND A MILLION THRILLS! Photographed in Asiatic jungles never before penetrated! Acted by the Maharajah's own hunters.

ALEXANDER KORDA *presents*

ELEPHAN

UT NEVER ONE LIKE THIS!



BOY

Based on "Toomai of the Elephants" by

RUDYARD

KIPLING

directed by

ROBERT FLAHERTY
and ZOLTAN KORDA

a London Film

Released thru UNITED ARTISTS

Film Players On Air Target Of Miami Meet

(*Continued from page 1*)

sets as "20,000,000 wolves threatening the box-office" and a statement by Morris Lowenstein of Oklahoma, national M.P.T.O.A. secretary that the language was not strong enough, to a discussion of ways and means of barring the product of offending stars from the screens and the bringing of the offending producers to their knees by seeking to cut off newspaper publicity through the prestige of individual exhibitors turned loose on their local newspaper editors.

Fred Wehrenberg of St. Louis, chairman of the board, denounced this phase of radio not as the ally it has been called but as a definitely harmful influence.

"Stars used to complain their values would be worn thin by appearing in more than two pictures annually, yet some of them appear on the air each week," he stated. "Broadcasts are said to aid the box-office. They failed to during the depression, yet the reason for better business is being attributed to radio exploitation, when as a matter of fact the reason actually is better times."

Berinstein Hits Radio Tieup

Ben Berinstein of Los Angeles referred to the General Mills radio sponsorship, directly from sound stages of five major Hollywood lots, from Monday to Friday inclusive, and said he wanted to know why and how it came about.

"William R. Wilkerson, editor of the *Hollywood Reporter,* had arranged a deal when certainly each studio must have someone competent to enter upon such an arrangement without recourse to the middleman."

Jules Michaels of Buffalo sought passage of an amendment seeking a clause in contracts allowing exhibitors to cancel any picture previously ballyhooed over air lanes, but the suggestion was killed following argument.

H. V. Harvey of San Francisco held Michaels' plan unworkable.

"I have been trying to place Fred Astaire musicals in the lower brackets with RKO for nine months on the contention the star had lost ground because of his radio appearances, and have failed."

McNeil Also Sought Astaire Cuts

"You can't get such a clause," he concluded. His idea was to kill off important product exploited on the air by relegating it to the short half of the week and thereby make distributors realize exhibitors mean business through hitting at producers' returns.

It developed that R. A. McNeil of Golden States Theatres, San Francisco, was another theatre operator who had been seeking reductions on Astaire films without results. His observations on radio at large was that it had long been doing his business harm.

The suggestion that producers might be made to feel the pinch by cutting off their usual channels of newspaper publicity was advanced by B. P. McCormick of Canyon City, Colo., who was quite certain a plan could be made to work nationally if exhibitors would make up their minds to do it.

"Why not extend it to national magazines?" was the cry of W. G. Ripley of Long View, Wash.

But it was M. C. Moore, president of Southeastern Theatre Managers' Ass'n, who threw cold water on the newspaper and magazine suggestion in favor of exhibitor action against offending stars by sluffing their attractions. Even on this score he was not sanguine, pointing out exhibitor competition in given situations could and would turn to profit any product rejected by another exhibitor in any endeavor to penalize radio film players.

As an entirely new angle, A. Julian Brylawski of Washington, D. C., posed the question if exhibitors were entirely blameless.

"Radio is doing us no good, I grant you, but what about trailers that virtually tell the entire story in advance of the film itself?" he asked. "Certainly exhibitors are not guiltless of the charge of spreading free publicity."

There was a sharp exchange of words when the 10-point plan was discussed.

Wehrenberg struck the stand for its immediate adoption and charged Kuykendall with having been too tolerant. He furthermore asked Zukor why Paramount did not abandon the score charge, but the chair choked that off with the pronouncement that Zukor was an invited guest and would not be submitted to embarrassing questions.

Turns to Allied Point of View

"Maybe Allied is not so wrong after all," pondered Wehrenberg. "Perhaps we should not go quite so far and encourage adverse legislation, but I am getting tired of endless round table conferences without results."

Obviously peeved, Kuykendall popped up with this:

"I have tried every method I know, but those who criticize have offered no substitute. I am tired of being patient with those who say I am too patient. If exhibitors of the country stood solidly together for one week, we'd have every distributor on bended knee. But exhibitors won't and you know they won't."

Harvey, by this time, was apparently irked by inaction and made his attitude quite clear. "This is my third M.P.T.O.A. convention and nothing is ever done. Last year I brought 25 from northern California to New Orleans. This year I came alone and I am paying my own way. What we want from distributors will do them no harm. I say we ought to get it; if not, I'm going to remain passive in the future on legislative matters.

"Most of the legislation, anyway, is aimed at major interests and is of little concern to small exhibitors; yet the majors depend upon our influence with local legislators to fight their battles. I say if they don't give us the 10-point program let them fight their own legal battles." His pyrotechnics brought applause.

Executive Com. to Work on Plans

Smoke cleared, a resolution was eventually adopted. It instructed the executive committee to work unceasingly for plans of adoption and authorized it to either continue a plotted course or "adopt and utilize any other means that will effectively aid in attaining the M.P.T.O.A. 10-point plan."

All indications of what new course might be followed was glossed over, but it is inevitable that earlier hints at relief, via Washington, were merely trial ballons, testing distributor reaction.

Harvey warned against 16mm competition. He cited a company called Films, Inc., which is selling such sound equipment and offering current releases on sub-standard width. While he conceded many distributors were refusing to service such accounts, he added churches, schools, auditoriums and other non-theatrical accounts were getting product anyway through protestations made by authorities of such institutions to the regularly constituted exhibitor who, he added, finds it difficult for fear of estranging local sentiment.

MPTOA Asks Support for Duffy's Bill

The convention, therefore, determined on a committee to be named to ascertain policies of major companies on this question, and draw a plan of action based on its findings.

Support of the Duffy Copyright Bill which would eliminate Ascap's minimum $250 penalty for copyrighted music violations was urged by Charles W. Picquet of North Carolina, reporting for the music tax committee. The convention went for it.

Pizor for Concilliation Boards

Development of conciliation and arbitration boards was urged by Lewen Pizor, chairman of the committee on this matter, and it was approved unimously by delegates.

"They can serve nothing but useful purposes," read the report, "and provide for settlement of all local disputes and controversies outside the contract and establish home rule in each zone or territory."

Speaking for Buffalo, Michaels stated 200 exhibitors there already had signed a document asking for the creation of such a system.

The big underlying worry of the convention, despite expectations to the contrary, did reach the floor in a report on labor by Wehrenberg.

His was the warning of moves to extend two-men-in-the-booth law in various sections of the country. He recited the I.A.T.S.E. plan to organize exchange employes as means of ultimately seeking to unionize operators in the country and small theatres and urged his listeners to prepare for the eventuality.

Insurance Reductions Sought

Following the reading of a paper on insurance by Henry Anderson of Paramount, Kuykendall named a committee composed of Anderson, Pizor and Levy to discuss reductions with insurance rate bureaus, particularly in the field of public liability coverage.

In long harangues on score charges, Michaels at one point sought adoption of an amendment binding theatre men not to buy from distributors who insist upon its maintenance.

Kuykendall asked how many present would agree. One arm shot up. It belonged to Wehrenberg. Notably absent was Michaels. He merely was the one who made the original suggestion. This, if nothing else, conveys the idea on how exhibitors function in their own conventions.

Block Booking Up Again

Following well established lines, the M.P.T.O.A. frowned on elimination of block booking by law by repeating its stand for unconditional 20 per cent cancellations on product bought in groups of 10, or more.

Before the session terminated, the program was fairly rounded out.

Brownie Akers of the Griffith Amusement Co., Oklahoma City, recited pointers in systematizing theatre

(*Continued on following page*)

Industry Fire Loss Low, Says Anderson

Miami, March 18.—Fire losses in the theatre industry during the past eight years have been less than those of any other industry in the United States and, possibly, in the world, manager of Paramount's insurance department, told the M.P.T.O.A. convention today.

Anderson paid tribute to the M.P.P.D.A.'s fire prevention activities, especially in the 376 film exchanges throughout the country for its part in bringing about the result noted. He said that Paramount has had a total fire loss of less than $1,500 during the past eight years.

Speaking on all forms of theatre insurance, Anderson declared that exercising proper precautions and utilizing common safeguards against incurring any type of liability, theatre owners will find that losses, risk and basic insurance rates ultimately are reduced.

"If the losses in any class of business, such as the theatre business, are high," Anderson pointed out, "the rates for that industry are made correspondingly high. If the losses are low, we may expect to obtain lower rates. Our interests and those of the insurance companies are not opposed."

He urged the M.P.T.O.A. to appoint an insurance committee to carry on fire and accident prevention campaigns in the theatre industry and maintain contact with the insurance companies.

Phillipson Proposes Show For Apparatus

Miami, March 18.—A proposal that the M.P.T.O.A. sponsor a comprehensive trade showing of equipment, accessories and furnishings in connection with its national conventions was made by Percy Phillipson, president of Automaticket, Ltd., of London, in addressing the M.P.T.O.A. today.

Phillipson urged that the trade exhibition be patterned after the one which has been held in connection with the annual meetings of the C. E. A. in England since 1928. The showing is now an official part of the British exhibitor organization's summer convention. It is comprised of 100 to 150 exhibits and virtually underwrites the expenses of the convention.

He urged that if such an exhibition should be made possible here that it be confined strictly to trade attendance and pointed out that it would provide an opportunity for theatre operators to study at first hand technical advances made during each year in the industry's vital equipment and accessories fields.

Hands-across-the-sea sentiment was expressed in two cables which Phillipson read from London. Both extended felicitations to the M.P.T.O.A. from Charles P. Metcalfe, vice-president; Ken Nyman, vice-president; Major Gale, treasurer, and W. Fuller, secretary of the C.E.A. of England and from the London and Home Counties Branch of the same organization.

Lockwood Talks on Admission Prices

(Continued from preceding page)

operation in all situations.

Arthur H. Lockwood of Middletown, Conn., deliberated on admissions and their proper economic level, drawing the conclusion that no formula was possible in light of localized conditions. As a digression he made an interesting observation when he cited, as his opinion, that radio with its advance content of future films with members of the original cast actually had assumed the character of the first runs of the nation, while first run theatres, per se, automatically were being pushed into the background.

While he said he held no brief for lower admissions, he cited examples in this and other industries, including public utilities and transportation, where tariffs had been cut with soaring business as a consequence.

Effective approach for future guidance on the price problem would be a clearing house of information predicated on actual experience, he concluded.

Griffith Discusses Star Names

H. J. Griffith of Oklahoma City aired his views on star values. He said there always would be a shortage, but stressed his belief that every picture had something to sell. What that may be was up to the live exhibitor to ascertain, he declared.

On theatre operation at large, he intrigued his audience with this: "We follow the policy of not trying to make a college graduate a theatre man, but a theatre man a college graduate." Griffith, with his brother, operates a large circuit of theatres in Texas, Oklahoma and New Mexico.

M. A. Lightman, as in others of these conventions, discussed community value of theatres.

Having flown especially from New York, Major Leslie E. Thompson exhorted the M.P.T.O.A. men to get behind the drive for the Will Rogers Memorial Hospital.

Urges Support for Rogers Memorial

"We are seeking to place a hospital at Saranac on an endowment basis and in four or five years anticipate getting $1,000,000 or more to make it self sustaining," he said. The drive starts April 30, with 3,000 local Rogers' chairmen. Circuit theatres and film salesmen nationally are ready to go on a membership drive encompassing theatres.

By resolution, producers were condemned for making prestige pictures and clubwomen for supporting them.

Familiar was a new resolution of the old problem of designated playdates which the convention naturally opposed. Score charges again were castigated; Mitchell Wolfson was thanked for his convention arrangements, and trade papers for their coverage.

Resolution to Woodhull Family

M. E. Comerford acknowledged with a rising vote the memory of R. F. Woodhull which was borne in mind. A resolution will be directed to his family.

The gavel then struck and off went the final and faithful few to prepare for the banquet for an attendance of 650, and the water carnival tonight, which ended the meetings.

Moon Over Miami

Miami, March 18.

What with the seasonal lure of Miami, its cabanas, and climate, not to overlook the ban lifted partially from the gambling places, the city and the beach are jammed to the gunwales with motion picture people. The Paramount contingent, ensconced at the Roney-Plaza where many of those registered at the Miami Biltmore wish they were, hovers around 80 or more. A handsome cross-section of many of the nation's best theatres is represented.

* * *

M. A. LIGHTMAN drove from Memphis. A mere 1,200 miles. BILL RODGERS, sales maestro for M-G-M pictures, is already in ahead of schedule and today visited his sons in a nearby military academy just to see them drill and feel proud. TOM CONNORS is with Rodgers.

* * *

BERT SANFORD, the Erpi man, is at hand. He was one of a sizeable number who came in over the road. His clock registered 1,400 miles from New York.

* * *

GEORGE FEINBERG, the seat manufacfacturer, startled many of his friends with his appearance. Once rotund and roly-poly, FEINBERG has been having a time of it with an illness which he describes as "high pretension." The Mayos gave him up and told him to go home to die. But FEINBERG has fooled them. Sixty pounds lighter, his clothes hanging on him, he is weak, but declares he is well. Careful dieting and plenty of rest, he anticipates, will return his strength.

* * *

Immerman continues to do very well by the DEMBOS—SAM and GEORGE. Among the tops in sartorial ensembles in any film crowd, this is the place which gives them opportunity to go in for *Esquire-like* combinations of sport jackets and off color slacks. It is correct to report they are living up to their opportunities.

* * *

JACK SKIRBALL forgot all care today in a beach chair at the Biltmore facing the sun and daring the consequences.

* * *

LOUIS NELSON, ardent member of the I. T. O. of New York, is here, not to attend the M. P. T. O. A. palavers directly, but on vacation. He is reporting to HARRY BRANDT as soon as something happens.

* * *

The Mirrophonic horns are swell for soundings of the gavel. When MITCH WOLFSON called the convention to order, the sound went through the loud speakers with a roar, a bang and a resounding crash.

* * *

M. B. HORWITZ, one of Cleveland's stormy petrels and strictly an Allied man, attended the opening session of the KUYKENDALL gathering. "I came down specially for it," he said, knowing nobody believed him.

* * *

CLAUDE EZELL is here, declaring he is feeling fit again. He listened with rapt attention to the presidential speech on Bank Nights and later, General Counsel LEVY's comment on the legal aspect of that game.

* * *

The bar off the Roney's lower lobby is jammed nightly with these and those drinking this and that, mostly beer and long, cooling summer drinks. Aside from a gypsy orchestra which, nevertheless, knows how to pound out "My Wild Irish Rose," the entertainment includes a palm reader who uses a miniature headlight to trace the extent of the patient's life line, et al.

LARRY FARRELL, a Comerford partner who runs the Irving, Carbondale, Pa., submitted the other night. "You had a marvelous business year last year and next season's will be better," she divined.

TED O'SHEA, M-G-M branch manager, beamed, for FARRELL is one of his accounts. TED automatically and mentally chalked him up for a 10 per cent increase on the 1937-38 lineup.

* * *

JACK COHN walked into the Roney barber shop today for a once-over-lightly treatment. "Are the BRANDT brothers around?" he inquired casually. "No, sir, they left for New York in a hurry. One of their biggest pictures was about to open," came the reply.

"What?," asked COHN.

"'Lost Horizon,'" the razor wielder explained.

Now COHN is telling the story which has its angle in view of the fact that Columbia's deal for the Globe, New York, guaranteed the BRANDTS a flat sum. The operation is strictly Columbia's.

* * *

ROBBINS, the DEMBOWS, COHN and others are about to take off for Havana even as you read this. The reason, they say: to buy cigars. Their wives are carrying around looks, all dubious.

* * *

Madhouse item: The FOUR YACHT CLUB BOYS, the three RITZ BROTHERS, JOE LOUIS and LOU IRWIN sunning themselves in the solarium of Dempsey's Vanderbilt.

* * *

It was only one of the merry groups that foregathered at the Park Avenue for a huge steak dinner. Tables shoved together on the quick made room for JACK and Mrs. COHN, SAM and Mrs. DEMBOW, HERMAN and Mrs. ROBBINS, GEORGE and MRS. DEMBOW and CHARLIE SONIN of Loew's who has been indulging in his annual holiday here.

* * *

The COHNS leave for Hollywood next month, JACK on regulation Columbia business and Mrs. COHN to see her son, RALPH, and her daughter-in-law, who is a daughter of tire manufacturer JIMMY MARTIN, a close buddy of JACK'S.

* * *

JOE MCCONVILLE and LOUIS ASTOR are also representing Columbia. ABE MONTAGUE, general sales manager, cannot make it. When MCCONVILLE returns to New York, however, MONTAGUE will get a chance of his own at sunshine. Bermuda.

* * *

LOU IRWIN is here squiring his clients, the RITZ BROTHERS, about the the resort on a short holiday. The comedians hie back to Gotham from this point and report to the 20th Century-Fox studio April 12 for another musical. Thereafter, they go to SAMUEL GOLDWYN for his "Follies," this by July 10.

Zukor Holds Bigger Returns Are Needed

(Continued from page 1)

come about. The public has been educated to get big pictures, and when I say that I don't mean Paramount alone. I am talking for the whole industry.

"Exhibitors today do not appreciate they are getting something outstanding. Business is better and Hollywood naturally is aware of it, thereby encouraging producers to step out.

"Taken by and large they are taking all the risk. On the basis of total investment those in production are finding the return is not worth the gamble and that's why I say exhibitors will have to see to it those returns are increased."

In the presence of all Paramount theatre partners who thronged Convention Hall as it had not been at any other time during the sessions, Zukor sketched briefly his coordinating efforts at the studio and said:

"If I had to stay in Hollywood at no pay at all I would remain for the thrill in making pictures," he told the assemblage. The studio is working out, he concluded, on a general slogan of "put Paramount back where it was."

Cuts Rialto Assessment

Referee Jacob Marks, acting for the N. Y. Supreme Court yesterday reduced the assessment of the Rialto Theatre property on Broadway & 42nd St., for 1935 and 1936 from $2,825,000 to $2,535,000.

Tops in adult entertainment, superb direction, splendid performances...it's box-office!

— WARREN STOKES
Jay Emanuel Publications

WALTER WANGER *presents*
CHARLES BOYER
and JEAN ARTHUR *in*
HISTORY IS MADE AT NIGHT
with
LEO CARILLO · COLIN CLIVE
Directed by FRANK BORZAGE *Original story by Gene Towne and Graham Baker*
Released thru UNITED ARTISTS

Radio Personals

THE Eton Boys have been booked for the week of March 25 at the RKO, Boston, and at the Earle, Washington, for the week of April 2 through the CBS artists bureau . . . Gregory Ratoff will appear on Eddie Cantor's program March 21 . . . The Horn and Hardart "Children's Hour" will celebrate its seventh consecutive year on WABC this Sunday . . . The Mills Brothers were set for a guest appearance on Ed Wynn's program April 3 through Rockwell-O'Keefe . . . Also, Art Jarret and Bernice Claire have signed Rockwell-O'Keefe contracts . . .

✚

NBC will broadcast the Harvard "Hasty Pudding" show on the Blue, March 23 at 11:15 P. M. . . . Elisabeth Rethberg and the Philadelphia Orchestra will guest appear on the RCA "Magic Key" program Easter Sunday . . . E. P. H. James, NBC manager of promotion, is the co-author of a tome now on sale, "Marketing Research". . . The Casa Loma orchestra will celebrate the seventh anniversary of its incorporation with a dinner at the New York Athletic Club April 7 . . . Betty Finley has resigned at CBS to follow her boss of the past seven years, Ralph Wonders, in the Rockwell-O'Keefe office.

✚

Herman Bernie has set Ethel Barrymore for a guest appearance on the Maxwell House "Showboat" next Thursday . . . Dorothy Mackail will be interviewed on the WHN "Movie Club" this week . . .

Vallee on Canadian Stations

MONTREAL, March 18.—After a absence from Canadian stations since Sept. 17, 1936, the Vallee program returned to CFCF, Montreal, and CRCT, Toronto. It has been booked on both stations for the rest of 1937.

Canadian commercials will be cut into the program, plugging Fleishmann's yeast, and not Royal Gelatine, which has sponsored Vallee in the United States only since the September switch.

Air Stockholders' Meeting

HOLLYWOOD, March 18.—Five Mutual-Don Lee Pacific Coast stations and KFOX of Long Beach will broadcast the annual stockholders' meeting of the Southern California Edison Co. tomorrow between 12 and 1 P. M.

This is the first time the 75,000 California stockholders have been given an opportunity to sit in on the meeting. Local release is KHJ.

Renew Oakie Program

LOS ANGELES, March 18.—The full cast of Jack Oakie's College, including two orchestras, has been renewed for an additional 13 weeks on Camel's CBS program.

LEO SAYS:
Greetings to a new sponsor — Sobol Brothers on WHN 15 times a week!
WHN DIAL 1010 AFFILIATED with M-G-M • LOEW'S

FCC Has Pleas for Four New Stations

WASHINGTON, March 18.—The F. C. C. today announced the receipt of four applications for permission to construct new broadcasting stations, as follows:

Ohio Broadcasting Co., Salem, O., 780 kilocycles, 250 watts; Hickory Broadcasting Co., Hickory, N. C., 1,370 kilocycles, 100 watts, daytime only; Clark Standiford, L. S. Coburn and A. C. Sidner, Fremont, Neb., 1,370 kilocycles, 100 watts; Dan B. Shields, Provo, Utah, 1,210 kilocycles, 100 watts.

The F.C.C. has set the following calendar of examiners' hearings for the coming week:

March 22: application of WAOO, Chattanooga, Tenn., for power increase to 250 watts day and time increase; March 23: applications of Salinas Newspapers, Inc., Salinas, Cal., for new 1,390 kilocycle, 250-watt daytime station, and the Bend *Bulletin*, Bend, Ore., for new 1,310-kilocycle station, 100 watts night, 250 day; request of KDON, Del Monte, Cal., for frequency change to 1,400 kilocycles and power increase to 250 watts night, 1,000 day; March 24; application of Juan Piza, San Juan, P.R., for new 1,500-kilocycle station, 100 watts night, 250 day, and request of WSPA, Spartanburg, S.C., for frequency change to 880 kilocycles and power increase to 5,000 watts; March 26: application of WHBB, Selma, Ala., for time increase from day only to unlimited.

WWSW to Air Baseball

PITTSBURGH, March 18.—The Atlantic Refining Co. will sponsor a play-by-play telegraphic account of all of the Pittsburgh Pirates' away-from-home baseball games next summer over WWSW. In contests played in Brooklyn and New York, however, there will be only a summary of the results by innings since wires for broadcasting purposes are prohibited in these parks.

When the Pirates are at home, a resume of each game will be made under the same sponsorship. Joe Tucker, WWSW's sports announcer, will probably handle the broadcasts, although this hasn't yet been confirmed by N. W. Ayer & Son.

WCCO Renews Baseball Pact

MINNEAPOLIS, March 18.—For the fifth successive year, General Mills will sponsor broadcasts of the Minneapolis Baseball Club over WCCO. Contracts for the 1937 season were signed this week. All games played by the team in the American Ass'n., except Sundays, will be aired.

Don Bernard Quits KHJ

HOLLYWOOD, March 18.—Don Bernard has resigned as production manager for KHJ to free lance in radio production.

No successor has been named.

Sam Pierce Is Married

HOLLYWOOD, March 18. — Sam Pierce, writer and producer of "Calling All Cars" for KHJ, was married recently in Riverside.

KFI Takes Dempsey Series

HOLLYWOOD, March 18.—The transcribed series starring Jack Dempsey and sponsored by Nihi, Inc., will be aired over KFI.

Speech Gets Lost

A "ghost" speech is floating about the airwaves today. The speech was made by Premier Mussolini in Tripoli, and it was scheduled to be heard yesterday at 11 A. M., E.S.T., on the NBC-Blue network. Through a mixup in signals, NBC was unable to pick up the address, with the result that a studio stand-by orchestra was summoned to fill the 15-minute breach in the network schedule. One hour later, also from Tripoli, NBC broadcast an English translation of the speech that wasn't heard.

The irony of the affair is that NBC cancelled a commercial program, P. & G.'s "The O'Neills," in order to broadcast Mussolini's address.

Paris to Have Huge Television Station

PARIS, March 18.—The French Ministry of Posts, Telegraphs and Telephones yesterday announced an order for the erection of a 30,000-watt commercial television station. The order was from La Materiel Telephonique Licensee, a subsidiary of the International T. & T. Co., New York. The station will be installed on the Eiffel Tower, and will be the world's most powerful television unit thus far. It will be put into service early in July and will operate with full power as soon thereafter as practicable. "The Garden of Allah" will be televised.

Renew on Ray Knight

The contract of Ray Knight and his "gang" has been extended for an additional 13 weeks on the Sunday night Mutual program sponsored by Feenamint. The renewal was effected through James Appel of the CBS artists' bureau department.

Report Breen Program Set

Despite the denial by Sol Lesser that Bobby Breen would appear on a program of his own this summer, it is reliably reported again that the juvenile singing star has been set for a series of his own, to begin this summer after Eddie Cantor leaves the air.

Siepman Due Here March 22

Charles Siepman, chairman of the program board of the BBC will arrive here from England March 22 as a guest of the Rockefeller Foundation. Siepman will visit University stations throughout America to study educational programs.

Renew Jolson, Martha Raye

The Tuesday night CBS series starring Al Jolson and Martha Raye has been renewed for a full year beginning with the broadcast of March 23. The series is sponsored by Lever Bros. for Rinso and Lifebuoy, through Ruthrauff & Ryan.

Kraft Artists Scheduled

Schedule of concert guests on the Kraft "Music Hall" series includes Ernest Schelling, April 1; Kathryn Meisle, April 8; Percy Grainger, April 15; Rose Bampton, April 22; and Grete Steuckgold, April 29.

FCC Discloses RCA Executive Salaries

WASHINGTON, March 18. — The highest salary paid by RCA in 1935 was that of David Sarnoff, president, who received $75,000, it was revealed here today by the F.C.C.

Reporting on the compensation of officers, directors and others employed by companies under its jurisdiction who received $10,000 or more a year, the commission disclosed that in addition to the president 14 officials of RCA received $10,000 or more. The chairman of the board received $54,000 and $1,940 in other compensation, two vice-presidents, $25,000 each; the general solicitor, $20,000; the assistant to the president, $18,000; the treasurer, $17,000, the attorney in charge of patent litigation and the manager of the license division, $15,000 each; the assistant treasurer, $12,000; the general patent attorney, $10,500, and the secretary, assistant general counsel, comptroller and research supervisor, $10,000 each.

Tim and Irene on for Year

Tim and Irene, and Bunny Berrigan's orchestra, who had an audition for the Admiracion Laboratories recently, have been set for a coast-to-coast Mutual program, beginning April 18, from 6:30 to 7 P. M., E.S.T. The contract is for 52 weeks.

The program will be carried over stations WOR, New York; WGN, Chicago; CKLW, Detroit; WAAB, Boston; WBAC, Baltimore; WCAE, Pittsburgh; WGAR, Cleveland; KHJ, Los Angeles; KFRC, San Francisco; KDB, Santa Barbara; KGB, San Diego; KWK, St. Louis.

Wright in New CBS Series

"Will Wright, Vice President," a new CBS series, will make its air debut on the network March 23 at 3 P. M., E. S. T. The program will be presented twice weekly, Tuesdays and Thursdays.

Will Wright is the author and star. Wright is currently announcing the Al Pierce Ford program.

"News of Youth" to End

"News of Youth," heard Mondays, Wednesdays and Fridays at 6:16 P. M., E.S.T., on the CBS network, leaves the airwaves after tonight's broadcast. The series was for the Ward Baking Co. through Fletcher & Ellis, Inc.

It was indicated at the agency that the show may return to the network in the fall.

National Silver Signs Kaufman

Irving Kaufman has been signed for a new half-hour series of programs to be sponsored by the National Silver Co., it was learned yesterday. No details are available as yet, but it is known that the program will be heard over WOR, with the possibility of a Mutual network tieup.

Radio Use Hit

The use of film stars on radio programs was attacked as the M.P.T.O.A convention came to a close in Miami yesterday.

Details of the discussion of the situation will be found on Page 8.

Pittman Will Seek Inquiry On Air Profit

(*Continued from page 1*)

may lead to the press becoming "increasingly susceptible to Government influence" and control, and declared that the "control of the press and radio by a single interest is unsound. Congress must move with celerity or a situation will have been created with which it will be too late to cope."

Senator Pittman pointed out that it has been charged that the networks are obtaining a monopoly and that it has been alleged the F.C.C. has assisted such a development even to the "disregard of its own procedural rules and its established engineering standards."

Because of the many directions in which unsatisfactory conditions have developed and the promise of "great events" in radio in the near future, he said, a full investigation of the entire broadcasting division and the activities of the commission should be undertaken by Congress.

Major Distributors Win Point in Macon

(*Continued from page 1*)

E. Gore and Mary E. Gore, his wife, alleged conspiracy on the part of the defendants in violation of the Sherman anti-trust law and the Clayton Act. The injunction sought was designed to restrain the defendants from conspiring to prevent the exhibition of films by the petitioner's theatre.

The court held that the evidence introduced was insufficient to warrant the issuance of an injunction. The court further stated that a decision regarding the existence of conspiracy "can better be determined at a final hearing with witnesses before the court and with evidence much more complete than it is at the present time."

The Tampa corporation has instituted a damage action in Northern District Court against all the defendants listed.

Child Bill in Albany

ALBANY, March 18.—The admission of unaccompanied children between eight and 16 years to film theatres in cities and villages outside Greater New York is provided in a bill introduced today in the New York Assembly by Harold B. Ehrlich, Buffalo.

Under the terms of the measure, the children must all be kept in the orchestra and in charge of a licensed matron. It would also be unlawful for any person, not the parent or guardian, to purchase for or give to any child a ticket of admission to any theatre, unless such house is authorized to admit unaccompanied children. The bill is similar to the law recently enacted for Greater New York.

Para. Gets "Gettysburg"

HOLLYWOOD, March 18.—Paramount today announced it will make "Gettysburg," the Mackinly Kantor story, with Henry Hathaway directing and Albert Lewin producing. Fred MacMurray will be starred.

Master Will Hear RKO Proceedings

(*Continued from page 1*)

a new petition into the already complex reorganization situation to further complicate the proceedings and render more remote the possibility of hearings on the plan itself, unless a part or all of the proceedings are turned over by the court to a special master. The new petition was brought by Edward J. Hickey of Washington, a holder of old RKO Class A stock, who charges that Section 77-B of the Federal bankruptcy statute under which RKO is being reorganized is unconstitutional, and that the RKO refinancing plan of 1931 which eliminated the old Class A stock by an exchange for the present common unlawfully violated the rights of the Class A holders.

Three other similar actions have been instituted in the course of the reorganization by holders of the old Class A stock. Judge Bondy indicated that he would first consider whether the Class A holders have abandoned their legal rights through undue laxity in failing to press their actions for relief from the 1931 refinancing plan until now. If the court finds that such is not the case, lengthy hearings on the Class A holders' actions would be necessary and would more than likely be held before a special master. Such a procedure would have the advantage of continuous hearings by the special master in contrast to the limited amount of time which Judge Bondy is able to devote to the reorganization proceedings.

The court asked counsel yesterday to submit petitions for the appointment of a special master, probably during the next week, and set April 19 for the adjourned hearing on the plan.

Decision Reserved On Orpheum Assets

Decision was reserved yesterday by Federal Judge Murray W. Hulbert on the petition of Orpheum first preferred stockholders of San Francisco, represented by Samuel Zirn for the reopening of the sale of Orpheum assets to Stadium Theatres Corp., RKO subsidiary.

Answering Zirn's charge of Wednesday that Stadium had $557,000 cash on hand, much of which was obtained through liquidation of Orpheum assets, O. C. Doering of counsel for the RKO trustees, asserted yesterday that RKO had been advancing funds to Orpheum for years and that if it continued to do so "RKO ventually would be bled to death." He also pointed out that claims against Orpheum amounted to $6,875,000, whereas a recent appraisal placed the value of Orpheum assets at $2,800,000. He said that even successful recovery actions, if instituted, could not bring more than $3,000,000 into Orpheum, which still would be insufficient to permit stockholders to participate in a liquidation.

Judge Hulbert allowed Zirn until March 24 to file briefs and set March 29 for the completion of defendants' reply briefs.

Set Brooklyn Fox Hearing

Federal Court Judge William Bondy yesterday set April 6 for a hearing on the plan of reorganization of the Flatbush Ave. and Nevins St. Corp., which operates the Fox Theatre and office building in Brooklyn. The plan was proposed by the Pound Committee of first mortgage bondholders.

Judge Bondy ordered all claims filed before April 20 and ruled that objections to the plan must be filed by April 26.

The Pound Committee was authorized to file claims on behalf of the bondholders who have deposited with them under the deposit agreement. Continental Bank and Trust Co. of New York, trustees under the mortgage, was authorized to file for all other bondholders. The debtor corporation may file for stockholders.

The Pound Committee has on deposit $4,540,900, or approximately 80 per cent of the $5,650,000 outstanding first mortgage bonds.

The theatre is under lease to Fabian Theatres, Inc., for five years to Sept. 1, 1939, at an annual rental of 15 per cent of the gross with a minimum of $135,000 per year.

Deny Fuller Charges

NEW ORLEANS, March 18.—Harold Wilkes of Paramount today filed an answer to the suit of the Fuller circuit against 20th Century-Fox and six other major companies, denying a conspiracy in restraint of trade.

He emphatically denied being a party to deprive M. Fuller of receiving films for his Pensacola houses and said he never acted with Warners or other firms.

J. Studebaker Lucas, Fuller's attorney, is making a strong effort to bring the case to early trial, despite numerous delays asked by the defendant.

Roxy Month Net $20,198

Howard S. Cullman, trustee of the Roxy, yesterday filed in U. S. District Court his monthly report covering the period from Jan. 29 to Feb. 25, revealing net profit of $20,198. He received in cash $207,581 from which is deducted disbursements amounting to $237,637, showing an excess of disbursements over receipts of $30,056.

Cash on hand amounts to $84,204 compared with $114,260 of the previous month. The net profit is before deduction for interest, funded indebtedness, depreciation and amortization, trustee and counsel fees.

Fitch Sues Shuberts

Richard W. Fitch yesterday filed suit against Jacob J. Shubert, Lee Shubert, Select Theatres Corp. Shubert Theatres Corp. and the Columbia Broadcasting Co. in which he asks for an injunction and an accounting of the profits for alleged infringement of his father's play "Barbara Frietchie, the Frederick Girl" in the operatta "My Maryland" which the Shuberts produced. Columbia Broadcasting is sued because they broadcast some of the songs from "My Maryland."

Grants RCA Injunction

Federal Court Judge Alfred C. Coxe yesterday granted a consent decree for a permanent injunction in favor of RCA and the A.T.&T. in their suit against the Amplex Radio Corp., Frank Komstant and Arnold G. Landes. The suit charged infringement on patents owned by the plaintiffs. An accounting will follow.

Settle Andreasian Suit

Mahran K. Andreasian's suit against Warners for $100,000 damages was settled by stipulation yesterday in U. S. District Court. Andreasian charged that he was portrayed as a thief and blackmailer in a picture produced by Warners titled "From Headquarters."

Pathe to Put Up $200,000 For Monogram

(*Continued from page 1*)

by Pathe in nine months. MOTION PICTURE DAILY several months ago exclusively reported Pathe would reenter the finance field for independent production.

Nine of Monogram's program of 26 features for 1937-38 are now in various stages of production under Scott R. Dunlap's supervision. Warren Hull has been signed for a role in "Paradise Isle." Marion Orth wrote the screenplay and Mrs. Wallace Reid, who will supervise the unit, is now in Samoa for background material. Ken Goldsmith will supervise "College Sweetheart," and Robert Lee Johnson is working on a screen treatment for "The Hoosier Schoolboy." Other pictures being prepared include: "Blazing Barriers," "The Marines Are Here," "A Bride for Henry," "Romance of the Limberlost," "The Luck of Roaring Camp" and "Federal Bullets."

Norton V. Ritchey, president of Ritchey International Corp., who recently resigned as general manager of Republic's export department, will leave today for a vacation in Florida. When he returns it is expected he will again act as foreign representative for Monogram. For many years his company served Monogram in the foreign field before the company became a unit of Republic.

Chi Cubs for M-G-M Short

HOLLYWOOD, March 18.—M-G-M today signed the Chicago Cubs for the next Pete Smith short. Dave Miller will direct with Erni Orsatti, St. Louis National League player, as technical director. The players will be filmed at their training camp at Catalina Island.

Flash Previews

"Old Louisiana"—With fact and fiction merged, this is a drama built around the events leading to the Louisiana Purchase.

"Bill Cracks Down"—Average program fare telling a rather implausible story against the background of a steel mill.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Ball Heard for Technicolor

LOS ANGELES, March 18.—J. Arthur Ball, vice-president of Technicolor, was chief witness today in the Tricolor suit against Technicolor. He offered a minute analysis of 16 Tricolor exhibits, including the Jones Duplex camera. He picked out flaws of each and declared none were of commercial value, adding that exhibitors would turn them down. He showed different features of Technicolor cameras and how they differed from Duplex. He will be cross-examined tomorrow.

Universal to Raise Budget 25 Per Cent

(Continued from page 1)

production values generally, it was stated.

The annual election of officers of Universal Pictures Co., Inc., will be held at the April meeting of the company's board. The entire present slate of officers headed by J. Cheever Cowdin, chairman, and R. H. Cochrane, president, is scheduled to be reelected.

Rogers and William Pierce, his executive secretary, leave for the coast today.

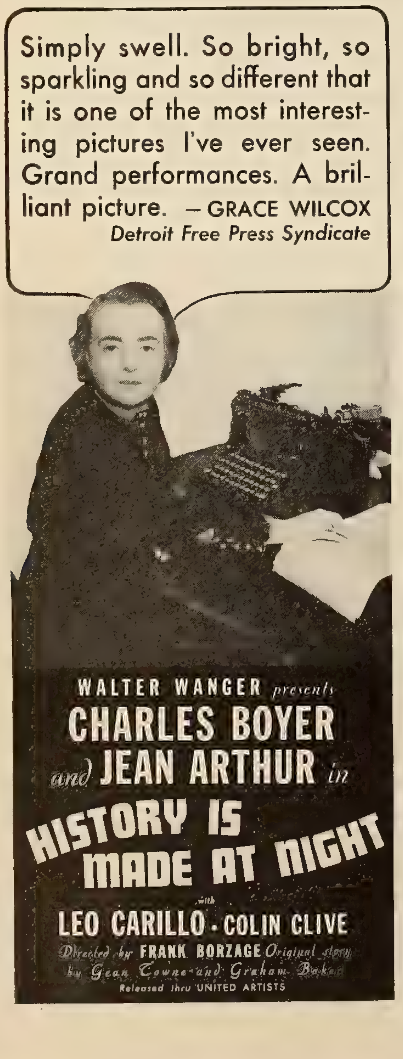
Skouras Is Making Single Film Tests

(Continued from page 1)

split week booking arrangement, attractions are dated for four days on the long half and three days on the short half.

Executives of the circuit have been discussing the plan for some time and decided to try it out at the new unit, it was stated. So far the policy has been well received at the Manhasset.

No changes in the current dual feature bookings in the balance of the circuit will take place until George Skouras returns from a vacation at Golden Beach, Fla., in three weeks.



Simply swell. So bright, so sparkling and so different that it is one of the most interesting pictures I've ever seen. Grand performances. A brilliant picture. — GRACE WILCOX
Detroit Free Press Syndicate

WALTER WANGER presents
CHARLES BOYER and JEAN ARTHUR in
HISTORY IS MADE AT NIGHT
with
LEO CARILLO · COLIN CLIVE
Directed by FRANK BORZAGE Original story by Gean Towne and Graham Baker
Released thru UNITED ARTISTS

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"That Man's Here Again"

(Warners)

HOLLYWOOD, March 18.—Drama, romance and comedy are the elements of this picture. It is pointed to appeal to family type audiences. The romantic drama concerns Tom Brown and Mary McGuire, who makes a promising film debut. Comedy in the hands of Hugh Herbert and Joseph King provides the menacing melodramatic contrast.

Practically all the action takes place in an apartment house. Finding Miss McGuire hiding in the basement, Brown, an elevator boy, gets her a job as Herbert's maid. As the boy and girl fall in love, she cannot force herself to tell him that she is to have a baby and when she accidentally breaks a supposedly valuable Chinese vase belonging to Herbert, the frightened girl runs away. There ensues a suspense-laden search in which Brown, who has Herbert's financial and moral support, finds Miss McGuire in a hospital where her child has been born.

While Miss McGuire had been in the employ of Herbert, King had done his utmost to make her life miserable. When the girl and child are found, Herbert, who has been dispossessed, stages a reunion party in King's apartment. Just when everyone is most happy, King returns and threatens to make trouble for all. But when informed by Herbert that associations with other women than his wife may be exposed, King takes the easiest way out to assure a happy romantic ending for Miss McGuire and Brown.

Herbert is up to his usual standard as a fun provider and Teddy Hart checks in a bit that adds to the gayety. Minor parts are capably handled by Dorothy Vaughn and Arthur Aylesworth. Louis King directed.

Production Code Seal No. 2,875. Running time, 60 minutes. "G."

"Jim Hanvey, Detective"

(Republic)

HOLLYWOOD, March 18.—Essentially comedy mystery, but with romance, melodrama and suspense not ignored, the exploits of Jim Hanvey, detective, promise to serve well as a sustaining feature. In the title role, Guy Kibbee creates a unique lovable character. While he dominates the film, he is capably supported by Tom Brown, Lucie Kaye, Catherine Doucet, Edward Brophy, Edward Gargan, Helen Jerome Eddy, Theodore von Eltz and Kenneth Thomson.

Based on an Octavus Roy Cohen story which a quartet of writers transcribed to the screen, it has been directed by Phil Rosen with an eye to providing attractive entertainment for average audiences.

Irascible Kibbee would rather hunt and fish than detect. A necklace is stolen. To Kibbee come Brown and Miss Kaye, who admit they have stolen it for a joke. Under orders of von Eltz and Thomson, Brophy and Gargan, small town highjackers, arrive to steal it from the youngsters. While attempting to put it back, a butler is killed. From then on Kibbee has a multitude of problems to solve in his own peculiar way. He has to foster the Brown-Miss Kaye romance, shield the boy from suspicion, protect the scared crooks, Brophy and Gargan, calm down Catherine Doucet, stall off the police, trap the killer and uncover the thief. He does so in novel fashion and in a manner that should prove satisfactory in the neighborhood and small town trade.

Production Code Seal No. 3,120. Running time, 70 minutes. "G."

St. Louis Exhibitor Group to Meet F & M

ST. LOUIS, March 18.—Independent exhibitors are to hold a conference with Harry Arthur, F. & M. general manager, in the hope of working out an agreement to prevent the spread of price slashing.

The committee includes Fred Wehrenberg, Louis K. Ansell and Fred and Clarence Kaimann.

Rob Los Angeles House

LOS ANGELES, March 18.—Bandits here forced Leo Papkin, manager of the Million Dollar, to return to the house from his home five miles away and open the safe. They escaped with $1,500, but overlooked another $1,000. Papkin was bound and gagged and beaten.

Brandt Plans Three Houses for 69 Total

Negotiations have been completed by the Brandt circuit for three new theatres which are to be constructed in the metropolitan area shortly. The new additions will give the circuit a total of 69 units.

One of the three new houses will be built at 79th St. and 2nd Ave. The second will be constructed at 23rd St., at 8th Ave. The last is scheduled for 231st St., east of Broadway.

Honor Raymond Willie

SAN ANTONIO, March 18.—Raymond B. Willie, former city manager for Interstate here, who has been advanced to an executive post at Dallas, was tendered a farewell dinner at the Gunter Hotel by about 125 associates and friends.

Variety Club

Kansas City

KANSAS CITY, March 18.—ELMER C. RHODEN, president of Fox Midwest Theatres, Inc., has been elected president of Variety Club. FINTON H. JONES has been named first vice-president, and R. R. BIECHELE, second vice president. HOMER BLACKWELL continues as secretary and SAMUEL ABEND as treasurer.

The new board of directors has GEORGE BAKER, ARTHUR COLE, R. F. WITHERS, R. C. LIBEAU, EARL JAMESON and F. C. HENSLER.

RHODEN and JONES are delegates to the national convention with BLACKWELL and ABEND as alternates.

The new clubrooms on Film Row will be opened March 29 for members only. At that time the new officers will be initiated. The opening for members, their wives and friends will be April 5.

Ten new members have been admitted to membership. They are: WALTER SHREVE, L. E. SILCOTT, ED HAAS, LON COX, RALPH MORROW, CHARLES KNICKERBOCKER, RUBE MELCHER, LAUREN TURNER, KARL HOWE, and MAX BAREWIN.

Major Planning Eight

Major Prod. plans eight features a year for release through Paramount, Victor M. Shapiro, publicity director of the organization, stated yesterday. There will be one each a year with Bing Crosby and Mae West, he said. Shapiro expects to return to Hollywood by plane Tuesday or Wednesday.

LeMaire Going Abroad

HOLLYWOOD, March 18.—Rufus LeMaire, who recently signed a new contract as executive assistant to Charles R. Rogers at Universal, will leave for England March 24. He will take with him some scripts which he will show to George Arliss, whom he has under personal management.

Wall Street

Board Losses Range 1/8 to 11 Points

	High	Low	Close	Net Change
Columbia	33 3/4	32 7/8	33	—1
Columbia, pfd.	42 1/2	42	42	—1
Consolidated	4 5/8	4 1/2	4 1/2	— 1/8
Consolidated, pfd.	16 1/4	16 1/8	16 1/4	.....
Eastman Kodak	162	160 1/4	161 1/2	—3
Gen. T. Equip.	29 1/2	29	29	.....
K-A-O, pfd.	106	106	106	+1
Loew's Inc.	78	76 3/4	78	.....
Paramount	24 1/4	23 3/4	23 7/8	— 3/4
Paramount 1 pfd.	166 1/2	166 1/2	166 1/2	—11
Paramount 2 pfd.	22	21 1/2	21 3/4	— 1/8
Pathe Film	8 7/8	8 3/8	8 5/8	+ 1/8
RKO	8 5/8	8 3/8	8 3/8	— 1/4
20th Century-Fox	38 7/8	37 3/4	38	— 1/2
Universal, pfd.	84	84	84	+2
Warner Bros.	15 1/8	14 3/4	14 3/4	— 1/4
Warner, pfd.	61 1/4	61 1/4	61 1/4	— 3/4

Light Curb Changes

	High	Low	Close	Net Change
Grand National	3 1/8	3	3 1/8	+ 1/8
Sentry Safety	3/4	3/4	3/4	.....
Sonotone	1 7/8	1 7/8	1 7/8	.....
Technicolor	22	21 5/8	22	— 1/2
Trans-Lux	4 3/4	4 5/8	4 5/8	— 1/8

Most Bonds Decline

	High	Low	Close	Net Change
Keith B. F. 6s '46	98	97 7/8	98	— 1/8
Loew's 3 1/2s '46	98	97 1/2	98	+ 1/2
Paramount B'way 3s '55	75	75	75	— 1/4
Paramount Pict. 6s '55	100 1/4	100 1/8	100 1/4	+ 1/8
RKO 6s '41 pp.	113	112 1/2	112 1/2	—2 1/2
Warner Bros. 6s '39 wd	96 1/4	94 1/2	95	—1

(Quotations at close of March 18)

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Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
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VOL. 41. NO. 66 NEW YORK, SATURDAY, MARCH 20, 1937 TEN CENTS

U.A. May Add TwoProducers For Next Year

Laemmle, Jr., and Gordon Expected to Join

At least two new producers are expected to be added to the United Artists roster, it was indicated at studio conferences held last week, according to executives who have returned after attending the sessions.

Max Gordon and Carl Laemmle, Jr., are the names mentioned. Gordon's association with the company would be as a partner in the new Harry Goetz play and picture producing firm. Goetz has been a producer for United Artists through Reliance, whose last picture was "Last of the Mohicans." Under the new Gordon-Goetz setup, three pictures annually are planned.

The first will be a Robert Donat picture which is being produced in England. Goetz is now in London sitting in on production details. He is due back. Gordon, meanwhile, is with RKO on a special assignment.

Laemmle, Jr., has been negotiating with Dr. A. H. Giannini for some

(Continued on page 3)

Decision Deferred On Sale Tax Moves

Major distributors deferred until Monday their decision on a further course of action following the Court of Appeals decision this week holding film rentals derived from theatres within the city to be subject to the two per cent city sales tax. The court's opinion was discussed yesterday at a meeting of legal representatives of the major companies at M. P. P. D. A. headquarters.

Frederick Wood of Cravath, de

(Continued on page 3)

"Salem" at $42,000 In Its Second Week

"Maid of Salem" was the outstanding attraction on Broadway last week. With Benny Goodman and his band on the stage, the Paramount garnered approximately $42,000 in the second week of the combination show. The rest of the theatres showed fair results.

At the Capitol, "Romeo and Juliet" in the second week tallied $21,000. The second week of "Love Is News"

(Continued on page 3)

Radio News—Page 4

Says Charges Against Film Men Continue

Dickinson Testimony Is Revealed by House

By **BERTRAM F. LINZ**

WASHINGTON, March 19.—Complaints against the film industry continue to be received by the anti-trust division of the Dept. of Justice in large numbers and one case has recently been instituted in Texas, members of the House Committee on Appropriations were told by Assistant Attorney General John Dickinson, since resigned, during the recent hearings on the department's appropriation bill for the coming fiscal year.

The investigation as a whole, Dickinson said, has not yet produced any evidence "on which a major proceeding can be based."

Transcript of the hearings made public today with the reporting of the bill to the House showed that members of the committee are interested in the possibiilties of the Federal

(Continued on page 3)

Action Adjourned On G.B. Dividend

By **BRUCE ALLAN**

LONDON, March 19.—The legal action instigated by Charles L. Nordon, attorney representing a group of ordinary shareholders of Gaumont British, to prevent the payment by the board of directors of a dividend on the preference shares, today was adjourned until Tuesday by Justice Crossman in the Chancery Division.

The security holders are seeking an injunction to prevent payment of the dividend. G. B. is undertaking no

(Continued on page 3)

Holdovers Pile Up

From Aug. 1 to the current weekend, 20th Century-Fox has chalked up 6,785 holdovers, the extra playing time ranging from one day to eight weeks. The picture which rated the most extra dates in the seven months was "One in a Million," with "On the Avenue" runner up.

Stock Details For Monogram Given to SEC

WASHINGTON, March 19.—The addition of 11 stock-owning regional distribution companies to the new Monogram Pictures organization, in addition to other franchise holders and the company's wholly owned New York, Philadelphia and Washington exchanges, is revealed in a statement detailing Monogram's financing plan presented today to the Securities and Exchange Commission.

Herschel Stuart, former Fox and RKO theatre official and now general manager of Consolidated Amusements, New York City circuit, will become treasurer of Monogram. Sol A. Rosenblatt and William B. Jaffe are counsel for the company and Rosenblatt is to be a member of the board.

The financing plan involves an issue of 1,000,000 shares of $1 common stock from which revenue up to $6,875,000 may be derived.

The company explained that it has acquired all of the stock of W. Ray Johnston Enterprises, Inc., its predecessor, in exchange for 37,299.9 shares of the new stock and that Johnston subscribed for an additional $53,250 of the issue.

The registration statement discloses

(Continued on page 3)

Paramount Partners Discuss Exhibitor Problems in Miami

By **RED KANN**

MIAMI BEACH, Fla., March 19.—Divisions of playing time and consideration of an anticipated demand that percentages and rentals will take a jump forward were considered here today at the continuation of deliberations by Paramount partners at the Roney Plaza.

Gathered at the meetings are many of the nation's most important theatre operators who are pondering an assortment of problems affecting their interests. The sessions late this afternoon were characterized as "productive of much good."

The complexities being faced include the downward adjustment of insurance rates and changes in admission scales. On the latter subject, the delegates are posing decisions on whether or not, and in isolated areas,

(Continued on page 3)

Wage Raises To Forestall Union Drives

Distributors in Plan to Meet Union Demand

Large distribution companies moved during the past week to check the organizing drive of exchange employes, now under way on a national scale, by increasing wages of their exchange staffs to levels equivalent to or in excess of the scales sought by the unions now in existence, it was learned on good authority yesterday.

The wage increases were decided upon during the week and will become effective immediately in all exchanges where employes are receiving less than the average of all scales presented thus far by organized groups, it was said. In some instances, the increases will bring salaries above the union scale of demands. Individual company scales, of course, will vary, as will the scales in different sections of the country. The general aim, however, is to effect a minimum scale which will be at least equal to union demands in organized sections.

The wage increases are the distributors' answer to the organizing activities of the I.A.T.S.E., A. F. of L. and C.I.O. Branch managers in cities where no evidence of organizing is apparent will be instructed to keep in close, friendly contact with their employes and to increase scales where

(Continued on page 2)

Studio Labor Talks Open Here April 4

The annual meeting of major company officials with heads of the five studio international unions on wage scales and working conditions of organized studio crafts is scheduled to open here April 4 at the offices of Pat Casey, major studio labor representative. Casey is expected here from the coast late next week.

The five unions included in the

(Continued on page 3)

Special Plane Flies Newsreels to Texas

Within three hours after word was flashed of the New London, Tex., school disaster, Universal, Paramount and Pathe News cameramen were aboard a plane bound for Fort Worth.

Because of the short notice, neither company could get reservations on the regular American Airline plane, but

(Continued on page 3)

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WARSAW: Sienna 32; R. Sillei, Representative.

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Bernstein Loew Buy Reported by S. E. C.

Washington, March 19.—Acquisition by David Bernstein, New York, in January of 13,890 shares of common stock of Loew's, Inc., of which he is an officer and director, was reported today by the Securities and Exchange Commission in its semimonthly summary of stock transactions. At the close of the month, Bernstein held 15,680 shares of Loew's common.

The summary also showed the disposition by gift by Albert Warner of 65,000 optional six per cent convertible Warner debentures, reducing his holdings to 1,567,000, and a similar disposition of 65,000 by Jack L. Warner, reducing his holdings to 1,587,000. The commission announced also the receipt of amended reports from Albert Warner showing the sale of 35,000 debentures in November and disposition by gift of 65,000 in December, 1936.

To Drop Cleveland Game

Nat Holt, RKO division manager in Cleveland, has stated that a move is in progress to discontinue Bank Night at the Lincoln, Cleveland, in line with the circuit's decision to eliminate the policy in all its houses.

◀ *Purely Personal* ▶

Mark Block, president of Theatre Trailer Corp., returned yesterday from a winter vacation at Los Angeles, San Antonio and Hot Springs. He says he lost 14 pounds after taking the baths at Hot Springs.

●

Beatrice Kaufman, eastern story editor for Samuel Goldwyn, leaves today by plane for Tucson, Ariz., to confer with Goldwyn. From there she will continue to the coast for talks with Sam Marx, story head.

●

Norman H. Moray, Vitaphone executive, will arrive in Los Angeles today for short subject production conferences with Jack Warner.

●

Clara Fargo Thomas, artist, has been signed by United Artists for work on posters for David O. Selznick's "A Star Is Born."

●

Jean Rogers is due here early next week. She is en route to her home in Belmont, Mass., for a brief vacation.

●

Richard Jaeckel, fur expert, left for the coast yesterday to assist on "Walter Wanger's Vogues of 1938."

●

Frank Tuttle, director, will arrive Monday from the coast, en route to France for a vacation.

●

Harry C. Arthur has returned to St. Louis for the weekend. He'll be back Tuesday.

●

Harry Goetz is not expected to return from England for another three months.

●

Martin Moskowitz has gone to Lakewood for the weekend to visit his mother.

●

Janet Gaynor left yesterday for the coast after several weeks in New York.

●

Mrs. Martin Johnson will lecture at Carnegie Hall March 29.

●

Fritz Lang, director, leaves today by train for the coast.

●

Joseph Bernhard sails on the *Paris* March 27.

Flash Preview

"The Golem"—The 17th Century story of the deliverance of Jews from the oppression of their half-crazed ruler, done in a silent version some years ago, is here remade in sound in a highly impressive manner.

This film will be reviewed in full in a coming issue of Motion Picture Daily.

W. B. Executives in L. A.

Hollywood, March 19. — Jack Warner, Gradwell L. Sears and S. Charles Einfeld are here in preparation for the Warner Bros. meetings which start Monday.

Joe Levy in Hollywood

Hollywood, March 19.—Joe Levy, assistant to Joe Vogel, arrived on the *California* today for Loew conferences.

Charlie Misses It

Hollywood, March 19.—If the *Santa Elena* had not been delayed until night by storms S. Charles Einfeld and the missus would have received a bit of a shock at San Pedro.

Joan Blondell and Dick Powell had chartered tugs with welcoming banners and an airplane to duplicate the stunt S. Charles pulled when the honeymooners reached New York on the same boat.

Bondy Delays Ruling On Stadium Transfer

Federal Judge William Bondy yesterday reserved decision on a motion by Irving Trust Co., trustee of RKO, for approval of an agreement for the transfer to Stadium Theatres Corp., an RKO subsidiary, of Keith-Albee-Orpheum's remaining interest in Orpheum Circuit. No opposition to the motion was made at the hearing.

The agreement for which approval is sought provides for the transfer to Stadium of a final $486,830 of Orpheum notes and collateral held by K-A-O and the withdrawal of the latter's proof of claim against Orpheum. Stadium recently acquired the going Orpheum assets under a transaction now being attacked in two separate actions by preferred stockholders of Orpheum.

The RKO trustee asked approval of the agreement between K-A-O and Stadium on the grounds that it would speed the conclusion of the RKO reorganization proceedings and eliminate the necessity of an expensive new appraisal of Orpheum assets next Jan. 1.

Defendants Testify Upon Ohio Playdates

Columbus, March 19.—Defendants are taking depositions in the case of RKO Distributing Corp. vs. the State of Ohio, to test validity of the preferred playing time law. Plaintiffs are said to have completed their depositions. Both sides must file briefs by April 1, after which a three-judge special court will decide the case.

RKO Allowances Up April 1

Federal Judge William Bondy yesterday set April 1 for hearing of a petition for interim allowances for Irving Trust Co., RKO trustee, and its counsel, Donovan, Newton, Leisure & Lumbard. Irving Trust asked $60,000 for interim services while its counsel petitioned $85,000.

No Consolidated Ruling

Wilmington, March 19.—No session of the Supreme Court was held today. It had been expected that a ruling on the Consolidated Film Industries recapitalization plan would be made today.

Technicolor Rests Defense

Los Angeles, March 19.—Trial of the suit of Tricolor against Technicolor charging infringement of a camera patent was continued here today as Technicolor rested its defense and Tricolor called two more witnesses. Tricolor also stated that it has arranged for a theatre demonstration of its Duplex camera for Judge William P. James on Sunday morning in an effort to prove the authenticity of its color projection.

Wage Raises To Forestall Union Drives

(*Continued from page 1*)

they are below average even though no unionizing drive appears to be threatened.

Whether or not the distributor strategy will prove effective in checking or dissipating the current national organizing drive among exchange employes remains to be seen. Early indications are that it will prove to be a decisive factor in many local situations where organizing has not been completed or attempted as yet. It will assure employes of wages as high, or higher, than those sought by the unions without the employe being obligated to pay organization dues. It was pointed out that the organizing effort in New Haven already has lost its drive, to all appearances. At a meeting of exchange employes there on Wednesday, only six names were obtained for an A. F. of L. charter application. Another meeting is scheduled for Monday. In Kansas City, Indianapolis and Cleveland, the progress made by organizers does not appear to be impressive.

Boston and Detroit Strongest

Only Boston and Detroit actually have unions in existence which evidence sufficient strength to present their demands formally.

The organization of exchange employes in itself is not regarded as serious by either labor officials or industry executives. As a weapon for the extension of unionism to theatres, however, the organizing of the approximately 7,500 exchange workers is admittedly an instrument by which the more than 200,000 theatre employes throughout the country could also be organized. Theatres refusing to recognize employe representatives might have film service from a unionized exchange shut off.

Whether the I. A. will move directly to organize and extend theatre unions, if the exchange drive is checked, appears doubtful.

Daniel N. Bousquet Dead

Boston, March 19.—Daniel N. Bousquet, at the Capitol in East Arlington for the past 12 years, died suddenly at Symmes Arlington Hospital after being ill with pneumonia a week. His father passed away only a week before. The theatreman is survived by his widow, Mrs. Victoria Bousquet.

Find Bingo Is Lottery

Baltimore, March 19.—Joseph Kane, manager of the Royal, a colored house, came to trial here yesterday, before Judge Eugene O'Dunne, charged with operating a gambling establishment and conducting a lottery. He was found guilty only on the second charge. The jury decided that a Bingo game operated in connection with theatrical performances is illegal.

Bingo cards were given patrons as they entered the theatre and the Bingo game was held after the show.

Stock Details For Monogram Given to SEC

(*Continued from page* 1)

that 150,000 shares of the new issue are outstanding, 500,000 shares are subject to options at a price beginning at $4 and running up to $8 plus 25 per cent, or a total of $10, and 350,000 shares will be offered to the public at $3.75 per share through J. A. Sisto & Co. as underwriter, the underwriter to get 75 cents per share as commission.

Additional stock subscriptions, suggesting Monogram's stock-owning distribution line-up, were reported in the following amounts: Monogram Pictures of California, $10,000; Royal Pictures, Inc., $4,500; Selected Pictures Co., $3,850; Monogram Pictures, Inc., Detroit, $4,500; Southern Film Exchanges, Inc., $10,500; Monogram Pictures Corp., Omaha, $3,600; Intermountain Pictures, $3,600; Monogram Pictures Co., Oklahoma, $3,600; Amity Film Exchanges, $13,100; Monogram Film Exchanges, Buffalo, $4,500; Midwest Film Co., $1,100; that 7,333 1/3 shares are outstanding, issued to Johnston in exchange for 22,000 shares of old $1 common Class B stock, and that 66,666 2/3 shares have been reserved for issuance to Pathe International Corp. in liquidation of a $200,000 indebtedness. The 150,000 shares represented by these transactions may not be resold by holders for one year.

Option Given Underwriter

The underwriter agrees to sell 83,333 1/3 shares of the stock within 120 days after its issuance or to purchase up to that amount. He is also to have an option on 222,500 additional shares at the same rate as the holders of other options, who include Pathe International, 10,000 shares; Johnston and others, 197,717.4 shares; Leon Fromkess, as finder's fee, 34,891.3 shares, and Rosenblatt, for services, 34,891.3 shares.

These options may be taken up at a price of $4 up to Dec. 28, 1938, and at an advance of $1 per year for each year thereafter until Dec. 8, 1942.

Outlining the setup of the corporation, the registration showed that Johnston is to be president at a salary of $25,000 a year for five years. He is also to attempt to obtain $250,000 of life insurance in favor of the company and at the company's expense.

Officers Listed

Scott R. Dunlap is to be vice-president in charge of production at $300 per week for five years; Herschel Stuart is to be treasurer; M. S. White, secretary, and Edward A. Golden, sales manager.

The board of directors is to consist of not less than five persons and is to include Johnston, Dunlap, J. A. Sisto, Rosenblatt and William Rhinelander Stewart.

Of the funds to be secured through the issue of stock, about $1,050,000 is to be devoted to production; $50,000 to the organization of a new subsidiary to operate exchanges and to establish exchanges in New York, Philadelphia and Washington, and $200,000 to liquidate debt to Pathe International.

Paramount Partners Discuss Exhibitor Problems in Miami

(*Continued from page* 1)

it should be deemed advisable to increase prices in view of the fact that many increases were put into effect during the past few months.

It is understood that one significant phase of the deliberations veers around the methods of making it possible for Paramount to act as one national unit despite the fact that its partners now make their own film buys with New York serving principally in the manner of a service depot. This is not to be construed as meaning that the company will again centralize purchases in New York as once prevailed but rather is giving consideration to ways and means of enabling the or-organization to act as one national entity, when actually it is not, in point of film buys aggregating millions of dollars each season.

Balaban Host Today

"Waikiki Wedding" was screened this morning.

Meetings will be continued tomorrow and a cocktail party will be held in the afternoon with Barney Balaban as host. Official termination is set for Saturday evening with a dinner at the Roney Plaza.

M. P. T. O. A. Golfers Compete

Miami, Fla., March 19.—As an aftermath to the meeting of the M. P. T. O. A., which closed yesterday, 35 delegates engaged in a golf tournament today at the Miami Biltmore. It was the final scheduled event of the convention.

Grainger Starting Back

Miami, Fla., March 19.—James R. Grainger, general manager of Universal, will leave for New York Sunday. For the past five days he has attended the convention of M. P. T. O. A., where Universal maintained open house at the Miami Biltmore. Andy Sharick will accompany him to New York.

Md. MPTOA Reelects

Baltimore, March 19.—All officers of the M. P. T. O. A. unit have been reelected as follows: Frank A. Hornig, president; Arthur B. Price, vice-president; Herman A. Blum, treasurer, and Helen Connelly, secretary. Those on the board of directors are Walter, Pacy, Samuel Soltz, J. Louis Rome, J. L. Whittle, William Hicks, Jack Levine, Max Cluster and Lauritz Garman.

Quigley Silent Upon Keller-Dorian Moves

Moves under which a European financial group was to have exercised an option for the acquisition of control of Keller-Dorian Colorfilm appear to have been stymied although the exact status of the deal is unknown.

George E. Quigley, fiscal agent for the European group, who returned early this week from conferences with his principals, said yesterday that he would be unable to make a statement on the situation before Monday. Keller-Dorian officials have not been available for comment all week.

Action Adjourned On G.B. Dividend

(*Continued from page* 1)

payment without first obtaining a new resolution by the board. The decision to declare a dividend was approved by a vote of five to four.

Nordon contended that the company had no profits of reserves, but had a deficiency of £500,000, plus a production loss of £623,000. He also held that the board resolution on the dividend was carried by a deciding vote of an unqualified director.

The answer of the company was that reserves cover all losses. The judge declared he would not decide until the new board, with two members recently added, had met. The two new members are Allen Messer, representing the Ostrers, and Robert T. Kane, head of English production for 20th Century-Fox, who is representative of the 20th Century-Fox interest in G. B., and which had sided with John Maxwell in opposing the payment of the dividend.

Decision Deferred On Sale Tax Moves

(*Continued from page* 1)

Gersdorff, Swaine & Wood, who represented major distributors in the appeal of the sales tax case, was unable to attend yesterday's session, and indications are that a decision on applying for a writ of certiorari from the U. S. Supreme Court was deferred until Monday's meetings for that reason.

The rentals were held to be taxable by the state's highest tribunal in deciding a $61,000 assessment against rentals received by the local United Artists exchange for the first assessment period of 1935. Local distributors are liable now for an accumulated tax, with penalties and interest, of more than $2,000,000, about half of which has been collected from exhibitors during 1936 and is held in escrow pending the outcome of the litigation. The tax, hereafter, is estimated at a total of about $750,000 a year.

"Salem" at $42,000 In Its Second Week

(*Continued from page* 1)

at the Roxy took $34,800. The second week of "Nancy Steele Is Missing" at the Rivoli ended last night with about $13,000. "Strangers on a Honeymoon" drew about $6,800. "Sea Devils" took in approximately $10,000 at the Rialto, while the Strand, with "Ready, Willing and Able," ended a first week last night with $15,000. The Music Hall tallied about $58,000 on "Wings of the Morning."

Both "The Good Earth" at the Astor and "Lost Horizon" at the Globe on two-a-day policies continue to do good business. Next Thursday, a third roadshow will be added when "Silent Barriers" opens at the Criterion.

Says Complaints on Film Men Continue

(*Continued from page* 1)

Trade Commission taking over certain investigating work now done by the anti-trust division.

Dickinson explained that at present the department cannot call upon the commission for service of this nature, but he expressed the view that such an arrangement, if made, would be workable.

The division now has four men working continuously on film matters, he told the committee.

Asks Distributor Inquiry

Washington, March 19.—Charging that distributors are "putting independent exhibitors out of business" through block booking and blind selling, designated playdates and similar practices, Representative Hobbs of Alabama today introduced a resolution calling for an investigation of alleged violation of the anti-trust laws.

The inquiry would be conducted by a special subcommittee of the House Judiciary Committee and the Alabama Congressman tonight said he would seek an early hearing before the Rules Committee on his resolution so that the probe could start without delay.

U.A. May Add Two Producers in 1938

(*Continued from page* 1)

time and is expected to close his deal before the new season gets under way. When he returned from an extensive tour abroad recently, Laemmle said he intended to make three to four big pictures a year.

Selznick-International will produce 12 for United Artists next season. Other producers are now mapping their plans. Walter Wanger may make eight, and Samuel Goldwyn from six to eight.

The first Skippy cartoon is ready. It was shown to eastern executives while they were on the coast. The new animated series will replace the Walt Disney subjects next season, RKO having signed a term deal for the release of Mickey Mouse and Silly Symphonies.

Studio Labor Talks Open Here April 4

(*Continued from page* 1)

studio basic agreement are the carpenters, teamsters, musicians, electricians and stagehands. Their five-year agreement with the studio provides for annual negotiation of wages, hours and related working conditions. Only minor adjustments in schedules are anticipated this year. Applications may be received from new studio unions who desire to come under the five-year agreement, but whether or not this year's meeting will take action on the applications is uncertain.

Special Plane Flies Newsreels to Texas

(*Continued from page* 1)

after a little quick thinking by the airline, a special plane was chartered to take the newsreels to the point of the accident.

The pictures are due to arrive this morning and to be shown on Broadway this afternoon.

◂ Radio Personals ▸

SYLVIA FROOS sails for Europe March 28 to make appearances in London and Dublin . . . Carl Ravell's orchestra replaces Ozzie Nelson's aggregation in the Lexington April 29. He will have a network wire . . . Arturo Rodzinski, conductor of the Philadelphia Symphony Orchestra, which is heard Sundays on CBS, will be presented the Polish Government's Legion of Honor medal today. Ambassador Jerzey Potocki will make the presentation . . . Richard Crooks will be guest soloist on the Ford "Sunday Evening Hour" March 28 . . .

* * *

Jack Benny will not make his scheduled guest appearance on the Stoopnagle & Budd program tomorrow, because he has to write a new script for his own Sunday show. The script was based on his school days. Due to the school disaster in Texas, Benny has destroyed the script and will present another instead . . . "Story of the Song" returns to the CBS schedule shortly . . . Paul Whiteman's birthday will be celebrated four days before the event itself when NBC presents him in a birthday party on the Blue network, 10 to 11 P. M., E.S.T., March 24. Whiteman's orchestra will combine with the NBC symphony, and Paul will direct . . .

Confirm "Coronet" Transfer

Confirmation of the report that "Coronet on the Air" would leave WOR for a period on NBC is now at hand. Beginning April 2, the program will be heard weekly from 9:30 to 10 P. M., E. S. T. on the NBC-Blue network, coast-to-coast. Batten, Barton, Durstine and Osborn is the agency.

It is believed that Deems Taylor, now commentator for the program, will be replaced when the series moves to NBC. Taylor is under exclusive contract to CBS, and received special permission from that network to broadcast for the program while it was on WOR. Such permission will not be granted for the NBC broadcasts, it is reported.

Renew on Katheryn Craven

Katheryn Craven's "News Through a Woman's Eyes," heard Mondays, Wednesdays and Fridays on CBS, will continue on the network into the summer, through a contract renewal just effected. Pontiac Motor Co., sponsors; McManus, John and Adams, Inc., is the agency.

Talk to Advertising Men

Bob Carter, Howard Doyle, Charlotte Buchwald, and Larry Nixon, all of WMCA and the Inter-City network, presented an hour of talk on radio before the annual guest night meeting of the Ass'n of Advertising Men yesterday. Three hundred advertising executives attended .

Dunkel Rejoins Agency

Richard Dunkel, who left Benton and Bowles a year ago to set up his own business organization, returned to the agency yesterday as spot announcement time buyer. Dunkel had been in the media department as an assistant account executive.

From Richards

"I think now as I have from the beginning—radio helps good pictures and fair pictures and to some extent hurts some good stars and helps some bad stars in the viewpoint of people who do not distinguish between radio and screen ability.

"Your good work will undoubtedly help clarify the confused points as far as the people in show business are concerned."—*E. V. Richards,* president and general manager, Saenger Theatres Corp., New Orleans.

WKRC Will Dedicate Studio on March 27

CINCINNATI, March 19.—Combining the latest developments known to radio science with the most modern studios in Southern Ohio, WKRC will officially dedicate its new home in a gala program March 27, beginning at 6:30 P. M.

In an effort to standardize all CBS owned and operated stations, the studio construction was carried along lines similar to those employed at the CBS headquarters in New York.

Air conditioning has been provided for all studios, control rooms, audience rooms, transcription rooms and offices. The innovations include technical equipment and new control rooms, clients' and reception rooms.

Al Pierce Program Renewed

The Tuesday night Al Pierce program for the Ford Motor Co. has been renewed for another 13-weeks of broadcasting, effective April 6. The program will continue to feature its present personalities. Entitled "Watch the Fun Go By," the series is heard weekly from 9 to 9:30 P. M., E.S.T. N. W. Ayer & Son is the agency.

No renewal has been affected as yet for the companion Ford program, "Universal Rhythm," heard Fridays on NBC.

Lyman Goes to Dallas

DALLAS, March 19.—Appointment of Jack Lyman, formerly announcer at KFSD, San Diego, as program director at the Greater Texas and Pan-American Exposition, was announced today by James W. Crocker, director of radio for the exposition. He is the first member of the new staff to be named. Lyman was chief announcer for the San Diego Exposition and held the same position at the Gulf Radio Studios of the Texas Centennial Exposition.

Du Pont Series Is Set

E. I. du Pont de Nemours will sponsor a transcribed program featuring Ray Perkins and Gloria Miller, beginning early in April. The transcriptions are now being "waxed," and will be heard on a dozen or more stations.

The recordings, 16 in number, will be aired twice weekly for 15-minute periods. Batten, Barton, Durstine and Osborn placed the contract.

WBT Heads in Atlanta

CHARLOTTE, March 19.—William A. Schudt, Jr., general manager, and Dewey Long, sales manager, WBT, are in Atlanta this week on business.

Phillips Signs for Its Eighth Program

The Charles H. Phillips Chemical Co., a division of Sterling Products, yesterday signed for a new script program to be heard on the NBC-Red network Mondays through Thursdays, from 4 to 4:15 P. M., E.S.T., beginning April 26. The contract is for 52 weeks, and was placed through Blackett-Sample-Hummert.

The tentative title for the program is "Lorenza Jones," a comedy script. The series will be aired in the interests of Phillips Milk of Magnesia Tablets and the company's tooth paste.

With the new addition, Sterling Products will have eight programs weekly on NBC networks. They are "The Sweetest Love Songs Ever Sung," "Waltz Time," "Broadway Merry-Go-Round," "Manhattan Merry-Go-Round," American Album of Familiar Music," "Famous Actors Guild," "Backstage Wife" and "How To Be Charming." All are placed through Blackett-Sample-Hummert.

WFIL Contracts Renewed

PHILADELPHIA, March 19. — The WFIL sales staff reports that new business for the week includes two new accounts and one renewal among national advertisers and five locals. George S. Washington & Sons, date pudding, renew direct their thrice weekly participation in the WFIL Women's Club for an indefinite period; Lord & Thomas places New Departure Mfg. Co., bicycles, for three weeks, buying 18 spots weekly, and the Bachman Chocolate Mfg. Co., New York, placed through E. W. Hellwig Agency, starts a 26-week contract on March 29 for three quarter-hour periods weekly and two sponsored news flashes daily.

N. H. Interviews Start Today

NEW HAVEN, March 19.—The Bouve Motors two-a-week man-in-the-street interview, scheduled to start on WBRY last Saturday, was postponed and will take off tomorrow noon, E. S. T., from the New Haven Clock Shop. A one-word spelling bee idea will be used, with $1 cash awards to each successful interviewee, and a $15 credit slip on a used car for the best all-round interview. Sound trucks will give the stunt advance publicity on Saturdays and Tuesdays.

Kellogg Series on Today

BRIDGEPORT, March 19.—The Kellogg Sport Broadcast with Bill Cunningham, tomorrow at 7:30 P. M., E. S. T., will be brought to Yankee Network listeners from spring training quarters of the Boston Braves, Hotel Pfiel, St. Petersburg, Fla.

Williams Going to England

COLUMBUS, March 19.—Dr. Byron B. Williams, program director WOSU, Ohio State University station, will sail March 22 for a six-month fellowship in the British Broadcasting Corp. The fellowship is financed by Rockefeller Foundation.

Academy Winners on Kraft Hour

HOLLYWOOD, March 19.—Gale Sondergaard and Walter Brennan, Academy award winners for 1936 in the supporting player divisions, will be guests of Bing Crosby on the Kraft show over NBC March 25.

Betty Jaynes, juvenile singing star, will also be on the program.

Equity Turns Down Voting Change Plan

A proposed amendment intended to revise the present Actors' Equity Ass'n procedure of voting by mail was defeated yesterday at a meeting of 750 Equity members at the Astor when it failed to receive the plurality required by the constitution of the organization. A second similar amendment was tabled. Both had been disapproved by the Equity council in advance of the meeting.

The meeting elected six members of a nominating committee which, with three additional members selected by the council, will meet in the near future to prepare the regular ticket of officers and councillors of Equity to be submitted to the annual meeting.

Warners Set Patent Deal with Catchings

Warners have signed an agreement with Waddill Catchings, a director, whereby, in consideration of his organization of a group to exploit the patents of James A. Miller, former employe, he will be given an option on 49 per cent of a subsidiary company for $490,000, the company reported to the N. Y. Stock Exchange yesterday. Catchings, under the agreement, will expend $510,000 in the next five years to develop the subsidiary.

Warners also reported the dissolution of Shore Theatres Corp., Bijou Enterprises, Hoquiam Enterprises, Santa Barbara Theatres, and South Lawn Theatre Corp., and the merger of Wyoming Theatre Co. and Bird Theatre Corp.

Plan Imperial SEC Plea

Imperial Pictures plans to file an application with the Securities and Exchange Commission next week for permission to issue new securities, following the completion of an agreement for the issuance of new common stock. William M. Pizor has completed arrangements with the underwriters of the stock, who will be the Refinance Corp. and A. R. Titus & Co., New York, and T. L. Chapman, Chicago bankers. Legal matters are being handled by M. D. Kopple, local attorney.

Wall Street

Columbia Best Gain on Board

	High	Low	Close	Net Change
Columbia	34	33½	34	+1
Consolidated	4⅝	4½	4½	.....
Consolidated, pfd.	16⅜	16⅜	16⅜	+ ⅛
Eastman Kodak ..	160½	159	159	—2½
Loew's, Inc.	77½	76⅝	76⅝	—1⅜
Paramount	24½	23⅞	23⅞	.....
Paramount 1 pfd..	167¼	167¼	167¼	+ ¾
Paramount 2 pfd..	22¼	21½	21⅞	+ ⅛
Pathe Film	8½	8⅜	8½	— ⅛
RKO	8⅜	8¼	8¼	— ⅛
20th Century-Fox.	38½	38	38¼	+ ¼
20th Century, pfd..	47⅝	47⅝	47⅝	— ⅝
Warner Bros.	15	14⅝	14⅝	— ⅛

Light Curb Activity

	High	Low	Close	Net Change
Grand National ..	3	3	3	— ⅛
Sonotone	2	1⅞	1⅞	.....
Technicolor	22	21⅜	21⅜	— ⅜
Trans-Lux	4¾	4⅝	4¾	+ ⅛

Bonds In Decline

	High	Low	Close	Net Change
Loew's 3½s '46....	97¾	97¾	97¾	— ¼
Paramount B'way 3s '55	75	74¾	74¾	— ¼
Paramount Pict. 6s '55	100¼	100⅛	100⅛	— ⅛
Warner Bros. 6s '39 wd	95½	95	95½	+ ½

(Quotations at close of March 19)

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Picture
Industry

MOTION PICTURE DAILY

First in
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Brief,
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and
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VOL. 41. NO. 67 NEW YORK, MONDAY, MARCH 22, 1937 TEN CENTS

Expect Jump In Term Deals Next Season

Say Exhibitors Favoring Longer Contracts

Following the practice of Paramount and Loew's last year, major distributors are expected to sell more long-term contracts next season than ever before.

According to sales executives, exhibitors are in favor of the long term arrangement and are said to be looking forward to buying this way when the new season gets under way.

Most of the term pacts and franchises are for percentage pictures only. Distributors state they find extended deals very satisfactory. Percentage returns are in proportion to what the picture earns at the box-office, they say, and since there is very little change in the percentage figure line-up, there is no reason why deals cannot be made to cover a period of more than one year. Then again,

(Continued on page 8)

February Admission Tax Receipts Fall

WASHINGTON, March 21.—Treasury receipts from the admission tax in February fell to the lowest point recorded since last August, $1,473,353, it was stated Saturday by the Internal Revenue Bureau.

The February collections were more than $32,000 under the January total of $1,505,676, but were $68,516 above the February, 1936, receipts of $1,404,837, it was stated.

Collections for the first seven months of the fiscal year, however, were $1,460,000 above those of the corresponding period a year ago, totaling $13,199,206 against $11,739,402, it was shown.

Casey Coming East For Labor Parleys

HOLLYWOOD, March 21.—Pat Casey leaves for New York today to prepare for the annual conferences there between major company representatives and heads of the five studio unions embraced in the five-year basic agreement on April 4. Victor H. Clarke goes east in a day or two for the same meeting.

Wage increases, continuance of the six-hour day and the application of the Screen Actors' Guild for inclusion in the basic agreement are on the agenda.

Sunset Over M.P.T.O.A.

By RED KANN

MIAMI, March 21.—Not quite so rough in its accommodations, mind you, but this so-called "center of the world's winter playgrounds" is just as sprawling, just as dizzy and as crowded and hysterical as Alaska must have been during its gold rush. You can drop into Fan and Bill's for a steak dinner, which will be a very good steak dinner, and try your luck at slot machines which practically block your entrance and your exit, too, for that matter.

What look like and actually are restaurants have roulette wheels in the rear, almost invariably shrieking at you in loud and modernistic trimmings. You might go to a variety of places beyond the first-line night spots and, if you are lucky, you might fight your way to the five-way crap game which is an unholy feature of the Grand Central waiting-room-sized gambling ground at the Royal Palm.

If you had been here last week, no doubt you would have done all of these things. You might have golfed. You might have gone swimming. Invariably, you drank. In fact, you did everything but remember until it was all over, and perhaps not then, that the M.P.T.O.A. was holding its 17th annual convention at the Miami Biltmore.

▼

A few of the faithful made appearances religiously. No matter how you look at it, Ed Kuykendall had to be at the podium calling this and

(Continued on page 2)

Radio's Best Takes Air in Theatre Hours

The issue over film players appearing on national radio hookups during choice box-office hours flared up again at the M.P.T.O.A. convention in Florida, and regulation of the practice was demanded.

The following chart reveals what the exhibitor is up against when he attempts to buck the free screen talent and features presented on the air in competition with the features presented at his theatre:

Additional developments in radio on pages 6 and 7.

Sundays: Joe Penner, 6 P. M.; Rubinoff, 6:30; Phil Baker, 7:30; Victor Moore and Helen Broderick, 8; Eddie Cantor, Bobby Breen and

(Continued on page 7)

Set New Rules on Pictures of Navy

By BERTRAM F. LINZ

WASHINGTON, March 21.—New regulations surrounding the making of pictures with Navy cooperation have been drafted by the Navy Dep't. and, after approval, will be issued as General Order No. 35 in the near fu-

(Continued on page 7)

Paramount to Have 58 for '37-38 List

Paramount will announce a program of 58 features for 1937-38 at the annual sales convention. Of this number, six will be Hopalong Cassidy westerns produced by Harry Sherman.

For the current season, the company had a schedule of 60-65, but will release only 53, it was learned over the weekend.

Titles, stories, casts and directors for the first 15 of next season's lineup have been announced. Two are complete with a third now in production.

Ernst Lubitsch is down for two of the 15 pictures, Cecil B. DeMille one and Frank Lloyd one.

The two completed films are "Souls at Sea," with Gary Cooper, George Raft, Frances Dee, Henry Wilcoxon, Harry Carey, Joseph Schildkraut and

(Continued on page 8)

Time, Inc., Plans Two-Reeler Series

MIAMI, March 21.—Time, Inc., already a producer with "The March of Time," is preparing to embark upon a series of two-reelers under the general title of "Life." The plan provides for a release a month through RKO. Unlike "The March of Time," each

(Continued on page 8)

Gain in High Cost Pictures Seen Planned

Fewer Low Priced Films Are Anticipated

A reduced output of low cost pictures and a corresponding increase in the number of higher budgeted productions is in view from major studios for the 1937-38 season, home office and circuit officials stated on Saturday.

Generally higher playing terms will be sought from theatres by distributors, and a direct result of the revised schedules may bring about a curtailment of cash awards and other giveaways and may even be extensive enough to reduce double featuring in advanced run situations, New York executives believe. Increased admission scales are also viewed as a possibility, although this development is expected to be confined to individual localities and situations where giveaways and duals may be retained, where scales are still too low or where new or increased local taxation becomes effective.

Some estimates hold that the increase in high cost productions may run as high as 60 to 80 pictures from the major studios and may increase Hollywood's budget by $35,000,000. Numerically, the major studio output is expected to show little or no change, with all companies scheduling approximately the same number

(Continued on page 7)

Reich Takes Ufa; Controls Industry

BERLIN, March 21.—The Nazi Government has taken another step in the monopoly of all agencies of propaganda, with the acquisition of Ufa, leading German company, by an anonymous group ostensibly headed by the Deutsche Bank and Disconto-Gesellschaft. Majority stock control

(Continued on page 8)

Dinner Ends Miami Meet of Paramount

MIAMI BEACH, March 21.—A dinner at the Roney Plaza last night terminated the three-day meeting of Paramount partners.

Barney Balaban expects to remain another week. Adolph Zukor and Christopher Dunphy will leave for New York to attend the Zukor testimonial dinner March 29 and then will go to the coast.

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DAILY
(Registered U. S. Patent Office)

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WARSAW: Sienna 32; R. Sillel, Representative.

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Breen Europe-Bound To Study Reactions

Joseph I. Breen, Production Code Administrator, is en route to Europe to confer with representatives of the American industry in Paris and London on European reaction to American films produced in accordance with Production Code regulations.

Breen arrived here from Hollywood late Thursday afternoon and sailed on the *Europa*. He will visit Paris and London, returning to New York in about three weeks.

It was stated at M.P.P.D.A headquarters that Breen's trip was primarily for a vacation and rest. No particular "problem" involving receptivity of American product has arisen, and the occasion for Breen's conferences on current attitudes abroad toward American films is incidental to the trip and will be for his own information and guidance, it was said.

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Sunset Over M.P.T.O.A.

(*Continued from page 1*)

that to order. Ed Levy, the general counsel from New Haven, might have been expected to attend as a national officer, but he spent part of one day, at least, in the Biltmore pool, no doubt splashing about and reflecting how a kindly, pleasant world brought him to Miami in winter. Ed Fay, on the other hand, took in all that was to be taken in, which was not much. Trade paper reporters generally stuck to the job, which was what they came down for, but even in that direction there were wanderings from time to time.

You couldn't blame them much. You couldn't actually blame anyone and, in a manner of speaking, last of all Kuykendall. He tried to get the wanderlust out of everyone's system and he failed. The fact that he sought solace at one of the sessions by seeking to point out individuals might be few, but their theatres in the aggregate many, was no soap. Not even a lather.

▼

If you insist that we dig around in order to place the blame where it ought to hurt most, we are afraid the best we can do is to work up a rant and a rave against the exhibitor at large. Maybe, as a matter of fidelity to our art, we should. And, moreover, we'll try, but take the circumstances:

It is now early afternoon. There is a big party about to get going in the attractive cabanas of the Roney Plaza Beach Club. Sam Dembow is annoyed because we haven't even seen the beach yet; we've been covering the meeting and wiring New York at continued great expense to the publisher. Jimmy Grainger wants us to go fishing. Bert Sanford says we must listen to "Oscar," his electrical robot; Lou Irwin insists Dempsey's Vanderbilt has the best solarium in town; the other day Frank Freeman had us at the cocktail party he and his wife threw for the Paramount partners; Saturday, the Balabans returned the courtesy. That's how it goes in this land of manana.

▼

But to get back to that rant and rave. Nobody expected this would be much of a convention. It was a hell of a party and definitely the deadliest business session the M.P.T.O.A. has held in its history. Maybe there were no issues to talk about, although we might drum up a few kicking around that demand attention and, in paltry measure, got them on the floor.

It was a sunset-like procedure for the organization, deep down and inside, because exhibitors, the obvious truth is, either do not want a national organization or they don't want one like the M.P.T.O.A. Our conviction is they simply do not want one and we expect to hear from Abram F. Myers by return mail. Even the waving palm tree below our window must know the simple truth which is that very old one—if you will pardon us—about the way following the will, if there is a will.

▼

If this be so, why bother to try? Kuykendall knows it. He said so when Fred Wehrenberg accused him of being too tolerant in pushing the ten-point program. There was no denial. There couldn't have been one. The organized distributors, few in number and obviously easy to band together in their own one association, for years have been telling exhibitors where to get off and indications are this will go on ad infinitum. The M.P.T.O.A. gets nowhere because its sinews are milk and water and its sinews are milk and water because the exhibitors who can furnish the brawn are dawdling on other pastures.

All of which is old, old stuff, but it helps round out a column of observations on the late and lamentable proceedings. Dull as they were and enlivened only slightly as they were planned to be, the weakling fireworks that were shot off, in themselves, were painfully and embarrassingly ineffectual. . . .

▼

Much fuss was made over radio and films. Boycotts were suggested, which made the boys appear very juvenile for the grown men the eye insisted they were. Film publicity was to be shut off in local newspapers through the advertising hold maintained by the exhibitor on his local editor. A clause in the contract giving to the exhibitor the right to cancel films earlier submitted to aircasts and thereby presumably damaged for the box-office was proposed and argued over while the sunshine beckoned. And so finally, a condemnatory resolution was passed, carrying with it a committee of three which will be named to tell the producers where they alight.

Nobody tried to recognize the situation—nobody tried to solve the problem.

▼

In radio, there is a problem. Everyone knows that. That is, apparently, everyone but the boys who rambled on loosely at the convention. When Wehrenberg spoke of film stars who objected to more than two films a

(*Continued on page 8*)

Legion Approves All Of 14 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, approved, either for general patronage or adults, all of the 14 new pictures reviewed and classified. Eleven were approved for general patronage and three for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage: "Alte und der Junge Koenig" (German), "Elephant Boy," "Jede Frau Hat Ein Geheimnis" (German), "Let's Get Married," "Parole Racket," "Romance and Riches," "Soder om Landsvaggen" (Swedish), "Standschuetze Bruggler" (German), "Time Out for Romance," "Trouble in Texas," "We Have Our Moments." Class A-2 Unobjectionable for Adults: "Hogueras en la Noche" (Spanish), "Maytime," "Swing High, Swing Low."

Goldsteins Expand New England Group

MIAMI BEACH, March 21.—As an initial step in an expansion campaign throughout New England, the Goldstein Bros., who are affiliated with Paramount, will build a 1,200-seat theatre in Brattleboro, Vt. It will be their first theatre in that town and will be operated by Western Massachusetts Theatres, Inc., Nathan Goldstein said here yesterday.

Other locations planned by the Goldsteins are in Utica, N. Y., where a new house will be built and in Pittsfield, Mass., where the Colonial will be remodeled. Three other properties are to be acquired within a few weeks.

ITOA Talking Suit Over Score Charges

The I. T. O. A. is preparing to file an action seeking to force distributors to return sums collected from its member exhibitors as score charges, it is stated in the current issue of *The Independent,* official publication of the organization.

The complaint is now being drawn by the attorneys for the I. T. O. A., Weisman, Celler, Quinn, Allen & Spett, the publication states, and will charge that the imposition of the score charge is a violation of the anti-trust laws.

Set Zukor Party Details

Final details of the Adolph Zukor testimonial dinner, scheduled for the Waldorf-Astoria March 29, are being completed under the direction of William Brandt, in charge of the affair. Mutual Broadcasting System will broadcast the dinner from 11:15 P. M. to 12:45 A. M. WHN will have the affair on the air from 8:45 to 10:15 P. M. Will Hays will be one of the speakers.

G. N. Tries New Color

Grand National has been licensed to use the Keller-Dorian Colorfilm process and the Richard Rowland production, "Grand Canyon," on which work will start in about six weeks, will be the first feature length picture employing this process, it was stated at Grand National on Saturday. The company, heretofore, has used the Hirlicolor process.

CHAMPION

EASTMAN Super X was used in the great majority of all 1936 feature productions ...in three out of every four "box-office champions"...in nine of the "best ten" pictures chosen by the country's critics. It continues as the unchallenged champion among motion picture negative films. Eastman Kodak Company, Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

"Love News," Waring High On the Loop

Chicago, March 21.—"Love Is News," aided by Fred Waring and his orchestra, had a bang-up week at the Chicago and took $45,000, which was $13,000 above average.

Another winner was "The Last of Mrs. Cheyney" at the Roosevelt which did well aided by the big name appeal of the cast. At the Oriental the Major Bowes Amateurs helped "I Promise to Pay." The take was $20,500.

The weather was warm and business was generally much better.

Total first run business was $146,200. Average is $120,500.

Estimated takings:

Week Ending March 11:

"GOOD EARTH" (M-G-M)

APOLLO—(1,400), 50c-$1.50, 2 shows daily, 3rd week, 7 days. **Gross:** $9,600. (Average, $9,000)

"LOVE IS NEWS" (20th-Fox)

CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Fred Waring and Band. **Gross:** $45,000. (Average, $32,000)

"I PROMISE TO PAY" (Col.)

ORIENTAL — (3,490), 35c-55c, 7 days. Stage: Major Bowes Amateurs. **Gross:** $20,500. (Average, $15,000)

"WE'RE ON THE JURY" (RKO)

PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Ethel Shutta and revue. **Gross:** $18,000. (Average, $19,000)

Week Ending March 12:

"GREEN LIGHT" (W.B.)

GARRICK—(900), 35c-55c-75c, 7 days, 3rd Loop week. **Gross:** $6,500. (Average, $6,500)

"THE LAST OF MRS. CHEYNEY" (M-G-M)

ROOSEVELT—(1,591), 35c-55c-75c, 7 days. **Gross:** $19.600. (Average, $11,000)

"BREEZING HOME" (Univ.)

STATE-LAKE — (2,776), 20c-35c-40c, 7 days. Stage: Vaudeville revue. **Gross:** $14,000. (Average, $13,000)

"MEN ARE NOT GODS" (U.A.)

UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $13,000. (Average, $15,000)

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NEW YORK

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Waikiki Wedding"

(Paramount)

Hollywood, March 21.—Bing Crosby's latest is gay, airy entertainment. It is a frothy combination of music, romance, comedy and colorful spectacle. There is not much plot, such being hardly necessary as Crosby combines his talents with those of Bob Burns, Martha Raye, Shirley Ross, George Barbier, Leif Erikson, who checks in a high grade performance, and Gracy Sutton. The introduction of native Hawaiian music and ceremonial dancing, in contrast with the numbers prepared by Leo Robin and Ralph Rainger, helps greatly to hold together the plot which takes liberal license with formula story construction.

Mainly, the idea of the picture is to give the principals an opportunity to perform in the fashion most pleasing to most audiences. The thin plot brings Miss Ross to Honolulu as a contest winner. The stunt is to have her write her impressions for advertising purposes. She does not like the place. This makes it necessary for Crosby, Burns and Miss Raye to kidnap her. They take her to an isolated island. There Miss Ross falls in love with Crosby. A series of gags, music and dance numbers are hitched on that theme. In their solo spots the leads create desirable entertainment.

It is the kind of a show that makes the audience feel good. It is of the character that permits enthusiastic advance publicity. It should be able to hold a top spot in any competition. The film is a credit to the showmanship talents of Arthur Hornblow, producer, Frank Tuttle, director, and the collective writing talents of Frank Butler, Don Hartman, Walter De Leon and Francis Martin. Karl Struss photographed.

Production Code Seal No. 3,135. Running time, 90 minutes. "G."

"Racketeers in Exile"

(Columbia)

Hollywood, March 21.—George Bancroft, reformed gangster, becomes an evangelist in a story that furnishes entertaining program fare. The story gets out of bounds, but the characterizations and the direction are good, the tempo speedy.

Bancroft, his girl friend, Wynne Gibson, and his mob which includes Marc Lawrence, John Gallaudet and George McKay, find the big city too hot for their racket and so retire to Bancroft's former home town. In an impromptu speech to the home folks Bancroft hits his stride as a public speaker and becomes an evangelist, taking advantage of the innocent charms of Evelyn Venable, his schooldays chum, as a nucleus for an evangelist organization. Business becomes better when Bancroft erects a temple with a broadcasting station which is used to financial advantage in exposing racketeers. After shaking down a public enemy in an adjacent town, Miss Venable is injured. This forces Bancroft into an about-face. He believes he has aided her recovery through studying the Bible, and succumbs to his own preachments. His cronies desert. Bancroft returns the shakedown money, but promises an exposé with the result that gangsters, spotted in the audience, shoot him while he is at the microphone. Bancroft recovers and the gangsters are arrested.

Miss Venable and Miss Gibson are good in the romantic competition for Bancroft with the former winning out. Richard Carle is outstanding as the go-between for Bancroft. Erle C. Kenton directed. Harry Sauber and Robert T. Shannon wrote the screenplay from Sauber's original story.

Production Code Seal No. 3,048. Running time, 66 minutes. "G."

"We Have Our Moments"

(Universal)

Hollywood, March 21.—Crook drama is presented as farce in this one. It is moderately amusing when it does not reach too deeply for gags.

The story concerns Sally Eilers, a school teacher, who takes a European trip before settling down to a small town marriage with Grady Sutton. On her trip Thurston Hall, Marjorie Gateson, Warren Hymer and David Niven, a quartet of thieves, conceal their loot in her baggage to prevent James Dunn, a detective, from discovering it. When the group arrives in France, Mischa Auer, a French policeman, joins them to aid Dunn. Auer delivers the picture's best comedy. After the various ensuing complications clear up, Miss Eilers decides that married life with Dunn will prove more interesting than life with Sutton.

Credits for the original story are shared by Charles Belden and Frederick Stephani. Bruce Manning and Charles Grayson did the screenplay. Alfred Werker's direction is speedy. Edmund Grainger produced. The picture should fit any program that requires fast action and humor.

Production Code Seal No. 2,991. Running time, 65 minutes. "G."

"Maytime" Big In Dull Week On the Coast

Los Angeles, March 21.—"Maytime" was outstanding in week of dull business. It hit $16,140, over normal by $3,650, at the Chinese, and reached $20,700 at Loew's State. The latter gross was $6,700 into the profit column.

"Lost Horizon" opened with a rush at $5 top at the 4 Star, and during the rest of the week at $1.50 top piled up $14,000. Normal for the house at 55 cents top is $3,200.

None of the other first runs was in the money.

Total first run business was $108,940. Average is $107,950.

Estimated takings for the week ending March 17:

"THE GOOD EARTH" (M-G-M)

CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 7th week. **Gross:** $11,800. (Average, $17,000)

"MAYTIME" (M-G-M)

CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $16,140. (Average, $12,500)

"LOST HORIZON" (Col.)

4 STAR—(900), 50c-$1.50, 7 days. **Gross:** $14,000. (Average, $3,250)

"LES MISERABLES" (French)

GRAND INTERNAT'L—(750), 35c-40c, 7 days. **Gross:** $2,400. (Average, $1,200)

"THE MAN WHO FOUND HIMSELF" (RKO)

"GIRL OVERBOARD" (Univ.)

HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $6,000. (Average, $8,000)

"MAYTIME" (M-G-M)

LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $20,700. (Average, $14,000)

"THE MAN WHO FOUND HIMSELF" (RKO)

"GIRL OVERBOARD" (Univ.)

PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $6,000. (Average, $8,000)

"WHEN YOU'RE IN LOVE" (Col.)

"THE CRIME NOBODY SAW" (Para.)

PARAMOUNT—(3,595), 30c-55c, 7 days, 2nd week. Stage: Rube Wolf and his orchestra, F. & M. revue. **Gross:** $10,500. (Average, $18,000)

"GREEN LIGHT" (F.N.)

WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days, 2nd week. **Gross:** $10,500. (Average, $14,000)

"GREEN LIGHT" (F.N.)

WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days, 2nd week. **Gross:** $10,900. (Average, $12,000)

Columbia Club Elects

Lillian Stark has been elected president of the Columbia Club, organization of home office employes, for the ensuing year. Other officers are: Guy Wood, first vice-president; Seymour Zwilling, second vice-president; H. L. Smith, treasurer; Jack Bass, financiay secretary; Carmel Latell, secretary; Margaret Kapfer, assistant secretary; Henry Strauss, press agent; Nellie Keogh, chairman of the board of governors.

Wilkinson Coming Here

London, March 21.—C. Norman Wilkinson, director and sales manager of National Provincial Film Distributors, will reach New York before March 30 to negotiate American distribution for "The Mill on the Floss," "Mr. Stringfellow Says No" and "Dreams Come True."

Flash Preview

"Sing While You're Able"—Pinky Tomlin and Toby Wing in a story of a hill billy singer who makes good on the radio.

This film will be reviewed in full in a coming issue of Motion Picture Daily.

◀ Purely Personal ▶

Y. FRANK FREEMAN, vice-president of Paramount, heads a home office delegation returning from the company's Miami theatre meeting tomorrow. ADOLPH ZUKOR, BARNEY BALABAN and NEIL F. AGNEW are expected here within the next day or two.

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CONSTANCE CUMMINGS, her husband, BENN W. LEVY, KEITH FALKNER, WILLIAM K. HOWARD, LOUIS BOVELL and the cast of "Young Madame Conti" from the Savoy in London, are due today on the *Queen Mary*.

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WHITFORD DRAKE, executive vice-president of Erpi, together with C. W. BUNN, L. W. CONROW and BERT SANFORD, also of Erpi, returned from Miami over the weekend.

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FRANK C. WALKER is expected here Wednesday morning. ADOLPH ZUKOR, in from the coast via Chicago, arrives Tuesday.

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E. C. MILLS, Ascap general manager, is expected here today from Tacoma.

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JULES LEVY is in Buffalo for conferences.

Exchange Union Elects

BOSTON, March 21.—Max Magofsky was elected president of the newly formed Boston Film Exchange Workers Union, A. F. of L., at a meeting held here yesterday. Others elected are: Anna Rolfe, vice-president; Francis Rahilly, financial secretary, and Mattie Moriarty, treasurer. Ann Earley and Mae Rogers were tied for recording secretary. The executive board consists of Charles Lynch, Al Cohen, Gilbert Houghs, Margaret Tedder, Edward Smith, Charles Murphy, Jeannie Feldman, Louis Zaccardo, Mabel McDowd, Sam Isenberg, Sam Lavine, John Hill, Jr., G. Girade and Norman Portetsky.

Warners Set 'King' Drive

Warners have planned an elaborate exploitation campaign for the opening of "The King and the Chorus Girl" at the Strand next Saturday. Among the stunts will be the distribution of 100,000 sets of stills of Fernand Gravet, the star, from door to door in the better residential districts of Manhattan.

Halt Eisenstein Film

MOSCOW, March 21.—The Soviet Film Trust yesterday charged Sergius M. Eisenstein, director, with picturing the Communist revolution unfavorably in his new film, "Bezhum Lug." He has been ordered to halt production on the film, on which he has worked for two years.

RKO May Meet on Coast

RKO is discussing plans for holding its annual convention on the coast about the middle of June. The sessions will probably run three to four days.

Out Hollywood Way

HOLLYWOOD, March 21.—SIGMUND ROMBERG is to do the score of "Girl of the Golden West" for M-G-M as well as the musical numbers.

JO SWERLING assigned by Paramount to write closing scenes of "Souls at Sea," with shooting suspended pending a decision . . . DOLPH ZIMMER, assistant director for W. S. VAN DYKE on M-G-M's "They Gave Him a Gun," back at work following an illness . . . GEORGE SIDNEY, M-G-M test director, on the job again after a minor operation . . . M-G-M moving exterior sets for start of construction on new sound stages.

CECIL HOLLAND succeeds JACK CASEY, resigned, as head of HAL ROACH makeup department.

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Casting—ELEANOR WESSELHOEFT in "The Prisoner of Zenda," Selznick International . . . VIRGINIA VERRILL in "The Goldwyn Follies" . . . ALAN MARSHAL borrowed by M-G-M from Selznick International for "Night Must Fall" and "Countess Walewska" . . . BARNETT PARKER, IAN WOLFE, FRANK DAWSON, SIDNEY BRACE, ROLLO LLOYD, CLARENCE WILSON and BERT ROSEN in "Emperor's Candlesticks," M-G-M.

ADA LEONARD in "She's Got That Swing," RKO . . . HELEN VINSON in "Walter Wanger's Vogues of 1938" . . . MAURICE CASE in "Big Business," PAUL MCVEY in "One Mile from Heaven," and HAROLD HUBER in "Love Under Fire," 20th Century-Fox . . . ANN SOTHERN and GENE RAYMOND in "There Goes My Girl," RKO . . . PATRIC KNOWLES and MARY MAGUIRE in "The Pit and the Pendulum," Warners . . . MARY GORDON and VIOLA CALLAHAN in "The Cop," Universal.

DON ACKERMAN, EDDIE FOY, NICK LUKATS, DONALD MCKINNEY, GLORIA WILLIAMS, MARIE DE FOREST, HENRIETTA HADDON, HAL PRICE, HARVARD MITCHELL and HARRY STRANG in "Turn Off the Moon," Paramount . . . ROBERT MCWADE in "The Old Soak," M-G-M.

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Writers—LESTER COLE finishes screen treatment of "Fighting the Underworld," Universal; may do scenario . . . FREDERIC STEPHANI signed to term contract at M-G-M . . . THYRA SAMTER WINSLOW finishes script of "Sister Act," Warners, and leaves for New York vacation . . . LIONEL HAUSER to do the script of "World of Women," RKO . . . VINCENT LAWRENCE on screenplay of "Gunga Din," Radio.

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Directors—RICHARD ROSSON to direct "Tomorrow's Headlines," RKO . . . DAVID MILLER assigned to "Flicker Flaws," M-G-M short.

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Title Changes—"The Stones Cry Out," Universal, now "Let Them Live" . . . "Love Derby," Warners, now "He Wouldn't Get Married."

"Ready, Willing" Indianapolis Hit

INDIANAPOLIS, March 21.—"Ready, Willing and Able," with Leon Errol heading the stage attraction, "Hollywood Follies of 1937," took $11,000 for the Lyric, $4,000 over normal.

"Green Light" pulled $5,800 at the Apollo, $1,800 into the black. The weather was cold and snowy, particularly toward the close of the week.

Total first run business was $24,800. Average is $21,000.

Estimated takings for the week ending March 12:

"GREEN LIGHT" (F. N.)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $5,800. (Average, $4,000)

"SEA DEVILS" (RKO)
"DON'T TELL THE WIFE" (RKO)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"MAN WHO COULD WORK MIRACLES" (U. A.)
"ESPIONAGE" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $4,000. (Average, $6,000)

"READY, WILLING AND ABLE" (W.B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Leon Errol and "Hollywood Follies of 1937." **Gross:** $11,000. (Average, $7,000.)

Winnipeg Fees Shifted

WINNIPEG, March 21.—The City council has approved a new scale of license fees for theatres, increasing charges on larger houses and reducing them on small ones.

The new scale will run: $150 up to 300 seats; $250 from 300 to 499 seats; 50 cents a seat from 500 to 1,499 seats, and 55 cents above this capacity. Theatres seating from 300 to 499, but open only after 5 P. M. excepting Saturdays and holidays, will be charged $175.

"Light" Sets Mark For Dual in Omaha

OMAHA, March 21.—"Green Light" and "Racing Lady" set a house record for double feature bills last week at the Brandeis, grossing $7,300 or $3,300 over average. Only the Astaire-Rogers pictures on single feature programs have had bigger weeks since this house was opened for films more than three years ago.

Held over for six days, the program had a better gross the opening day of the second week than did "When You're in Love" two weeks before.

The Omaha also had a good week, grossing $7,800, or $2,300 over par, for "Love is News" and "Fugitive in the Sky."

Total first run business was $22,500. Average is $16,700.

Estimated takings:

Week Ending March 9:

"LOVE IS NEWS" (20th-Fox)
"FUGITIVE IN THE SKY" (W.B.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $7,800. (Average, $5,500)

Week Ending March 10:

"GREEN LIGHT" (F.N.)
"RACING LADY" (RKO)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $7,300. (Average, $4,000)

Week Ending March 11:

"YOU LIVE ONLY ONCE" (U.A.)
"CLARENCE" (Para.)
ORPHEUM — (3,000), 25c-40c, 7 days. **Gross:** $7,200. (Average, $7,200)

Hulling, Matin on Trip

PORTLAND, March 21.—Mel Hulling, division manager for Grand National, accompanied by Danny Matin, is contacting the Washington and Oregon trade territory.

"Green Light" Tops Buffalo at $15,000

BUFFALO, March 21.—"Green Light" led the downtown theatres with a neat $15,000 at the Buffalo, breaking par by $3,000.

"Head Over Heels in Love" and "Conflict," dualed at the Lafayette, was next in line with $8,000, up by $2,000. "You Only Live Once" beat the $7,300 average at the Great Lakes by $1,200 and the Century's dual, "Bulldog Drummond Escapes" and "Fugitive in the Sky," pulled $7,800, over the line by $2,000.

Competition included "Idiot's Delight.

Total first run business was $44,600. Average is $38,400.

Estimated takings for the week ending March 13:

"GREEN LIGHT" (F.N.)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $15,000. (Average, $12,000)

"JOHN MEADE'S WOMAN" (Para.)
"THE MAN WHO COULD WORK MIRACLES" (U.A.)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $5,300. (Average, $7,300)

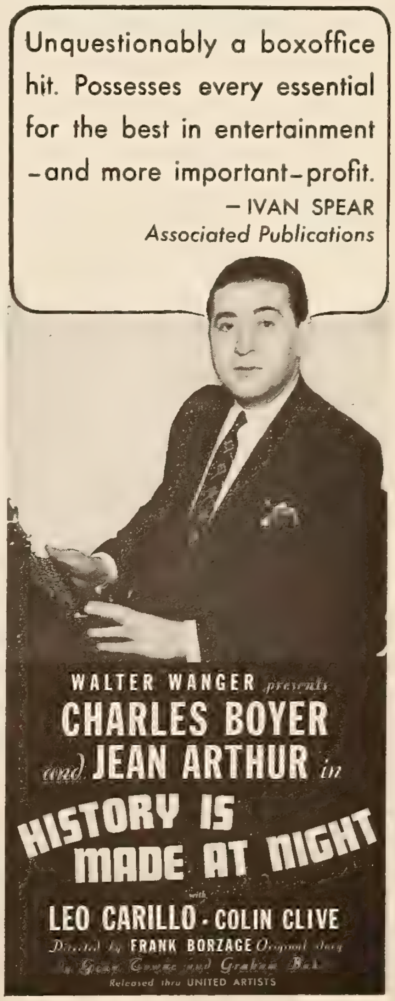
"YOU ONLY LIVE ONCE" (U.A.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $8,500. (Average, $7,300)

"BULLDOG DRUMMOND ESCAPES" (Para.)
"FUGITIVE IN THE SKY" (W.B.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $7,800. (Average, $5,800)

"HEAD OVER HEELS IN LOVE" (G.B.)
"CONFLICT" (Univ.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $8,000. (Average, $6,000)

Whittman Joins RKO

PITTSBURGH, March 21. — Wade Whittman, once assistant at the Penn here, has returned as a salesman for RKO.


Unquestionably a boxoffice hit. Possesses every essential for the best in entertainment —and more important—profit.
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WALTER WANGER presents
CHARLES BOYER
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HISTORY IS MADE AT NIGHT
with
LEO CARILLO · COLIN CLIVE
Directed by FRANK BORZAGE Original story by Gene Towne and Graham Baker
Released thru UNITED ARTISTS

◂ Radio Personals ▸

CHARLES AGNEW's orchestra begins a dance tour of Big Ten Colleges April 1, through Consolidated Radio Artists. . . . "Follow the Moon," Jergens serial hear on the NBC-Red, adds another station to its hookup, WHO, Des Moines, today. . . . Ken Murray's new program, with Gracie Allen as a guest, bows in on CBS Wednesday. . . . Zeke Manners and "Gang" will guest appear on the Al Pierce series tomorrow night. . . . "Aunt Susan" program yesterday celebrated the beginning of its fourth year on CBS. . . . Charles E. Green, president of Consolidated, returned to New York Saturday following a two-week swing through the west and mid-west. . . . Tyrone Power will head the guest talent on the Vallee program Thursday night. . . .

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San Francisco Town Pump

SAN FRANCISCO, March 21.—Bob Young and his orchestra broadcasting over KPO in place of Herb Samen, who shifts to a Los Angeles night club. . . . Don Hambly of KRE waiting for the F. C. C. to approve that power increase the East Day station wants. . . . Bill Stuart, Young & Rubicam press contact for Jack Benny, Fred Allen and a few more top-shots, in town. . . . Johnny Dolph leaving for Los Angeles and that new job as assistant to Vice-President Donald W. Thornburgh of CBS. . . . Mort Werner back of the mike at KJBS. . . . Stan Breyer of the same station signing 'em up at a great rate. . . . Helen Civelli of the *News* gathering in some radio copy. . . . KFRC's Pat Kelly lining up a new program. . . .

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St. Louis Town Pump

ST. LOUIS, March 21.—Robert T. Convey, president of Thomas Patrick, Inc., operators of KWK, Mutual outlet, is the father of a son. . . . Thomas Reid, formerly with KWTO-KGBX, Springfield, has joined the newscasters at KSD. . . . KWK announcers now are: Allen C. Anthony, chief; Martin Bowes, John Neblett, Tom Dailey, Hal Culver and Bill Cook.

Rancho Fiesta on Air

HOLLYWOOD, March 21.—"Rancho Fiesta" is a new feature over KNX and the Columbia Pacific network Thursdays, 10 to 10:30 P. M., P. S. T. Don Pedro is starred with the support of Wilbur Hatch's Orchestra. Spanish music is played by the Eduardo Durant Ensemble.

T. W. Symons to Manage KXL

PORTLAND, March 21.—T. W. Symons, formerly of Spokane, is assuming active charge of KXL here following his joint purchase with E. B. Craney of H. B. Read's 80 per cent interest in the station. Craney is a resident of Butte.

LEO SAYS:
Smart sponsors know that WHN's No. 1 showmanship helps increase sales!
WHN
DIAL 1010
AFFILIATED with M-G-M • LOEW'S
WHN

Approved

"Radio is edging in so closely on motion picture activities that it is important for us to follow the developments in the broadcasting field. Your daily coverage of what is happening makes it possible to keep in touch with all the plans that are under way."—*Joseph Bernhard,* general manager, Warner Bros. Circuit Management Corp.

Nazis Tighten Grip On Radio in Reich

BERLIN, March 21.—Strengthening even further its grip on all propaganda media, the Nazi Propaganda Minister, Dr. Joseph Goebbels, has created a new director of all of Germany's radio activities. Heinrich Glasmeier, former broadcasting director of Cologne, has been named to the new post of Reich Intendant

The Nazi press has hailed this appointment, and that of Hans Kreigler as chief of the radio department of the Ministry of Propaganda. There can be no question now, the press points out, of the complete domination of the Nazi Government over all radio service in the country.

WINS to Feature Orchestras

Beginning today, WINS will feature the orchestras of topflight bandleaders on the "Matinee Frolic" program daily in conjunction with an arrangement completed between WINS and Consolidated Radio Artists, Inc. The program will be further supplemented by guest appearances of artists under the Consolidated banner.

Russ Morgan's orchestra will lead off today at 4:30 P. M.

To Air Easter Services

ST. LOUIS, March 21.—The KMOX special events department, headed by Jerry Hoekstra, has completed arrangements to feed to the coast-to-coast Columbia network the annual Easter Sunrise Services at the St. Louis Municipal Opera outdoor theatre in Forest Park from 7 :30 to 8:30 A. M., E.S.T., March 28. The musical background arranged by Howard Barlow will be played by Ben Feld's Symphony Orchestra.

McKesson & Robbins Renew

McKesson & Robbins renew their "Beauty Forum" program as of April 8. The series is presented Thursdays from 9:45 to 10 A. M. over Mutual stations WOR, WGAR, WAAB, CKLW, and from 10:30 to 10:45 P. M. over WGN, KOIL, WHB, also over Mutual. Brown and Tarcher, Inc., is the agency.

To Resume "Story of Song"

"Story of the Song" will be resumed on the CBS network April 6, from 3:30 to 4 P. M., E. S. T., and weekly at the same time thereafter. Concert artists will be featured. Colette D'Arville and Benjamin De Loache will introduce the renewed series.

Esquire Program to Start on WOR Soon

When "*Coronet* On the Air" vacates its current WOR period to begin a new cycle of broadcasts on the NBC-Blue network, April 2, it will be succeeded on WOR by a new series sponsored by *Esquire,* companion publication to *Coronet.* The initial *Esquire* program will be aired April 6.

Batten, Barton, Durstine and Osborn handles both programs. The program pattern for the *Esquire* program has not yet been evolved.

To Start Baseball Series

ST. LOUIS, March 21.—Ray Schmidt, sport announcer, and James Burke, chief engineer, KWK, have left for Daytona Beach, Fla., to open the 1937 season of baseball broadcasts. The broadcasts will feature interviews with prominent players of the St. Louis Cardinals. The KWK men will also include broadcasts direct from other Florida training camps. Later they will move over to the Browns camp in San Antonio. Hyde Park Brewery, St. Louis, is sponsoring the broadcasts.

Set Mrs. Roosevelt's Time

The time and network for the Lamont Corliss program featuring Mrs. Franklin D. Roosevelt has been set by J. Walter Thompson, agency handling the account. Beginning April 21, the series will be presented from 7:15 to 7:30 P. M., E.S.T. The hookup includes the NBC Basic Blue, Blue Mountain, and Blue Coast networks, plus WLW, Cincinnati, and WABY, Albany.

RCA Makes Dealer Records

CAMDEN, N. J., March 21.—A series of spot announcements for use during breaks between programs, electrically transcribed, to sell the need for competent radio service and related sales specialties, has been made available to RCA dealers and radio service engineers on a single record.

Florence Fick to Blackett

Florence Fick, of the Neff-Rogow agency, has left that organization to assume production supervision of several of the Blackett-Sample-Hummert programs.

Miss Fick formerly was traffic manager of the Mutual network.

Set Milwaukee Series

MILWAUKEE, March 21.—"The Unbelievable," a 15-minute transcribed program, is now being presented each Wednesday at 9:30 P. M., C.S.T., over WISN under the sponsorship of the National Lead Co.

Celebrates Fourth Air Year

ST. LOUIS, March 21.—Jane Porter, who directs the KMOX "Magic Kitchen," will celebrate the fourth anniversary of the feature on the air for an entire week, March 29 to April 3.

Elin Takes "Allie Lowe Mile Club"

Elin, Inc., through the Scheck advertising agency, starts a sponsorship of the Friday 10:30 to 11 A. M. "Allie Lowe Mile Club" program on WOR, with announcements on Mondays and Wednesdays, 3:30 to 4 P. M.

Jack Benny Captures Milwaukee Air Poll

MILWAUKEE, March 21.—Jack Benny was voted the favorite comedian, and the Benny program the favorite in that category, in the seventh annual radio poll conducted by WTMJ, operated by the *Milwaukee Journal.* Thousands voted from 184 cities in Wisconsin, Illinois, Michigan and Minnesota.

Bing Crosby was voted the favorite masculine popular singer and best master of ceremonies. Wayne King, for the seventh time, was named top in dance orchestras; Frances Langford, most popular girl singer; Tom, Dick and Harry, harmony singers; Philadelphia Symphony Orchestra, the most popular in its division; Nelson Eddy, most popular masculine concert singer. Grace Moore led the feminine concert singers, John Olson of WTMJ headed the studio announcers with Don Wilson running second; Rus Winnie, WTMJ, the sports announcers, with Ted Husing, second.

The leading dramatic program picked by listeners was the Radio Theatre. "One Man's Family" was first in the serial story classification; Irene Wicker top in children's programs; Nancy Grey, WTMJ, the women's programs; Boake Carter, leading news commentator, and Jesse Crawford, leading organist.

Babe Ruth Show Prizes Set

Babe Ruth's program for Sinclair Refining Co., starting on the CBS network April 14, will offer weekly awards of two Nash automobiles, 20 RCA radio sets, and 500 autographed baseballs to listeners participating in a contest feature of the program. The listeners will be asked to forecast the scores of the 16 major league ball games scheduled each week. Federal Advertising Agency set the program and contest for the sponsor.

Bette Davis Substitutes Named

Due to Bette Davis's illness, the March 26 "Hollywood Hotel" reenactment of "Marked Women" has been postponed. Instead the program will feature Olivia de Havilland, Anita Louise, Ian Hunter, Roland Young and Alice Brady in a radioized version of "Call It a Day."

A. S. Feldman Promoted

BOSTON, March 21.—Arthur S. Feldman has been named manager of the special event programs originating at WBZ and WBZA by John A. Holman, manager of the NBC outlets in Boston and Springfield.

R. M. Tigert to St. Augustine

ST. AUGUSTINE, Fla., March 21.—R. M. Tigert of Nashville, brother of Dr. John J. Tigert, president of the University of Florida, has come to St. Augustine, to serve as commercial manager of WFOY. For several years Tigert has been in the commercial department of WSM, Nashville.

Booke on Mutual Script

MILWAUKEE, March 21.—Earl Booke, former WTMJ script writer, has been signed to write Mutual's "Behind the Camera Lines," which starts April 2.

Radio's Best Takes Air in Theatre Hours

(Continued from page 1)

Deanna Durbin, 8:30; Milton Berle, 10, all on CBS. NBC presents Jack Benny and Mary Livingstone at 7 P. M.

Mondays: Lux "Radio Theatre," which might more aptly be termed "Screen Theatre," is on at 9 P. M., CBS.

Tuesdays: Al Jolson, Martha Raye, Parkyakarkus, 8:30 P. M.; Jack Oakie and screen guests, 9:30 P. M., both CBS; Ben Bernie and screen guests, 9 P. M.; Fred Astaire and Charles Butterworth, 9:30 P. M., both on NBC.

Wednesdays: Ken Murray, Shirley Ross, 8:30 P. M.; Nino Martini, 9 P. M., on CBS; Gladys Swarthout, 10:30 P. M., on NBC.

Thursdays: Rudy Vallee and screen guests, 8 P. M.; "Showboat" at 9 P. M., with Lanny Ross and screen guests; Bing Crosby and Bob Burns, 10 P. M., all on NBC.

Fridays: "Hollywood Hotel," with Fred MacMurray and screen guests, plus picture dramatizations, 10 P. M., CBS; "The First Nighter" with Don Ameche, NBC at 10 P. M.

Saturdays: Grace Moore, 9 P. M.; "Hit Parade," with weekly film guests at 10 P. M., both CBS; Joe Cook and screen guests, 9:30 P. M.; Irvin S. Cobb, 10:30 P. M., both on NBC.

Wood in Air Protest

COLUMBUS, March 21.—The following wire has been sent to Nicholas M. Schenck, M-G-M president, by P. J. Wood, secretary of the I.T.O. of Ohio:

"Have heard indirectly that you contemplate permitting stars to broadcast regularly. If such is your intention, on behalf of the members of the I.T.O. of Ohio I vigorously protest. Up to this time Metro stars have been premier theatre attractions exclusively and they should be continued as such. In the opinion of several groups who listened to Friday night's 'Hollywood Hotel' preview of Universal's 'Top of the Town' this broadcast irreparably damaged box-office value of what might possibly be an outstanding attraction. You, like us, are in theatre business. Let's stay there."

Loew's Midland Gets Plug

KANSAS CITY, March 21.—One of the local programs over KXBY is a daily Organlogue from Loew's Midland, 9:30 to 10 A. M., C.S.T., daily except Sunday, when it is 10 to 10:30. Besides carrying the name of the theatre, the program plugs Midland's current picture.

CKY Signs for Record Series

WINNIPEG, March 21. — Burns & Co., packers and wholesale meat dealers, has signed with CKY for 52 weekly half hour transcription shows Sundays at 1 P.M., C.S.T. The program features British bands. This sponsor has had similar show on a Calgary station for four years.

Salesman Faces Mike

San Diego, March 21.—J. O. Van Keuren, KFSD sales manager, sold himself with a news broadcast. The sponsor, Farley's clothing store, insisted Van read United Press news he sold them for a quarter-hour spot daily at 5:45 P. M., P.S.T. Studio announcers have no laughs on him, because he looks up pronunciations in the dictionary before facing the mike.

Bachem Named Aide For Witmer at NBC

John H. Bachem, NBC's eastern division sales manager will become assistant to Roy C. Witmer, vice-president in charge of sales, April 1.

Bachem's new duties will include supervision of sales operations in Detroit, Cleveland and the Pittsburgh divisions of the network, and various special assignments.

Bachem joined the sales force of NBC in 1932, after spending 14 years in the magazine sales field. He was promoted to assistant eastern division sales manager in 1934, and eastern sales manager in 1936.

Design New Train Receiver

CINCINNATI, March 21. — A new type of radio receiving set, specially designed by Crosley engineers to overcome certain apparent "dead spots" in the Potomac Valley, has been installed on the B. & O. Diplomat running between St. Louis and Washington. The receiver has seven tubes, and operates on the 32-volt lighting system of the train. The installation includes a standard automobile under-car antenna about three and one-half feet long, placed horizontally and lengthwise of the car. No auxiliary equipment or shielding has been added.

Reception of some 30 stations in the Potomac Valley area has been reported under all conditions during daylight hours.

Harvard Men Broadcasting

BOSTON, March 21.—A series of lectures by Harvard faculty members has started over WAAB and the Colonial network under the direction of *The Guardian*, a new Harvard magazine devoted to the purpose of furthering public knowledge of government, economics and related subjects, from 9 to 9:15, E. S. T.

Fritz Morstein Marx, assistant professor of government, inaugurated the series with a lecture on "The Professionalization of the Civil Service."

Radio-Films Tieup

NEW HAVEN, March 21.—Eli City Filling Stations and Loew's College and Poli Theatres are sponsoring a new man-in-the-street broadcast, conducted on Tuesdays and Fridays on WELI, by Golly, the Roving Reporter. The questions and answers will come from the College lobby on Tuesdays and the Poli on Fridays, and will revolve about the current show and screen personalities.

Form Ohio Radio Company

YOUNGSTOWN, March 21. — The Youngstown Broadcasting Corp. has been incorporated here for $25,000.

Set New Rules on Pictures of Navy

(Continued from page 1)

ture, it was learned here yesterday.

Navy officials explained that no important changes are to be made in the rules surrounding the filming of scenes involving naval personnel, vessels or establishments, but that an effort has been made to clarify the rules. The new rules will stress the importance of eliminating any scenes, in features or newsreels, which divulge material held secret by the Navy. In all instances, a naval officer or other qualified expert will be detailed to act in an advisory capacity to prevent disclosure of objects which the Navy does not wish to be photographed.

Experience, it was said, has shown that a majority of the pictures requiring censorship could have been released for publication were it not for inadvertent disclosures of confidential matter in the background.

Navy Dep't Will Aid

In the making of features, the department will provide for supervision of all footage taken within naval jurisdiction and, where practicable, for prompt local provisional censorship of such footage as may be considered by the supervisor to contain confidential information. It is stressed that this censorship is for the purpose of quickly bringing to the attention of both the producer and the department any film which is questionable, and is not for the purpose of questioning script or dialogue. Final review and censorship, as heretofore, will be made by the Navy film board of review in Washington.

Newsreels will be given final censorship by the Commandant of the Third Naval District at New York. When any footage is condemned by either reviewing agency, the producer will be required promptly to surrender all prints, "levenders" and negatives of the censored footage.

The new regulations will permit the taking of spectacular scenes, such as fleets in simple maneuvers, aircraft in flight, distant views of ships firing, interior views of living quarters and similar scenes which do not disclose information of a confidential nature, subject, of course, to final censorship.

Milwaukee Business Shows February Gain

MILWAUKEE, March 21.—Improved business in February over the same month last year has been reported by the Milwaukee Ass'n. of Commerce, whose research bureau found an increase of 15.8 per cent in bank debits, a 13.3 per cent increase in bank clearings, a 15.5 per cent increase in the factory employment index and an increase of 14.7 per cent in department store sales.

New car registrations, according to the bureau's figures, topped those of last February by 49.1 per cent, while telephones in use increased 5.4 per cent. Mortgages showed a drop of 13.3 per cent and building permits increased 104.6 per cent.

Form Rex Amusement

WILMINGTON, March 21.—The Rex Amusement Co. has been incorporated at Dover to operate theatres. Incorporators are W. E. Cumberland, Ethel Goldstein and George E. Bond.

Gain in High Cost Pictures Seen Planned

(Continued from page 1)

of pictures as in recent years. One or two companies may cut their production schedules by five to eight features, while others may make up the numerical difference by increasing theirs in the same minor degree, it was said.

The home office views appear to be based for the most part on the already fairly well defined new season production plans of such companies as Paramount, Universal, RKO and United Artists. These companies have held comprehensive production conferences at which plans for increasing production budgets and allocating the bulk of the increase to individual pictures rather than to a greater number of productions, were decided upon.

Moreover, Adolph Zukor's admonition to the M. P. T. O. A. exhibitor convention at Miami last week to prepare to support more costly production is regarded in New York as fairly representing major studio sentiment in Hollywood.

Pointing out that "the public has been educated to get big pictures," Zukor declared that exhibitors must be prepared to give either extended runs or higher prices to make it possible for the producer to continue to supply them. He emphasized that he was not speaking for Paramount alone "but for the whole industry."

Mills Replaces Rowland

KANSAS CITY, March 21.—Ferris Mills has been replaced by Charles Rowland as manager of the Dickinson at Olathe, Kan. Rowland was at the Dickinson, Herington, Kan., where he is succeeded by John Krieger, formerly assistant manager of the Dickinson at Manhattan, Kan.

Wall Street

GTE Best Stock Movement

	High	Low	Close	Net Change
Columbia	34	34	34	.....
Columbia, pfd.	42	42	42	.....
Consolidated Film Industries, pfd.	16⅛	16⅛	16⅛	— ¼
Eastman Kodak	160½	159	159	.....
General Theatre Equipment	30⅛	30⅛	30⅛	+1⅛
Loew's, Inc.	77½	77¼	77¼	+ ⅝
Paramount	24⅛	23¾	24⅛	+ ¼
Paramount 2 pfd.	21⅝	21⅜	21⅝	— ¼
Pathe Film	8½	8⅜	8½	.....
RKO	8¼	8⅛	8¼	.....
20th Century-Fox	38¼	37¾	37¾	— ½
Warner Bros.	14⅝	14⅝	14⅝	.....

Technicolor Off on Curb

	High	Low	Close	Net Change
Grand National	3	3	3	.....
Sentry Safety	¾	¾	¾	.....
Sonotone	1⅞	1⅞	1⅞	.....
Technicolor	21½	21½	21½	— ⅛
Trans Lux	4¾	4¾	4¾	.....

Warner Bonds Off

	High	Low	Close	Net Change
Keith B. F. 6s '46	98	98	98	.....
Loew's 3½s '46	98	98	98	.....
Paramount Broadway 3s '55	74¾	74¾	74¾	.....
Warner Bros. 6s '39 wd	95	95	95	— ½

(Quotations at close of March 20.)

Paramount to Have 58 for '37-38 List

(Continued from page 1)

Porter Hall; and "High, Wide and Handsome," with Irene Dunne, Randolph Scott, Dorothy Lamour, William Frawley, Charles Bickford, Ben Blue, Akim Tamiroff and Elizabeth Patterson. Henry Hathaway directed the first and Rouben Mamoulian the second.

In production is the first Lubitsch picture in three years, "Angel," starring Marlene Dietrich, with Herbert Marshall, Melvyn Douglas, Edward Everett Horton, Mischa Auer, Ernest Cossart and Laura Hope Crews.

DeMille's production is "The Buccaneer," with Randolph Scott, Franciska Gaal, Olympe Bradna, and others to be selected. It is the story of Jean LaFitte, river pirate, Louisiana dandy and lover and military ally of Andrew Jackson.

Another for Cooper

"What Ho!" will be the second to star Gary Cooper. This is down as an Emanuel Cohen production, from a story which appeared in *Pictorial Review* by Richard Connell.

Jack Benny is listed in three, "Big Broadcast of 1938," "Artists and Models" and "Cuckoo College." In the first, which will be directed by Frank Tuttle, the radio star will have as his support Martha Raye, George Burns and Gracie Allen, Shirley Ross, Ben Blue and Ray Milland. Edward Sutherland is now shooting "Artists and Models," in which Randolph Scott, Dorothy Lamour, Ben Blue and the Yacht Club Boys will appear. Tuttle has also been assigned the third Benny comedy, "Cuckoo College," which will have Martha Raye, George Burns and Gracie Allen, Ben Blue, Eleanore Whitney, Johnny Downs and Yacht Club Boys cast.

"Life of Victor Herbert" will feature Gladys Swarthout, Fred MacMurray and Edward Arnold under Wesley Ruggles' direction.

Scott in "Wells Fargo"

The Frank Lloyd production will be "Wells Fargo," in which Randolph Scott, Frances Farmer and Charles Bickford are tentatively set to appear.

"That Kind of a Woman" is the tentative title for the next Mae West film to be produced by Emanuel Cohen. The story will have the Gay Nineties as its background and music furnished by Sam Coslow.

"Beau Geste" is set for a remake in color with George Raft, Frances Farmer, Ray Milland, William Frawley and others to be named later. Henry Hathaway, who directed "Lives of a Bengal Lancer," will handle the megaphone on this.

The second Lubitsch production will be "Bluebeard's 8th Wife." Claudette Colbert and Fred MacMurray are the only two players assigned so far.

"Double or Nothing" will star Bing Crosby. Martha Raye, Mary Carlisle, Andy Devine have been cast so far and Ted Reed will direct.

"Show Business," by Fanny Hurst, is the last of the group and without production details.

A list of releases from April to August has the following pictures set:

April: "Internes Can't Take Money."

May: "Make Way for Tomorrow," "I Met Him in Paris," "Turn Off the Moon," "King of Gamblers."

June: "The Last Train from Madrid," "Mountain Music."

July: "Exclusive," "Easy Living," "The Barrier."

August: "Artists and Models."

Neil F. Agnew, general sales manager, and J. J. Unger, eastern division head, will return from Miami today after attending the M. P. T. O. A. convention and meetings by Paramount's theatre partners.

Sunset Over M.P.T.O.A.

(Continued from page 2)

year on the plea it hastened an end to popularity but broadcast regularly each week notwithstanding, he did touch upon something to think about. But he failed to follow it up and nobody pursued it for him.

We shall. We go back to earlier comment from this typewriter on radio to stress anew two points in a method of approach satisfactory and reasonable to both industries. One, is frequency of appearance, which should be controlled to the benefit of the producer and his customer and also to the benefit of the radio sponsor. Second, type of material, to the end that the popularity of the player which, in the first place, induced the radio sponsor to hire him, is sustained and, if possible, augmented. Beyond that, we are stumped and, being stumped, we ought to stop writing.

One more point, however. Radio was condemned far, wide and hard. Everyone who sounded off on it knew, quite positively, naturally, it was hurting theatre grosses. They simply knew it and, being all-wise, furnished no proof. They were permitted to get away with their sweeping statements, furthermore, since nobody asked them to present facts to back up their assertions.

It was not suggested that they might be wrong, or at least if they were right, to demonstrate how they had learned they were. Of course, they would have been licked on any approach such as this, but it was funny and ludicrous for no one to even try. Peculiar, too, was the situation across on the Beach where the Paramount partners were convening. Many of them had different ideas about radio. They didn't believe it was so terrible a competitor and they run theatres, too. Or hadn't you heard?

▼

At any rate, it was a dismal flop as a convention, but a four-star success as a party. If we can find Kuykendall, we propose asking how many he thinks would have turned out if the M.P.T.O.A. had elected Chicago in March for the meeting place, not Miami. Thinking it over, perhaps we won't. Unfair to the local Chamber of Commerce.

Time, Inc., Plans Two-Reeler Series

(Continued from page 1)

issue will deal with one subject throughout its entire length.

A national advertising and exploitation campaign linking the series with the magazine, *Life*, is an extremely important part of the plan, along lines turned to in the development of "The March of Time" on the air and in the advertising columns of Time, Inc.'s, three publications, *Time*, *Fortune* and *Life*.

Unique in its way, what is believed to be the first contract for the new series was signed on a Miami Biltmore napkin late last week by Mitchell Wolfson and "Sonny" Shephard of the Lincoln, Miami Beach, a Wometco house. John S. Martin, managing editor of *Time*, who is here for a few days from Augusta, Ga., signed for his organization.

A *Life* cameraman was busy at the water carnival at the Miami Biltmore Thursday evening shooting film notables for the "*Life* Goes to a Party" weekly feature in that magazine. It may run in next week's issue.

Reich Takes Ufa; Controls Industry

(Continued from page 1)

of the company thus passes from private hands to the Government.

The acquisition of Ufa makes the film industry completely Government-dominated. Of the three companies which virtually monopolized the industry, Ufa, Tobis and the Bavarian Film Corp., Tobis was quietly absorbed late last year by a similar group, which through Tobis acquired control of Bavarian Film. Only Ufa was left as an independent organization.

It is generally understood here Dr. Joseph Goebbels, Propaganda Minister, is behind the move, and will determine company policy and control finances. Previous means of control failing, Goebbels ordered that players and directors be placed on the directorates to raise the level of production. Tobis obeyed, but Ufa did not.

Up to this time control of Ufa has been in the hands of Dr. Alfred Hugenberg, Hitler's former Minister of Economics and leader of the defunct Nationalist Party, but he apparently has surrendered his slightly less than half interest in the company's stock. The final step is expected at the general stockholders' meeting early in May.

The industry here has been forced to accept Government aid for a long time, since Nazi product has been greeted with a conspicuous lack of interest abroad, particularly in the United States.

"Venus" Off the Boards

"Arms for Venus," stage play which opened March 11, closed Saturday night after a run of 12 performances at the John Golden Theatre.

Expect Jump In Term Deals Next Season

(Continued from page 1)

negotiations during the warm months are eliminated.

Some exhibitors hold that the long term deals save them time and money. This applies to large operators making several trips to New York before concluding deals. Under the term arrangement, only one trip will be necessary, unless there is room for a revision of contract for one reason or another.

Practically every company already has sold a good portion of its consistent accounts for next season. When the sales conventions get under way these deals are announced. Most of them are long term pacts. There are a number of new one-year deals already closed, too, sales executives declare.

National Ups Capital

Dover, Del., March 21.—National Pictures Corp. has increased its capital here from $100,000 to $1,000,000. The Corporation Fiscal Co. is the agent for the concern.

20th-Fox Changes Title

Hollywood, March 21.—"Sing and Be Happy" will be the release title of the 20th Century-Fox pictures tentatively titled "Everybody Sing."

Surefire. This engagingly impudent melange of rollicking comedy, stark melodrama and romantic drama is grand entertainment and will be strong boxoffice. — Hollywood Reporter

THE REPORTER
BOOM PIC YEAR LOOMS

WALTER WANGER presents
CHARLES BOYER and JEAN ARTHUR in
HISTORY IS MADE AT NIGHT
with
LEO CARILLO · COLIN CLIVE
Directed by FRANK BORZAGE Original story by Gene Towne and Graham Baker
Released thru UNITED ARTISTS

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and
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Picture
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VOL. 41. NO. 68 NEW YORK, TUESDAY, MARCH 23, 1937 TEN CENTS

20-Fox Sets Product Deal With National

Marks First Important New Season Pact

John D. Clark, general sales manager, and Herman Wobber, western division sales head for 20th Century-Fox, have closed the first important product deal for next season with the signing of a contract with National Theatres on the coast. Spyros Skouras and Edward Zabel of National Theatres returned from Los Angeles after negotiating the pact with all of the circuit's divisional operating heads.

The one-year agreement calls for 52 features, exclusive of four westerns and two Tarzan pictures Sol Lesser will produce, and the distributor's lineup of shorts. The short subject deal has not yet been completed, but will be worked out here.

William T. Powers, film buyer for the circuit, and Milton Hossfeld, his

(*Continued on page* 11)

Studios Maintain Pace; 37 in Work

Hollywood, March 22. — Production activity here held to approximately the same level as last week, with 37 features in work, compared with 36 previously. Only one short was in work, as against three last week. Ten features were started, four at Republic and one each at Warners, 20th Century-Fox, Wanger, Selznick International, Paramount and M-G-M.

Eight pictures were finished, including two each from Warners and 20th Century-Fox, and one each from Columbia, M-G-M, Paramount and

(*Continued on page* 8)

Report Actors' Guild For Labor Showdown

Hollywood, March 22.—A secret meeting of the Actors' Guild held here today is reported to have culminated in a decision to demand 100 per cent A.F.L. and I.A.T.S.E. backing and producer recognition at the joint producer-actor meeting scheduled for April. An immediate switch to the C.I.O. is said to be threatened if the actors' demands are not met.

Today's reported move is said to have taken shape following a meeting between the Guild president, Robert Montgomery, and James Cagney, both of whom allegedly favored the action.

UP Out Front In Supplying News for Air

Lists 150 Big Stations With Clients Gaining

Since setting up a separate news service for its radio subscribers, UP has become the unquestioned leader in the radio news field, listing among its subscribers 150 of the biggest and most powerful stations in America, with the number of subscribers increasing weekly.

The Scripps-Howard news gathering organization was the first, and so far is the only newspaper-controlled news organization to distinguish between the printed and oral technique in preparing the news, with the result that subscribers are enabled to present the news on the air without rewriting and editing, thus cutting down the station's operating expense by doing away with a staff writer, and

(*Continued on page* 11)

Additional developments in radio on pages 10 and 11.

Israel Wins Point In Hearing on Roxy

Carlos Israel, counsel for the Pound bondholders' committee, which proposed the reorganization plan for the Roxy, won a point yesterday as the hearings on the plan started in U. S. District Court before Special Master Addison S. Pratt. The latter ruled that all objecting bondholders' committees must file certificates from banks showing that the bondholders whom they represent still own Roxy Theatre bonds.

Robert G. Reed, counsel for Ernest

(*Continued on page* 2)

See Nazis' Efforts To Revive Industry

The desperate efforts on the part of the Nazi Government of Germany to resuscitate a failing film industry, and at the same time to make it completely an agency of propaganda for the Nazi regime, with Dr. Joseph Goebbels, Propaganda Minister, as the spearhead of the effort, are indicated in a comprehensive study of the situation from Berlin published by the *New York Times*.

The latest step in the drive, which involved the virtual control of Ufa by an anonymous group understood

(*Continued on page* 2)

Goes Patriotic

Miami Beach, March 22.—In for a swim today, Red Kann lacked the proper equipment. Mrs. George F. Dembow obliged with a startling beach robe, very patriotic in color and flounced gracefully in front.

The Paramount theatre partners were holding a continuing meeting in the Roney Beach Club cabanas. Bob O'Donnell, general manager of the Interstate Circuit, took one look and remarked:

"Aha! Red, White and Blue Kann."

K-A-O and Keith '36 Profits High

Keith-Albee-Orpheum Corp., and subsidiaries yesterday reported net profit for the year to Dec. 31, 1936, of $1,237,141.34, compared to $403,073.40 for the previous year, and B. F. Keith Corp., and subsidiaries for the calendar years 1936 reported net profit of $1,056,257.20, which compares with a net profit of $464,644.94 after Federal taxes for 1935. Both are subsidiaries of RKO.

The K-A-O net was after all charges, including a provision of $63,600 for the surtax on undistributed

(*Continued on page* 8)

Monogram Finishes Sales Organization

The organization of Monogram Pictures' new distribution setup, consisting of 31 branch offices, was completed yesterday, W. Ray Johnston, president, stated.

As disclosed earlier, the company will own and operate the New York, Philadelphia and Washington exchanges through Monogram Distributing Corp., a home office subsidiary. Franchise holders and other distribut-

(*Continued on page* 2)

Toeplitz Assets to Frenke, Moliniere

All assets, stories and other properties of Toeplitz Prod. have been acquired by Eugene Frenke and Jacques Moliniere, Frenke said yesterday on his arrival on the *Queen Mary* from England.

Production plans for the new company to be formed to replace Toeplitz are for two pictures a year, for the present, he said. Frenke is the husband of Anna Sten, who is now in Hollywood negotiating film contracts.

One of the two pictures will be

(*Continued on page* 8)

Para. Circuit To Tip Scales As Costs Rise

Held Only Way to Meet Changed Situation

By RED KANN

Miami, March 22.—Admissions in the majority of situations where Paramount and its partners operate are heading for increases to meet rising costs within the industry.

This was made clear by Paramount theatre operators on the conclusion of their national meeting here. The decision coincides with views advanced by officials of other national circuits in New York over the weekend, and reported in Motion Picture Daily yesterday. Increased production costs generally, a greater number of pictures in the higher budget brackets from all major studios during the new season, and actual and anticipated higher labor costs are the factors which will make admission boosts inevitable, it was said. A deterring effect on cash awards, giveaways and double featuring is also expected to be noted in many situations throughout the country.

Of the assortment of problems discussed here late last week by Paramount's complete roster of theatre operators with the exception of E. C.

(*Continued on page* 11)

No Plan Is Decided On Sale Tax Appeal

Legal representatives of major distributors, meeting yesterday at M.P.P.D.A. headquarters for the second time since New York's highest court ruled that film rentals collected in New York City were subject to the two per cent municipal sales tax, were unable to agree on a further appeal to the U. S. Supreme Court. A third meeting was scheduled for Friday, at which time, it is expected, a decision will be reached.

In addition to considering the advisability of applying for a writ of

(*Continued on page* 11)

Renew Pressure for Film-Radio Probes

Washington, March 22.—Agitation for Congressional investigations of the film and radio industries was renewed here today with efforts being made to obtain action by the House Rules Committee on the resolutions calling for the inquiries.

Representative Hobbs of Alabama is

(*Continued on page* 10)

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WARSAW: Sienna 32; R. Sillei, Representative.

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Air Line-Goldwyn in Film Producing Pact

HOLLYWOOD, March 22.—Samuel Goldwyn has closed with William Van Dusen, of Pan-American Airways, for the filming of the official test flights for the company's trans-Atlantic operation in the autumn.

All equipment, personnel and experience of Pan-American will be placed at Goldwyn's disposal for the production of a film entitled "Trans-Atlantic Flight," employing, in addition to the Hollywood cast, pilots, technicians and executives of the air line, all of whom will actually appear.

Brings "Ecstasy" Action

LAKELAND, Fla., March 22.—Requested by a Mrs. Craig of Jacksonville, County Solicitor Manuel M. Glover has filed an information against the Harbot Amusement Co., operators of the Lakeland, and R. J. Thorstad, manager, charging that the film, "Ecstasy," shown in the local theatre, had not been approved by the National Board of Review or the state censor of New York. Validity of the statute under which the information was filed will be tested at a *habeas corpus* hearing before Circuit Judge H. C. Petteway on March 25.

Israel Wins Point In Hearing on Roxy

(*Continued from page* 1)

Angell, regional director of the S.E.C., declared at the opening of the hearing that the S.E.C. was intervening in the proceedings as a "friend of the court" at the request of Federal Judge Francis G. Caffey. Reed was assisted by two accountants.

Five bondholders' protective committees filed objections and suggested amendments to the plan. Lamar Hardy, U. S. attorney, and Arthur G. Sawyer, assignee of Harry G. Koch, original equity receiver of the Roxy, also filed objections. The stockholders' protective committee is expected to file today.

Russell Z. Cruickshank was the principal witness. He stated that he appraised the value of the Roxy realty at $3,500,000 on March 3. The land was appraised at $1,300,000, the balance for the theatre. The assessed valuation of the Roxy is $3,325,000. Cruickshank said that he set the value of $3,300,000 in August, 1935, but had increased the valuation because of the rise in the real estate market.

Ten Objections Advanced

The Tipton committee, representing $3,528,000 in first mortgage bondholders, submitted 10 objections and suggestions to the proposed plan, including the fact that it does not give the definite terms of the proposed film franchise to 20th Century-Fox, nor that the franchise may be terminated by 20th Century-Fox if the corporation fails to pay interest or principal on the bonds. Harold P. Seligson, counsel for the Tipton committee, charged that payment to Artco of $60,174 for advisory supervision was grossly excessive.

The class A stockholders' protective committee objected to the plan on the ground that it made no provision for them. They proposed a substitute which would set up two classes of preferred stocks and would allow class A stockholders one-sixth of the common stock.

Hardy objected on the part of the Government because $7,969 of unpaid income tax for 1931 and 1932 is not provided for in the plan. He also claimed that the Government is entitled to priority.

Pickets Protest Cullman

Members of the Empire State union yesterday began picketing the Roxy in a personal protest against Howard S. Cullman, trustee of the theatre, who served on Mayor LaGuardia's labor survey board in the negotiations between Local 306 and Allied.

When the merger was effected between Local 306 and Allied, all I.T.O.A. houses agreed to install Local 306 men. A number of the exhibitor organization's members who had been employing Empire State operators dicsharged them and took on Local 306 men.

The pickets' signs read that Cullman "had us fired and we demand immediate reinstatement." On the reverse of the signs is the usual plea "not to patronize the theatre because it does not employ a full safety crew of expert projectionists, members of Empire."

Cullman could not be reached yesterday, but it is understood efforts were being made late last night by Sam Lewisohn and Ben Golden of the Mayor's labor committee to straighten out the matter.

Silent Ballyhoo

Omaha, March 22. — Joe Jacob, publicity chairman for the national Variety convention to be held here in April, has had trouble doing his ballyhooing lately, being unable to talk after a tonsil operation.

See Nazis' Efforts To Revive Industry

(*Continued from page* 1)

to be Goebbels-directed, is aimed to bring the hitherto recalcitrant Ufa into line. Tobis and Bavarian Film have been dominated in similar manner. Under the Goebbels arrangement, all Tobis subordinate companies must have one script-reading department, one casting office and a single advertising office. The original Tobis schedule of 60 features next season has been cut to 50, as a means of improving product.

These three major companies are in sorry financial condition, despite the fact the Tobis owns valuable patents, Ufa controls 111 theatres in 49 cities, and film attendance is said to have increased by more than 200,000,000 annually since 1933. It has been estimated that the deficit on 110 German films produced last year will be 12,000,000 to 15,000,000 marks. Production costs have shown marked increases in recent years.

A major cause of the German film losses is the lack of interest in German product displayed in foreign countries. It is pointed out that in 1932-33, during the period of economic stress, the Reich earned 12,500,000 marks from exported films, while last season the foreign market's return amounted to only 5,000,000 marks.

The industry is suffering from a serious lack of working capital, and the few small semi-independent companies, which distribute only through Ufa and Tobis, are heavily in debt to the Government-owned film bank. The latter provided funds only on condition that it control scripts and casts.

In all, 153 features were scheduled for production, and probably about 140 actually will be made. Ufa's annual statement showed a net profit of only $5,100 and Bavaria a paper profit of $3,000 for the year.

Monogram Finishes Sales Organization

(*Continued from page* 1)

ing affiliations will operate in Albany, Buffalo, Detroit, Chicago, Indianapolis, Milwaukee, Minneapolis, Cleveland, Los Angeles, San Francisco, Seattle, Portland, Denver, Salt Lake City, Dallas, Oklahoma City, Kansas City, Pittsburgh, Cincinnati, Atlanta, Charlotte, New Orleans, Memphis, Omaha, Des Moines, St. Louis, Boston and New Haven.

Canadian distribution is now being negotiated. Pathe Films, Ltd., will handle British distribution for Monogram. Edward Golden is general sales manager of the company and Norton Ritchey is in charge of foreign distribution.

"Crosstown" Closes

"Crosstown," stage play which opened Wednesday at the 48th St. theatre, closed Saturday after a run of five performances.

Matron for Each 35 Children Required

ALBANY, March 22.—The amendment to the general municipal law introduced in the New York legislature, providing for the admission to theatres of unaccompanied children between eight and 16 years, on condition that a matron be in charge, calls for one matron for each 35 children. In the specification of the number of children for whom one matron be provided, the new bill differs from the Joseph law, passed last year, and now effective in New York City. That law provides that only one matron is necessary to each theatre. The new bill is intended to apply outside of New York City.

The measure, which was read once and has been referred to the Committee on Cities, provides, like the Joseph law, that matrons be licensed by the municipality and that the fee, not to exceed $2, paid by the theatre.

Kansas Bill Seeks Tax on Advertising

KANSAS CITY, March 22.—A two per cent privilege tax on gross receipts from the sale or furnishing of advertising in Kansas is proposed in a bill introduced by the Committee on Assessment and Taxation. The bill specifically covers, newspaper, magazine, billboard, radio, and film advertising.

The tax would be payable in monthly installments on or before the 15th of each month. Failure to file a return or filing of a fraudulent return calls for a penalty of 25 per cent of the tax due plus interest at the rate of one per cent per month from due date until paid, in addition to the amount of the tax itself. Also possible is a fine of not to exceed $500 or imprisonment for not more than one year, or both. The collections would go into the state's general revenue fund.

Illinois Bill Aims To Legalize Prizes

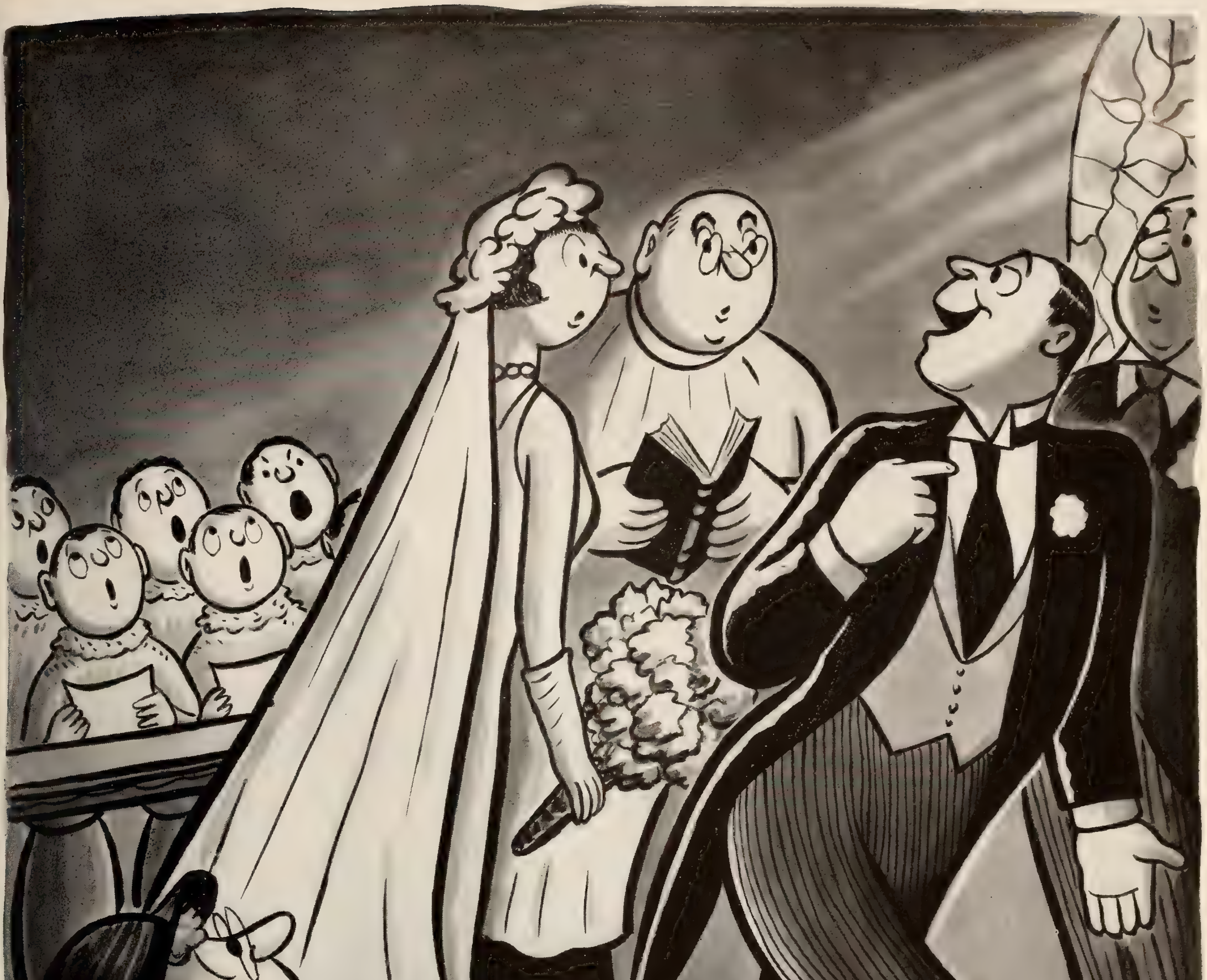
SPRINGFIELD, March 22.—A bill to legalize prize drawings, including Bank Night, has been introduced in the Illinois Legislature here. The bill would permit a person engaged in business to offer and to give any customer, free, chances on prizes posted in appreciation of the customer's patronage.

AFA Nominates Vallee

Rudy Vallee was nominated for reelection as president of the American Federation of Actors at a membership meeting, presided over by Ralph Whitehead, executive secretary. The election will be held May 8. Other officers nominated for three-year terms were: Sophie Tucker, honorary president; Joe Laurie, Jr., first vice-president; Ben Bernie, second vice-president; Chick York, third vice-president; Harry Richman, fourth vice-president; Whitehead, executive secretary; Charles Mosconi, treasurer. Eight were nominated for four-year terms on the A. F. A. Council.

Gary Cooper Under Knife

HOLLYWOOD, March 22.—Held in Florida by what is described as a "minor surgical" operation, Gary Cooper has delayed his return to the studios.



Phooey to your old man, I gotta date at a **"WAIKIKI WEDDING"**

FOLLOW HIM →

"WAIKIKI

SOME PARTY! YEAH...AND SOME SHOW!...The Biggest Silver Jubilee Box-Office Smash of 'em all. Paramount gives you Bing and Bob Burns and Martha Raye, the Trio that made "Rhythm on the Range" the ace money-maker of last Spring, plus Shirley Ross, the singing sweetheart of "Big Broadcast" in a glorious big-time Paramount Musical.

SHIRLEY ROSS

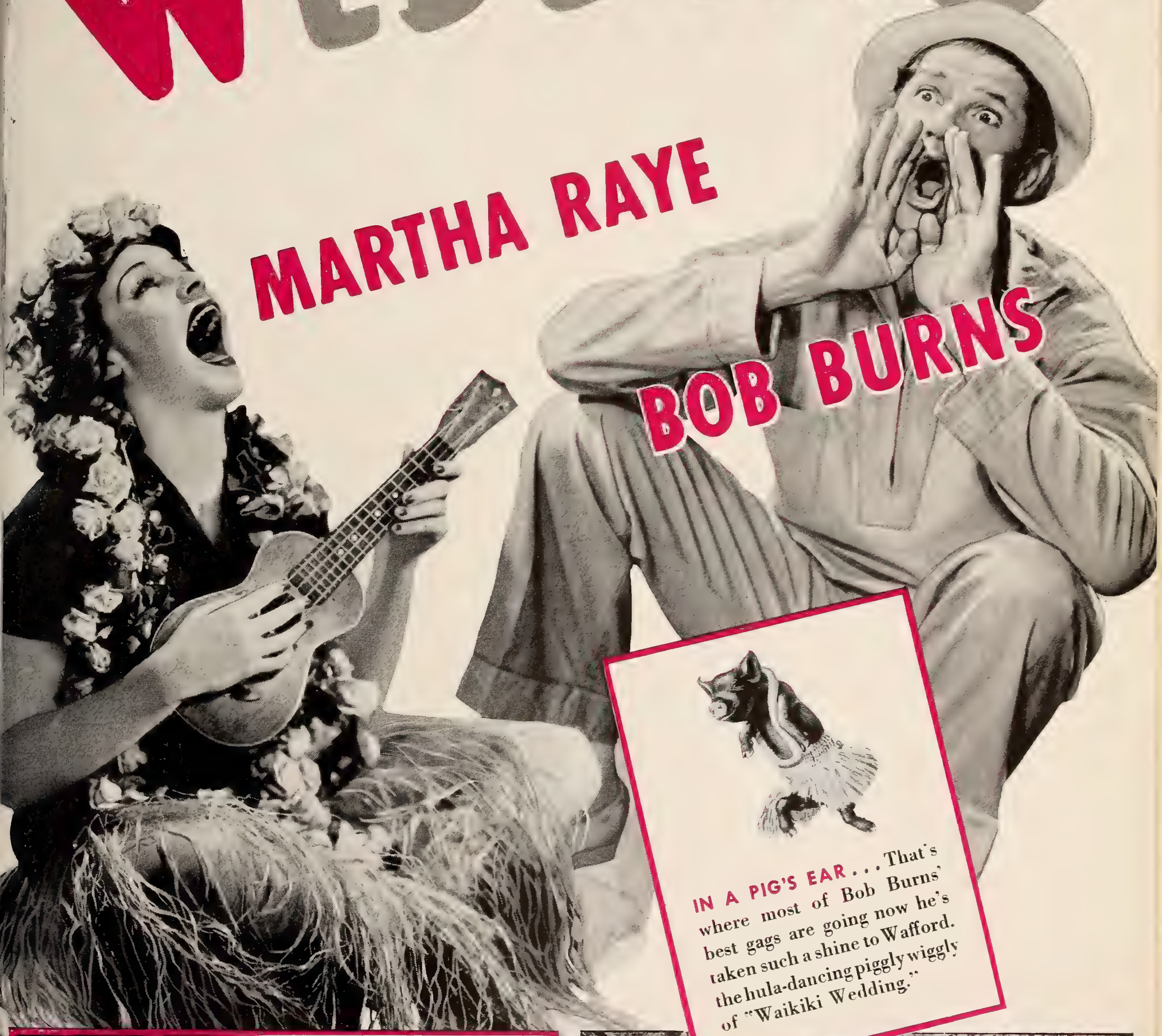
BING CROSBY

GRASSHOPPERS...And, boy, can they go to town in that brand-new Hawaiian Swing . . . You'll be booking passage on the next boat to the Islands.

WEDDING"

MARTHA RAYE

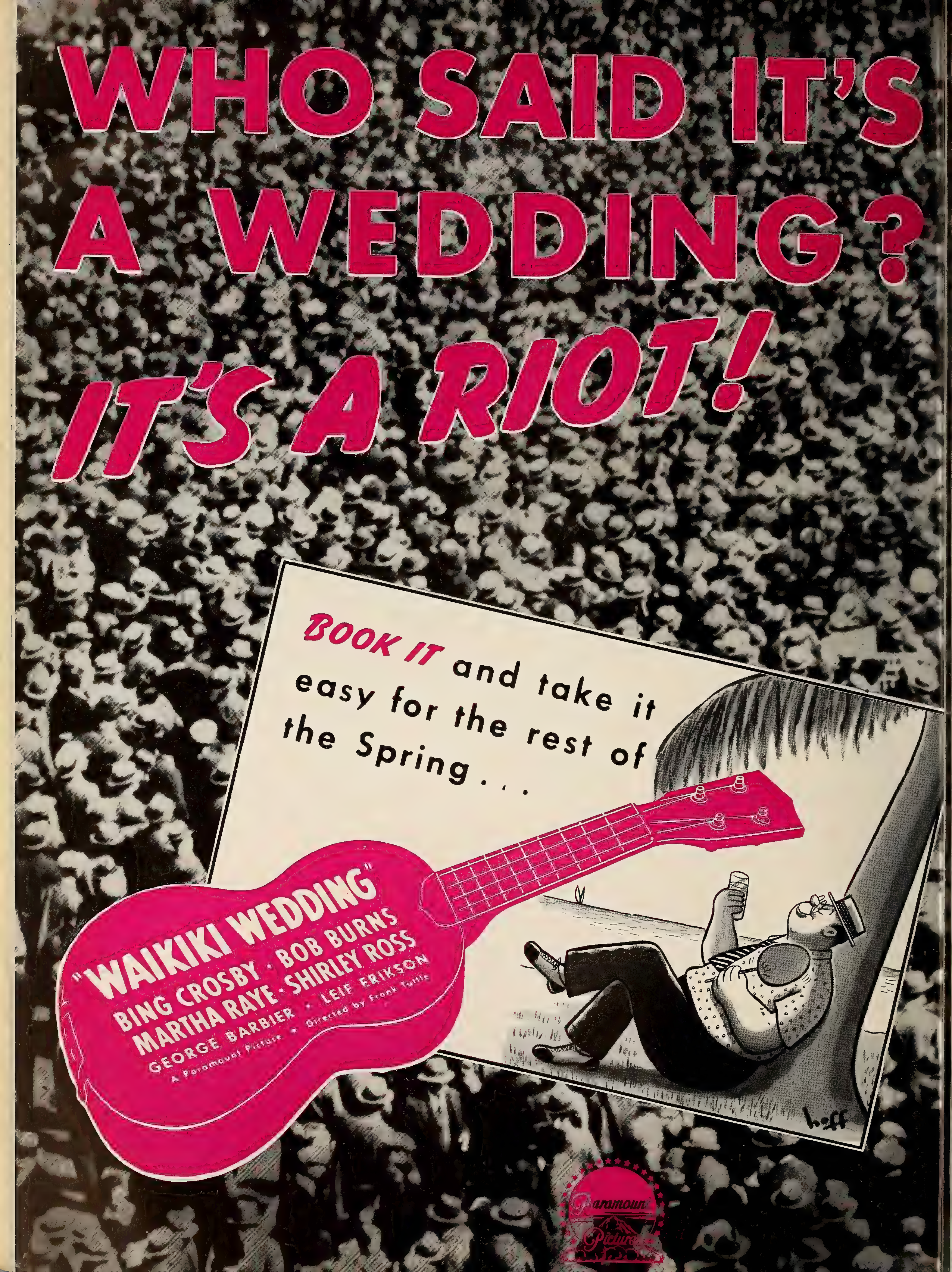
BOB BURNS



IN A PIG'S EAR . . . That's where most of Bob Burns' best gags are going now he's taken such a shine to Wafford, the hula-dancing piggly wiggly of "Waikiki Wedding."

HAWAIIAN HIT MAKERS . . . Ralph Rainger and Leo Robin, those old Hawaiian music masters (from Hollywood), give you a new set of top radio hits: "Sweet is the Word for You," "Blue Hawaii," "In a Little Hula Heaven," "Okolehao" and "Sweet Leilani."

SWING THOSE WEDDING BELLES . . . When that "Waikiki Wedding" scene gets under lei, and the hundreds of natives start the old fire-dance . . . wow-w-w what a production number!



WHO SAID IT'S A WEDDING? IT'S A RIOT!

BOOK IT and take it easy for the rest of the Spring . . .

"WAIKIKI WEDDING"

BING CROSBY · BOB BURNS

MARTHA RAYE · SHIRLEY ROSS

GEORGE BARBIER · LEIF ERIKSON

A Paramount Picture · Directed by Frank Tuttle

Paramount Pictures

Tri-States in Deal With Harry Schiller

Grand Island, Neb., March 22.—Tri-States theatres here will be managed by Harry Schiller, former independent operator, who is building the new $85,000 Grand here, according to Everett Cummings, Tri-States district manager in Omaha, who arranged the deal.

The agreement with Schiller makes him the director of the Capitol and Majestic here. Eddy Forester, now city manager, will be moved to a new position with the circuit. Schiller will operate his own house, the Grand, when it opens in mid-April, in addition to his circuit duties. The deal will give Tri-States a total of 10 houses.

Keller-Dorian Men Silent on Finances

Officials of Keller-Dorian Colorfilm were unavailable again yesterday for questioning concerning the exercise by European financial interests of an option to acquire control of the company, a decision on which had been expected by the company early in March.

George Quigley, fiscal agent for the European financial group, who returned to New York a week ago after conferring abroad on the lifting of the option, also was unavailable. Quigley had promised to issue a statement on the situation yesterday. From all appearances, no action is being taken.

Hanson's Total Now 24

Toronto, March 22.—The rapidly growing Ontario circuit of Hanson Theatres Corp. took a sudden jump to 24 with the acquisition of six theatres in Northern Ontario operated formerly by Mascioli Bros. This group, in the thriving gold mining area of the North Country, comprises theatres in Timmins, Kirkland Lake, Ansonville, New Liskeard and Porcupine. Two are in Timmins.

"Show Boat" in Record

Universal reports that "Show Boat" has entered its 40th week at the Liberty in Sydney, Australia, beating the former record of 39 weeks and three days. The film has played to 374,587 admissions. The film may run a year.

Henie-Power to Co-Star

Hollywood, March 22.—Darryl Zanuck will capitalize on the Sonja Henie-Tyrone Power romance publicity by co-starring them in "Rings On Her Fingers."

The Tavern
MEETING PLACE
of the INDUSTRY
●
MAKE THIS YOUR
LUNCHEON—
DINNER—SUPPER CLUB
158 W. 48th St. Toots Shor

Purely Personal

Miami Beach, March 22.—John Balaban will extend his stay here until Friday, then return to Chicago.

Barney Balaban will remain until the end of the week and then return to New York.

Adolph Zukor is uncertain about his departure for New York, but has set the tentative date for Wednesday. He will be accompanied by Chris Dunphy, head of the Paramount studio publicity department.

Sam Dembow flies to New York Wednesday, but his wife and children probably will remain.

Mrs. George F. Dembow goes north the middle of the week with Charles Casanave and his wife.

Robert M. Gillham has chartered a boat and is fishing off Bimini with Al Wilkie. They put in here Tuesday when Mrs. Gillham will join the fishing expedition and Wilkie goes back to New York.

Sam Spring is a new arrival.

Jack and Mrs. Cohn flew to New York on the midnight 'plane Sunday.

Major Leslie E. Thompson and A. P. Waxman, left on the two o'clock plane Sunday.

James R. Grainger and Andy Sharick entrained for Universal headquarters at Rockefeller Center Sunday.

Mrs. Morris Rubens finishes a three month vacation here and hies to Chicago shortly.

Harry Rubens, brother of J. J. and Morris, winds up his winter holiday here very soon now.

Y. Frank Freeman was presented with a ring and his wife with a silver serving tray by the Paramount theatre partners by way of observance of their 24th wedding anniversary which took place during the partners' three day meeting last week.

The dinner which terminated the sessions at the Roney Saturday night was pretty much of a gala affair. The women were presented attractive gifts and the men participated in a large scale Bank Night. Nate Goldstein of Western Massachusetts Theatres, Inc., won the top prize of $100. Paramount News cameramen recorded a number of the partners and the footage is headed for inclusion in the reel shortly to play their own home towns.

Toasts in wine which flowed freely was drunk to Zukor, Balaban, Freeman, Neil F. Agnew and Stanton Griffis as the operating heads of the company.

●

Irving Levy of Columbia, who writes under the pen name of Eliot Lange, has just finished a play called "Cabin in the Woods" and has turned it over to Margaret Wall.

●

Harry G. Kosch, film attorney, has moved to the Paramount Bldg, and formed the firm of Kosch, Lewis and Reuben, with Harry Lewis and Milton H. Reuben.

●

E. C. Mills, Ascap general manager, delayed in his departure from the west coast, is not expected in New York until tomorrow.

●

Scott R. Dunlap, vice-president in charge of Monogram production, is in town. It is his first visit here in years.

●

Nicholas M. Schenck and Leopold Friedman are due back from the coast the early part of April.

George Balsdon of National Theatres returned from the coast over the weekend and is at the Neurological Hospital, Medical Center, under observation for several days. He suffered severe injuries in a coast auto accident.

●

Monte Proser of the Blackstone Agency returned yesterday from the coast after escorting a group of models west for "Walter Wanger's Follies of 1938." He was away two weeks.

●

Beatrice Kaufman, eastern story head for Samuel Goldwyn, is now at Tucson, Ariz., conferring with Goldwyn on stories for next season.

●

Phyliss Brooks, new 20th Century-Fox find, flew to the coast over the weekend to start on her film contract.

●

Charles Reagan, Paramount's western division manager, is en route to Hawaii on a business trip. He will be gone for about a month.

●

Harold J. Fitzgerald will leave Milwaukee soon for a vacation at Miami.

●

Joseph Seider has returned from a Miami vacation. He managed to do plenty of fishing in southern waters.

●

Tom Connors of Leow's has returned from Miami and a tour of the south. Ditto William F. Rodgers.

●

William R. Ferguson plans to leave for the coast by plane in a few days.

●

Truman Talley will sail in three weeks for England and the Coronation.

●

Lowell Calvert, eastern representative for Selznick International, is back from Hollywood.

●

Jean Rogers has arrived from Hollywood for a vacation here and in Belmont, Mass.

●

Paul Lazarus, U. A. home office sales executive, is back from a southern cruise.

●

Buck Jones is in town for a short vacation.

●

Barbara Pepper has arrived from the coast for a three-week vacation.

●

A-Mike Vogel will be a year older today.

●

Paul Gallico flew to Detroit yesterday via American Airlines.

●

Jack Goldhar, U. A. district manager, was in from Chicago yesterday.

●

Bernard Waldman has arrived from the coast to begin exploitation on "Vogues of 1938."

●

Col. E. A. Schiller will return from Boca Grande, Fla., a week from today.

●

Tyrone Power arrives today from Chicago. He will be here for 10 days.

●

Robert Riskin is due this morning from the coast.

Variety Club

Cincinnati

Cincinnati, March 22.—Club members and guests were entertained Saturday night by Count Berni Vici and his "Spices of 1937" company appearing at the RKO Schubert. Arthur Frudenfeld was responsible.

Jack Goldman, skipper of the Roosevelt is the latest recruit into resident membership.

Roy Haines, eastern executive of Warner Bros. was a visitor at the club over the weekend.

Installation of officers at the Netherland Plaza was the highlight of last week's activities. Officers for the current year are: H. J. Wessel, chief barker; A. M. Frudenfeld, first assistant chief barker; Manny Shure, second assistant chief barker; Ralph Kinsler, dough guy, and Joe Kolling, property master; Allan S. Moritz, Joseph J. Oulahan, William Bein, James J. Grady, Harry Hartman and William Onie, canvasmen. Dinner and entertainment details were handled by Joe Goetz and Joe Oulahan, forming a committee of two. Among out-of-town guests among the 100 present were W. R. Schaffer, Irvine, Ky., and Charles Behlan, Lexington, Ky. Russell Wilson, Mayor of Cincinnati and an associate member, was master of ceremonies.

Drop Cleveland Game

Cleveland, March 22.—Bank Night has been discontinued in the Lincoln, RKO house here, according to Nat Holt, division manager, in accordance with the policy of the circuit nationally.

Ends Bank Night in N. O.

New Orleans, March 22.—The National here has discontinued Bank Night voluntarily.

Wall Street

Many Off on Board

	High	Low	Close	Net Change
Columbia	34	33	33¼	— ¾
Columbia, pfd.	41⅞	41⅞	41⅞	— ⅛
Consolidated	4½	4½	4½	.....
Consolidated, pfd.	16	15¾	15¾	— ¾
Eastman Kodak	160	159	160	+1
Gen. T. Equip.	29¼	28¾	28¾	—1⅜
Loew's, Inc.	76½	74	74½	—2¾
Loew's, pfd.	106⅞	106⅞	106⅞	— ⅛
Paramount	23¾	22¾	23	—1⅛
Paramount 2 pfd.	21	20¾	20¾	— ⅞
Pathe Film	8¾	8¼	8¼	— ¼
RKO	8¼	7¾	7¾	— ½
20th Century-Fox	37¾	34	34	—1¾
20th Century, pfd.	45	45	45	—2⅝
Universal, pfd.	85½	85½	85½	+1½
Warner Bros.	14¾	13¾	13⅞	— ¾
Warner, pfd.	61	61	61	— ¼

Curb Drops Fractionally

	High	Low	Close	Net Change
Grand National	3	2⅞	2⅞	— ⅛
Sentry Safety	¾	¾	¾	.....
Sonotone	1⅞	1⅞	1⅞	.....
Technicolor	21⅜	21	21⅜	— ⅛
Trans-Lux	4¾	4⅝	4⅝	— ⅛

Bonds Decline Slightly

	High	Low	Close	Net Change
Keith B. F. 6s '46	98	98	98	.....
Loew's 6s '41 ex war	98¼	97½	97½	— ½
Paramount B'way 3s '55	74¾	74¼	74¼	— ½
Paramount Pict. 6s '55	100⅛	100⅛	100⅛	.....
RKO 6s '41 pp.	113	112½	112½	.....
Warner Bros. 6s '39 wd	95⅛	95	95	.....

(Quotations at close of Mar. 22)

Toeplitz Assets to Frenke, Moliniere

(Continued from page 1)

made in Hollywood, the other in England. Frenke will leave for the coast shortly to begin work on "I'm Taking the Low Road" for Associated British Film Distributors. He will select his cast in Hollywood.

Grand National has closed a deal with Frenke for American distribution rights to "Woman Alone," starring Miss Sten. United Artists will release it in all countries but the United States.

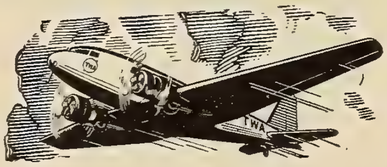
Benn W. Levy arrived on the same liner with his wife, Constance Cummings. Levy will direct "Young Madame Conti," in which Miss Cummings will star on Broadway. The play, which is being produced by Warners, will open at the Music Box on March 31.

Asked if he and his wife had any film plans, Levy stated that there were no immediate signs of reentering the picture field.

Other arrivals included Louis Borrell, English actor signed by M-G-M. He left for the coast yesterday. Oscar Hammerstein was a passenger as well as Charles Siepman, chairman of British Broadcasting Corp. William K. Howard, the director, did not make the crossing. He was reported on the boat, but canceled.

Danubia Takes 5 Films

Danubia Pictures has completed a deal for five Hungarian features, "Romance at the Danube," "Sister Marie," "Storm Over Pusta," "Man of Gold" and "A Scotchman in Hungary." The first named will open at the Modern Playhouse March 24.



Ship it

GENERAL AIR EXPRESS

1. Merely phone Postal Telegraph. Pick-up is immediate . . . by messenger or high speed truck . . . **direct** to the field.
2. The first plane out carries your shipment via the shortest, fastest route coast to coast. It travels swiftly as any passenger.
3. At the destination, delivery is made at once. Overnight coast to coast.

—and it's there

Only General Air gives you shortest, fastest coast to coast. Phone Postal Telegraph, any TWA office . . . or

GENERAL AIR EXPRESS
Division of TWA

GENERAL AIR EXPRESS

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Sing While You're Able"

(Melody-Maurice Conn)

HOLLYWOOD, March 22.—Music, comedy, a touch of drama and romance are the elements of this average production. Pinky Tomlin is starred and Toby Wing, H. C. Bradley, Monte Collins, Sam Wren, Michael Romanoff and Bert Roach are featured. The musical content for the story which Stanley Lowenstein and Charles Condon wrote and which Sherman Lowe and Condon adapted gives Tomlin three typical solos and a duet with Miss Wing. James Newell sings another. It's spot is the lesser half of dual bills.

Bradley, a toy manufacturer, offers Tomlin, former hill billy singer, a radio job. A chance to be near Bradley's attractive daughter, Miss Wing, causes Tomlin to accept. Collins and Wren, competitors, determined to wreck Bradley's business, kidnap and dump Tomlin into a river. Rescued, he loses his voice, but Miss Wing gets him a clerk's job. Her purpose is to use him as a buffer to discourage the advances of an unwelcome suitor. Romanoff gives a party at which all the guests are dressed as juveniles. Invited to attend, Tomlin recovers his voice, but also learns how the girl has been using him. He starts back to the mountains, but is trailed by Miss Wing for a romantic conclusion.

Production Code Seal No. 2,892. Running time, 65 minutes. "G."

Looking 'Em Over

"The Golem"

(Metropolis Pictures)

Out of a legend recounting the strange deliverance of the Jews of Ghetto of Prague from the tyranny and oppression of a half-crazed ruler of the early 17th Century, has been woven a highly impressive, often stirring and noteworthy production.

Produced by A-B Film of Paris and Prague in the latter city, the film is characterized by high quality in performances, photography and direction, emerging certainly as one of the better things to come from abroad. Years ago a silent version of "The Golem" was offered.

The legend tells of the Golem, a monster figure created by an earlier Jewish leader for the protection of the people of the Ghetto. At his death he told of the reawakening of the monster in time of greatest need, and imparted the secret to Rabbi Jacob, played with a fine sensitivity by Charles Dorat. In a difficult role, that of the almost insane ruler, who is at times more to be pitied than hated, Harry Baur offers another of his masterly performances, while the support, including Roger Karl as the chancellor, Germaine Aussey as the king's mistress and Jany Holt as Jacob's wife, lend added strength to the cast.

In fear of the Golem, led on by the unscupulous chancellor, the king makes more miserable the lot of the Jews, until at last, with gallows on the horizon, soldiers' horses in the streets, Jacob and his wife in the dungeon, the Golem, stolen by the king's mistress for reasons of her own, is brought to animation, crashes through the riotous palace, crushes king and chancellor and brings freedom to the Ghetto's inhabitants.

Numerous titles make for ready understanding for those lacking a knowledge of French. Julien Duvivier directed.

Reviewed without production code seal. Running time, 88 minutes. "A."

"Bill Cracks Down"

(Republic)

While set among the spectacular activities of the steel industry, "Bill Cracks Down" is an inconsequential item, stereotyped, uninspired and barely diverting. There is feeble humor but it unfolds weakly.

When Pierre Watkin, owner of the steel plant, dies, Grant Withers takes over. Watkin's playboy son, Ranny Weeks, returns from France, where he has pursued an art career, and soon gets in Withers' hair. By the terms of Watkin's will, Weeks must work for a year in the mill before coming into his inheritance. This irks him somewhat and he proceeds to steal Beatrice Roberts, Withers' sweetheart. But Withers can take it, and only after the appearance on the scene of Judith Allen and her mother, Georgia Caine, and the complications they create do things evolve in the proper manner. Withers hands the estate to Weeks, receives a half interest, and romance heals the differences.

There is little name appeal in the cast.

Production Code Seal No. 3,103. Running time, 60 minutes. "G."

K-A-O and Keith 1936 Profits High

(Continued from page 1)

profits, and is equal to $19.23 per share on the 64,304 shares of seven per cent cumulative preferred stock outstanding. The 1935 K-A-O net was equal to $6.26 per share on the same preferred stock then outstanding.

Theatre admissions of K-A-O for 1936 totaled $13,739,404.12, which compares with $12,998,229.03 for 1935. The consolidated statement of operating deficit showed a deficit balance at Dec. 31, 1936, of $1,479,164.39, which compares with a deficit balance at Jan. 1, 1936, of $2,772,440.73, a decrease in the deficit of $1,293,276.34. The consolidated statement of capital surplus indicated a balance as of Dec. 31, 1936, of $8,152,076.03, compared with a Jan. 1, 1936 balance of $8,939,800.03. Dividends paid out of capital surplus during 1936 amounted to $787,724.

The B. F. Keith statement showed theatre admissions during 1936 at $9,380,140.24, which compares with $9,033,895.45 during 1935. According to the consolidated statement of operating surplus, the balance at Dec. 31, 1936 was $648,311.96, comparing with a balance at Jan. 1, 1936, of $367,624.76. Added to the latter balance were the net profit for 1936, discount on bonds retired, less Federal tax thereon, and a liquidation dividend from an affiliated company, carried at a nominal amount. The total addition was $1,080,687.20, from which is deducted $800,000 in dividends paid, and resulting in the Dec. 31, 1936, balance.

Studios Maintain Pace; 37 in Work

(Continued from page 1)

Universal. A total of 20 features were in preparation, and 53 were being edited.

M-G-M, Radio, Hal Roach and Warners each accounted for one of the four shorts finished. Seventeen shorts were in the cutting room, eight at M-G-M, three each at Columbia and Radio, two at Roach and one at Warners.

The features started this week included: M-G-M's "Emperor's Candlesticks," Paramount's "A Night of Mystery," Republic's "Michael O'Halloran," "Cappy Ricks," "Gun Smoke" and "Rough Riding Rhythm," 20th Century-Fox's "One Mile from Heaven," Wanger's "Vogues of 1938" and Warner's "Lady Luck."

Philip Armstrong Dies

SEATTLE, March 22.—Philip Everhardt Armstrong, 44, for many years editor of the Seattle *Post-Intelligencer's* film and drama department, died suddenly here from a heart attack. His dismissal from the *Post-Intelligencer* last fall precipitated the Newspaper Guild strike that forced the paper to suspend publication for more than three months.

"Earth" Gets $16,200

Approximately $16,200 was garnered by "The Good Earth" in its seventh week at the Astor on a two-a-day policy.

Set "Earth" London Run

LONDON, March 13.—"The Good Earth" will be presented by M-G-M here in a special two-a-day run at the Palace, opening on March 24.

REPUBLIC
PICTURES PRESENTS

FRANCES
LANGFORD

PHIL
REGAN

in

THE HIT PARADE

BOX OFFICE LINES NOW FORMING!

Every air listener a picture patron—if you can fit 'em in. Recheck those names! "All-star" has been worked to death. But it never really applied to a picture before THE HIT PARADE.

HIT TUNES
★
WAS IT RAIN
SWEET HEARTACHE
LOVE IS GOOD
For Anything That Ails You
LAST NIGHT
I Dreamed of You

AND THIS
STAR-STUDDED CAST

CARL HOFF
and THE HIT PARADE orchestra
DUKE ELLINGTON
and his band, with Ivie Anderson
EDDY DUCHIN
and his orchestra
AL PEARCE
and his gang
PICK AND PAT
LOUISE HENRY
GEORGE GIVOT
"The Greek Ambassador"
MOLASSES 'N' JANUARY
THE VOICE OF EXPERIENCE
ED THORGERSEN
PERT KELTON
THE GENTLE MANIACS
ROY SMECK
Wizard of the Strings
TIC TOC GIRLS
EDWARD BROPHY
MAX TERHUNE
INEZ COURTNEY
OSCAR • ELMER

directed by GUS MEINS
Screen play by BRADFORD ROPES SAMUEL ORNITZ • Original story by BRADFORD ROPES
duced by

REPUBLIC PICTURES

New Shows On the Air

"Speedshow"

With Grace Moore at the helm, the refurbished Nash-Lafayette "Speedshow" got off to an auspicious start last Saturday. Miss Moore was at her vocal best for her air debut this season—and her best is well nigh unbeatable.

The show adheres to a straight musical formula in which the chief element is the quality of the singing. The orchestra of Vincent Lopez, while thoroughly enjoyable, was mainly for background.

The chief marring note was the bombastic and slightly ridiculous introduction of Miss Moore by Floyd Gibbons. Of course, it wasn't Floyd's fault—he read what was in the script —but his spiel of Miss Moore's past vocal glories, plus the information that she had passed up a command performance in England to accept a berth on the program, would have been better left unsaid.

Once Miss Moore began to sing, however, the program zoomed upward and remained in the higher entertainment brackets for the balance of the stanza.

The series is presented Saturdays at 9 P. M., E.S.T., on CBS.

BANNER

"Young America Speaks"

KANSAS CITY, March 22.—"Young America Speaks," a new kind of man-on-the-street broadcast that interviews children rather than adults, is neither so smooth as its prototype, nor so dull. The humor is spontaneous, the children more entertaining, and the program has greater variety. On KMBC at 4:45-5:00 P. M., C.S.T., Monday through Friday, the show has just been renewed by Curtiss Candy Co., Chicago, for a second 13 weeks to July 9, and it looks strong enough to spread to other stations.

Two staff announcers, Jack Starr and Neal Keehn, park a short wave car near a school or playground. Children give their names and are asked questions likely to interest them. The youngsters do surprisingly well for impromptu work, and are much more natural than grownups in the same spot. Their sincerity often produces some startling and amusing answers.

"A Night at the Inn"

PITTSBURGH, March 22.—For the campaign in behalf of Old Shay Ale, the Victor Brewing Co. seems to have made a good choice in this show. It is the idea of Ed Harvey, program manager of WCAE. It goes out once a week for half an hour with music, singing and drama.

It dramatizes some incident in the history of a famous inn. The first one was consistently interesting, at the same time managing to capture the atmosphere an ale manufacturer would naturally try to get. The orchestra, under the direction of Earl Truxell, is well balanced and the work of the Tavern male quartet stood out.

The dramatization itself was nicely handled by the WCAE dramatic staff and the show, while paced a little too slowly, shows much promise.

Women's Unit To Award Six Radio Prizes

The Women's National Radio Committee, an organization representing 15,000,000 club women throughout America, will confer awards for the year's six most popular programs at a luncheon at the St. Regis Hotel, New York, March 31. The awards will be broadcast over the combined NBC Blue, Red, CBS and Mutual networks, from 1:30 to 2 P. M., E. S. T.

The accolades will be conferred on the basis of a popularity poll voted by committees representing 27 national groups of federated women's clubs. The complete returns are not yet in the hands of the radio committee. The voting is for the best programs in the following divisions: music, drama, variety, news, adult education, and children's programs.

Radio Executives to Attend

Special guests for the occasion of the luncheon and the broadcast will be William S. Paley, president of CBS; Alfred McCosker, president of Mutual, and a representative of NBC. Lenox R. Lohr, who had accepted an invitation to be on hand, will be unable to attend, due to a business trip.

Anning S. Prall, chairman of the F. C. C., will preside at the broadcast and luncheon and will make the awards. George Denney, conductor of the "Town Hall of the Air" broadcasts, will be a speaker.

Last year the Women's National Radio Committee selected four award winners. They were: "America's Town Meeting of the Air," best educational program; Rudy Vallee's program as radio's best non-musical offering; "Wilderness Road" as the best children's program; and the Cities Service concerts as the best light musical offering.

Mme. Yolanda Mero-Irion is the founder and advisory chairman of the Women's National Radio Committee.

The awards will be presented not to the artists participating in the programs, but to the comercial sponsors. In the event a sustaining program is selected for an award, the honor will be conferred on the individual station.

WROK Starts New Plant

ROCKFORD, March 22.—WROK's new $14,000 RCA transmitter was placed in operation the past weekend, marking the station's increase of power from 500 watts day and night to 1,000 watts day and 500 watts night. In effect, the new transmitter and increase in power will triple the station's strength, it is claimed.

Walter Koessler has been named sales manager for WROK. He comes to the station from Janesville, Wis., where he filled a similar position with WCLO.

"Don Winslow" Starts March 29

"Don Winslow of the Navy," a new radio series based on the newspaper cartoon strip of that name, will be heard daily except Saturday and Sunday at 5:15 P.M., E.S.T., over the NBC-Red network, beginning March 29.

"Step Forward"

"I want to congratulate you on the inauguration of radio coverage in your paper. The two industries, motion pictures and radio, are so closely allied in the entertainment field, it is fitting that they be combined in one news service. Congratulations on this step forward"—*Emanuel Cohen,* president, Major Pictures Corp.

Dyke Named Eastern NBC Sales Manager

Kenneth R. Dyke, formerly general advertising manager of Colgate-Palmolive-Peet, will become eastern division sales manager of NBC April 1, succeeding John H. Bachen, who is to become assistant to NBC vice-president in charges of sales, Roy Witmer on the above date.

Dyke resigned his post at Colgate-Palmolive-Peet last July, and has just returned to America after spending the past six months in the Far East. Before joining the soap company he was vice-president in charge of sales promotion for the Johns-Manville Corp.

Formerly Association Executive

At the time of his resignation from Colgate-Palmolive-Peet, Dyke was chairman of the board of the Assn. of National Advertisers and a director of the Advertising Federation of America.

With the appointment of Dyke, NBC in all likelihood will make a special drive to secure a part of the Colgate-Palmolive-Peet radio business. At one time NBC placed all this trade. At present CBS monopolizes it, with four radio programs.

Renew Pressure for Film-Radio Probes

(Continued from page 1)

the sponsor of the resolution calling for an investigation of the financing, organization and trade practices of the film industry by the House Judiciary Committee. The proposal for the investigation of the radio industry, which has also been referred to the Rules Committee, was introduced by Representative William P. Connery of Massachusetts. Chairman John J. O'Connor of the Rules Committee, said today there was "a good chance" that the inquiry would be authorized.

WIP Adds National Accounts

PHILADELPHIA, March 22.—WIP has added five new national accounts. Chrysler Motor Corp. has taken daily spot announcements for an indefinite period, placed by the Anderson Advertising Co., Detroit; E. P. Reed Co., for Matrix shoes, is using weekly 15-minute transcriptions, set for 10 weeks by Geyer, Cornell & Newell, New York; Spatola Importing Co., through Adrian Bauer Advertising Agency, Inc., Philadelphia, for Mount Royal Whiskey, three spot announcements weekly, contract indefinite; Tappins, Inc., for refrigerators, two times signals daily on an indefinite contract, Schillin Advertising Corp., New York, and Garden Nursery, Osage, Ia., Northwestern Radio Advertising Corp., three five-minute periods weekly, contract indefinite.

Radio Personals

FRANK MASON, NBC vice-president, took off for the west coast via American Airlines yesterday. . . . John Tucker Battle, radio scripter now in the city contracting agencies after a winter spent in Florida. . . . Pat O'Brien has been set as the featured guest on the Camel program March 30. . . . E. J. Rosenberg, Transamerican vice-president, in town from California for a brief business stay. . . . Joe Jacobs, American representative for Max Schmeling, conferred with William S. Paley yesterday regarding radio rights for the Schmeling-Braddock fight in Berlin, in the event it materializes. . . . Tiny Ruffner leaves for Hollywood following Thursday's "Showboat" offering to take up his new duties for Ruthrauff and Ryan. . . .

◆

Paul Whiteman will have a Mutual wire when he succeeds Clyde Lucas at the Drake Hotel in Chicago, beginning April 9. . . . William Wright has been signed for two years by the CBS artists' bureau. . . . Mrs. Martin Johnson, widow of the explorer, will be a guest on the "Magazine on the Air" March 29. . . . The Bill Tilden-Fred Perry tennis match tomorrow night on WHN will be suponsored by Adam Hats. . . .

◆

John Reed King has been booked as announcer for the forthcoming Babe Ruth series. . . . Jessica Dragonette is offering a $500 award to listeners for the best designs submitted for a gown. . . . Buddy Rogers will sail from London for New York March 26 to return to the "Twin Stars" program. Buddy's first broadcast will be on April 4. . . . Clyde Pangborn, 'round the world flyer, will be tonight's guest on the "Thrill of the Week." . . . Kay Chase, author of the network serials, "Painted Dreams" and "Romance of Helen Trent," left yesterday for Florida and the Caribbean. . . . Kirsten Flagstad will be the soloist in the General Motors Concert March 28. The concerts, incidentally, move to the NBC-Blue network and a new time the following week. . . .

Bunnell in New KLO Post

OGDEN, March 22.—Merrill Bunnell, formerly promotion manager, has been named advertising manager of KLO, succeeding L. F. Haller who resigned to reenter the newspaper field.

Heintz Signs Fred Edwards

CINCINNATI, March 22.—Fred Edwards, WKRC news commentator, has been signed by the Heintz Motor Car Co., local De Soto distributors. He will be on the air at 10:45 every night except Thursday.

Renew Camel Series

The Camel-sponsored cigarette series starring Jack Oakie has been renewed for an additional 13 week period on CBS, effective March 30.

Prouty Joins Transamerica

Norman Prouty, formerly in charge of radio sales for the E. Katz advertising agency, yesterday began his new duties as account executive for Transamerica.

UP Out Front In Supplying News for Air

(*Continued from page 1*)

increasing the station's news disseminating efficiency.

UP subscribers are fed over separate leased wires, with the news emanating from three main trunk lines located in New York, Chicago and San Francisco. A separate, radio-trained news staff of 50 reporters prepares the news.

The rate for the news service is 25 per cent of the station's time charge, with a minimum guarantee to UP each week amounting to the station's top night hour rate. The news is released daily for 18-hour periods. As part of the general service and at no extra cost, UP supplies Hollywood, fashions, foreign, and Washington features.

Several of the competing news services, notably INS and Transradio, are now short-waving news readings which are available to small stations desiring to pick them up at a cheap rate. UP experimented with a similar system a few months ago, but discarded it as impractical.

NBC-CBS Heavy Users

Heaviest users of the UP service are CBS and NBC. These chains buy the service for all their owned and operated stations and, in the main, sell it commercially. As an example, WEAF and WJZ each broadcast four five-minute UP news readings a day, all of which are sponsored by Standard Oil for Esso gasoline. The time charges alone for the eight five-minute periods aggregate approximately $1,200 a day, of which 25 per cent belongs to UP. Exactly how much additionally Esso pays for the sponsorship is not known. Thus, on a weekly basis for WEAF and WJZ alone UP receives a minimum payment of $1,800 for each six-day period. Additional NBC owned and operated stations which sell UP news to Esso, Penn Tobacco, Richfield Oil and other sponsors are WBZ, WRC, WBZA, WMAC, KDKA, WTAM, WENR, WMAQ, WGY, and the Pacific coast Red network stations.

Other chain and topflight independent stations which purchase and sell commercially the UP news are WXYZ, WCCO, KMOX, WOW, WGR, WBT, KDKA, KSTP, WRVA, KJR, WTMJ. WLW, KNX, KFI, WMAQ, WBBM, WHO, KRNT, WWL, WBAL, WEZI, WBZ, WHAS.

UP estimates it has increased its operating expenses by $15,000 a month just for the special leased wires to the stations. The profits accruing to the organization since it gave up its processed service to treat radio as a separate unit apart from newspapers has proved, however, that the undertaking was a wise one.

WLW-WHN May Get Vitalis

The first commercial program to be fed over the regional network lines of the newly formed WLW-WHN combine appears likely to be an offering sponsored by the Vitalis Corp. through Pedlar and Ryan. A program for Vitalis is now being lined up.

Error of NBC-AT&T Cuts Off James Cox

Through a mixup in signals NBC and A. T. & T. last night accidentally cut off from the air the voice of James M. Cox, former Governor of Ohio. Cox, from Miami, had been scheduled to introduce former Supreme Court Justice John H. Clarke, speaking from San Diego on the question of the legality of President Roosevelt's proposed Supreme Court changes.

As a result of the accidental cut-off, NBC officially apologized by broadcasting a bulletin acknowledging their error.

Iowa Web Scores on Texas Blast Report

SHENANDOAH, Ia., March 22.—While the nation waited for further news of the New London, Tex., disaster Thursday night and networks tried unsuccessfully to get lines in, Iowa Network stations, KSO and WMT and KMA, had a complete eyewitness account direct from the scene of the wrecked schoolhouse.

Responsible for the entry to the explosion area and the quarter-hour broadcast on the three stations was Robert Kaufman, program director of KMA. He telephoned to KOCA, Kilgore, Tex., asking that a man be sent to the wrecked schoolhouse to give a telephone account of the disaster, work of the rescuers and new developments in the tragedy. It was arranged that the KOCA announcer give his long distance telephone account at 9:15. It was plugged into the KMA control board and was the first graphic story to come from the scene by radio.

Swarthout Program To Go on NBC-Blue

Beginning April 4, the Gladys Swarthout program, currently heard from 10:30 to 11 P. M., E.S.T. on the NBC-Red network, will switch to a Sunday period on the Blue, from 10 to 10:30 P. M. National Ice Advertising, Inc., sponsors.

Although confirmation is lacking, it is believed that the American Tobacco Co., for its "Hit Parade" series, will purchase half of the Red network time which the Swarthout series is vacating. It is known that the American Tobacco Co. some time ago desired to increase by 15 minutes its present Wednesday 10 to 10:30 P. M. Red network niche, but the time was not then available. The CBS "Hit Parade" program was recently extended from a half-hour to a three-quarter hour period.

A. L. Beghtol Dead

LINCOLN, March 22.—A. L. Beghtol, 70, president of the KFAB Broadcasting Co. from 1930 until 1936, died at his home here. He retired in favor of Frank Throop when Lincoln newspapers purchased a half interest in the station and formed the Central Broadcasting Co. with KFOR of Lincoln and KOIL of Omaha as other units.

Rambeau Opens New Office

William G. Rambeau, station representatives, will open a Detroit office this week in the General Motors Bldg. George W. Diefenderfer of the Chicago sales staff will be in charge.

Para. Circuit To Tip Scales As Costs Rise

(*Continued from page 1*)

Beatty of the Butterfield Circuit, Michigan, the problem of how to meet increased operating overhead was one of the most significant.

The consensus of expressed opinion was that price hikes represented the only way out, although there was some skepticism voiced as to whether or not the public will be receptive. It was agreed there is no alternative.

It was learned today that, when Adolph Zukor told the M. P. T. O. A. convention that exhibitors must prepare to pay more for film either by way of extended runs or more preferred playing time, or through uppages in admission if they would assure themselves of a sustained flow of high quality product, he was merely repeating what he had told his own associates in Paramount. He informed them negative costs were higher and might be expected to go even higher.

Many Factors Considered

The partners, it is understood, gave consideration to the rising curve in theatre construction and reconstruction costs, to the increased cost of living and the necessity for wage increases for employes in the light of this. They were informed by a man who was described as "of high repute, conservatism and utter reliability" that union labor scales may be expected to increase 25 per cent this year and were urged by this individual to make the longest term deals possible while the wage scales were at present levels.

The general sentiment of those who attended the meetings and of whom many are still here for a few days' holiday is that the labor eventuality was one which cannot be licked and that consequently it might be taken in as good grace as can be mustered.

In the light of this combination of circumstances, present and future, the inevitable conclusion, reluctantly arrived at by some, is that the costs will have to be passed on to the public in increased prices. While opinion on the outcome is mixed, the dominant slant appears to be a belief the public will meet the added tariff. One Paramount partner, whose reputation as a showman is national, put it this way:

Asks 3 to 5-Cent Jump

"We can do it. My figures show that the national admission average across the nation is still 35 cents. Many theatre men have hesitated to jump prices on the theory the Government will get most of such increases in taxes. I believe, however, that we can arrange the adjustment on a basis that will make the increase, all kept by us, from three to five cents. You would be surprised to learn what a startling difference this would make. As a matter of fact, I believe it would be sufficient."

Paramount's step, obviously, will have a vital bearing on the policy of the other national circuits. It is very likely Paramount partners will seek to swing Loew, RKO, Warner and National Theatres into line in situations where any one or more of the remaining chains operate.

As reported in MOTION PICTURE DAILY yesterday, other national circuits expect to adjust their policies to playing a greater number of more costly productions next season, but have not yet fashioned definite plans. Admission increases are regarded as inevitable for some situations, as is the curtailing of cash awards and giveaways. Loew's and RKO have already taken action on the latter and Skouras (National Theatres) is experimenting with single features. Decisions on increasing admissions, however, are not expected to be made before mid-summer and then will be based upon local conditions and individual situations, it was said. Higher film costs and increases in other operating overhead next season are anticipated generally.

20-Fox Sets Product Deal With National

(*Continued from page 1*)

assistant, are still on the coast ironing out individual situations on the deal. Details for Milwaukee and Kansas City will be completed here shortly when Harold J. Fitzgerald and Elmer C. Rhoden arrive from their headquarters in the field.

Approximately 420 theatres now being operated by National are included in the agreement. The circuit has about 75 additional houses which are closed.

Last year, National signed a two-year deal with Paramount and a three-year franchise with Loew's. In all probability, Warners will be the next product deal to be set. Gradwell L. Sears, vice-president and general sales manager, is now on the coast confering with Jack L. Warner on data for the 60 features planned next season. Talks on this deal are expected to get under way as soon as Sears returns from the coast.

Powers and Hossfeld are scheduled to return from Los Angeles the latter part of the week. By that time they will have the contracts ready for signatures.

No Plan Is Decided On Sale Tax Appeal

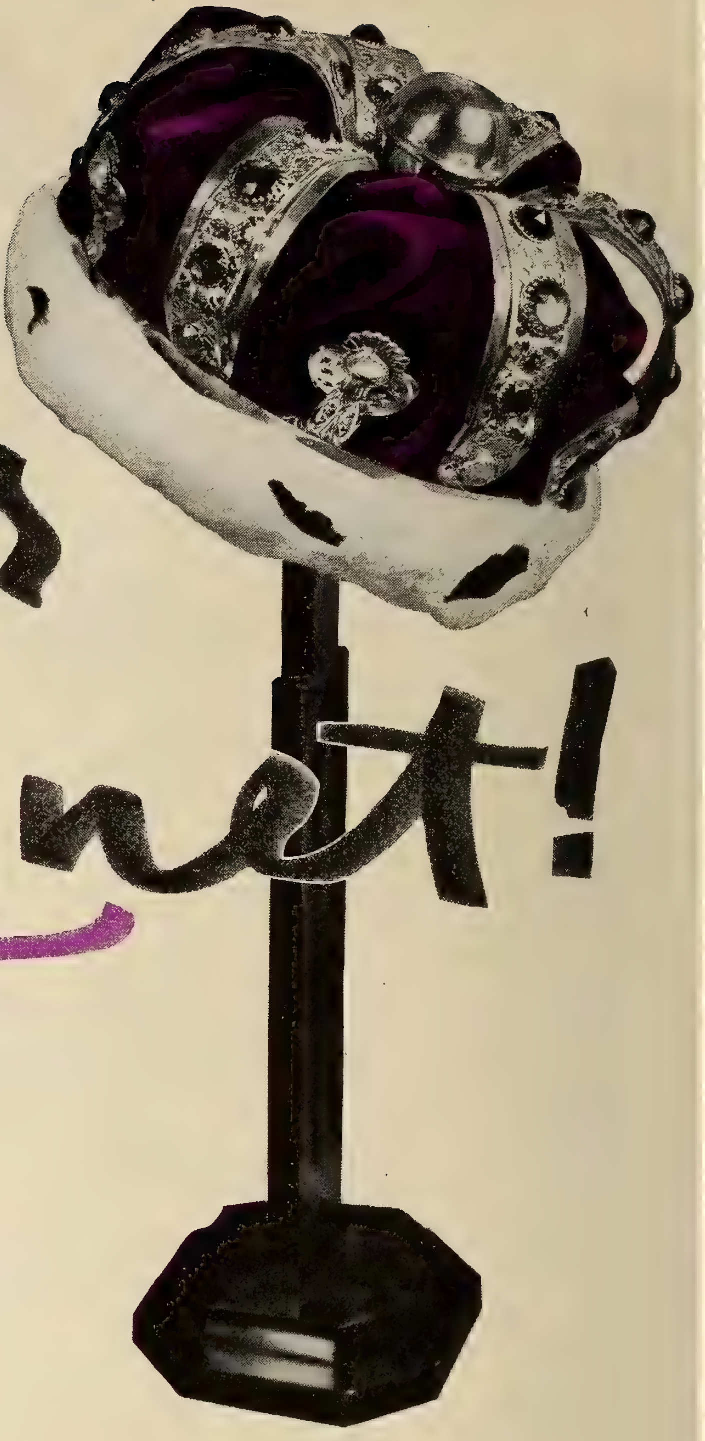
(*Continued from page 1*)

certiorari from the U. S. Supreme Court yesterday's meeting also discussed a recommendation for allocating the bulk of the local distributor's revenue to the non-taxable copyright licensing privilege and a minor portion to the film service itself, to which the two per cent sales tax would apply. Considerable objection to this proposal was voiced, however, and no decision was made, as a result.

Short to Test Talent

HOLLYWOOD, March 22.—Ted Lesser, head of Paramount's talent department, and Herbert Moulton, director, are preparing the script for a two-reel short so written as to provide individual parts for 15 candidates whose portrayals in the finished short will substitute for the usual screen tests.

Your Easter Bonnet!



"THE KING and the CHORUS GIRL"

Starring the Idol of the Continent—"1937's Most Promising Addition to the American Screen"*

FERNAND GRAVET

with

JOAN BLONDELL

EDWARD EVERETT HORTON

Alan Mowbray • Mary Nash • Jane Wyman • Kenny Baker
Luis Alberni • Story by Groucho Marx and Norman Krasna
Songs by Werner R. Heymann and Ted Koehler

A MERVYN LEROY PRODUCTION

Praised to the Skies by Every Paper in the Industry—— Advertised to the Skies by
WARNER BROS.

On Billboards
In 1200 cities, providing thirty solid days of the biggest 24-sheet coverage known to the industry!

In The Papers
With a coast-to-coast day-and-date drive that tops Warners' most wide-spread space schedules of the past!

In Magazines
With full-page announcements timed for a tie-in with this greatest all-angle promotion ever offered!

* Los Angeles Examiner

Alert.
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 41. NO. 69 NEW YORK, WEDNESDAY, MARCH 24, 1937 TEN CENTS

Loew's-Para. Set for Talk On Franchise

Expect Negotiations to Start in April

Negotiations are expected to get under way the middle of April on a new Paramount product franchise deal with Loew's, the pact to supplant the current 10-year deal which expires this season. Paramount and Loew executives are awaiting the return from Hollywood of Nicholas M. Schenck, who is due about April 5.

Although Paramount last year sold numerous two-year franchises, sales executives have not yet decided on the term of the Loew contract. It may be for four or five years, contingent on how distribution heads feel about Paramount's franchise falling due either simultaneously, ahead or after the RKO circuit term deals with Warners and 20th Century-Fox.

RKO's franchise with 20th Century-Fox expires Aug. 31, 1941; the Warner product deal on Aug. 31, 1939. In the event a five-year arrangement is considered, it will end

(Continued on page 9)

Columbia to Have 48 Features Next Year

Columbia will announce a program of 48 features, including 16 westerns next season, according to company executives. The number of two-reel short subjects will probably be maintained, but indications point to a decrease in the lineup of single reelers.

Jack Cohn and Abe Montague are expected to leave for the coast in 10 days to confer with Harry Cohn on convention and new production plans. While most of the other companies are heading for coast sales sessions, Columbia will not hold its annual meetings there.

N. O. "Theodora" Ban Granted to Affiliated

New Orleans, March 23.—Affiliated Theatres this afternoon was granted a temporary restraining order against Columbia prohibiting it from releasing "Theodora Goes Wild" to opposition houses in New Orleans as well as to theatres outside the city in sections where Affiliated is represented.

Affiliated's action is the third suit against Columbia within a week on the same subject. The Affiliated booking combine is working from the Saenger headquarters.

No hearing date has been set.

Maxwell Sues Ostrers, Charges Breach of M. & B. Sale Contract

By BRUCE ALLAN

London, March 23.—John Maxwell, head of Associated British Pictures, today filed suit against the Ostrer brothers, alleging breach of agreement and fraudulent misrepresentation in the sale to him by the Ostrers of the latters' non-voting shares of Metropolis & Bradford Trust, holding company which controls 57 per cent of Gaumont British.

Maxwell is asking a refund of the money paid for the securities and damages. The action is seen here as another step in the open fight between Maxwell and the Ostrers for control of G. B.

Group to Work Up Equipment Show Is Urged

By RED KANN

Miami, March 23.—A national equipment council to work with the M. P. T. O. A. has been proposed to Ed Kuykendall, president of the association, and is understood to have been received by him with willing ears.

The idea would not commit M. P. T. O. A. nationally or otherwise to the purchase of the product of the contributing manufacturers, but would bring into being at each annual convention an accessory exhibit far beyond the size of the 21-booth display to which the accommodations at the Miami Biltmore convention last week were limited.

It is felt such a move would meet the convention costs and even return a profit which might be turned over to the association treasury or converted into additional convention entertainment. Those manufacturers who

(Continued on page 9)

48,200 Delawareans Plead Sunday Films

Dover, Del., March 23.—Petitions advocating passage of Delaware's bill permitting film shows after 2 P. M. on Sundays, and signed by 48,200 citizens of the state, were presented before the Senate and House here today. Of the signers, 38,522 were from Wil-

(Continued on page 9)

ITOA to Fight New Albany Matron Bill

The legislative committee of the I. T. O. A., composed of Bernard Barr and George Rudnick, will go to Albany to lead the fight against the Rossi bill, when hearings are called on

(Continued on page 9)

Renew Request For Air Probe By Congress

Washington, March 23.—Renewed appeals for investigation of the broadcasting situation were heard today by the House Rules Committee considering the Connery resolution for a special committee to examine alleged monopolies, political favoritism and law violations in the industry.

Reiterating charges made last week by Representative Connery, Democrat,

Additional developments in radio on pages 12 and 13.

Congressman Wigglesworth, Republican, also of Massachusetts, held that the F.C.C. is accountable for the present situation.

"It appears today that we are confronted by a virtual monopoly in the hands of the three big broadcasting companies of the nation," he told the committee, and added, "It also appears in the absence of any further

(Continued on page 13)

RKO Signs First Big Deal for New Season

RKO closed its first important product deal for the new season yesterday with the signing of a three-year franchise with the Schine circuit. Ed McEvoy, eastern division sales head for the distributor, and George Lynch, booker and buyer for

(Continued on page 13)

B'way Spurt Shown By Revenue Bureau

Washington, March 23.—A sharp upturn in theatre attendance in the Broadway sector was reported today by the Bureau of Internal Revenue, which stated that total admission tax

(Continued on page 13)

Nate Manheim Quits As "U" Foreign Head

Will Announce His Plans After a Vacation

N. L. Manheim, Universal Pictures foreign manager, who has been associated with that company for the past 18 years, resigned yesterday, effective on the appointment of a successor.

Manheim, one of the industry's best known foreign managers, said that he planned to leave as soon as possible for a vacation in the south and could not discuss his future plans until after his return. Inasmuch as the resignation was accepted by the company only yesterday, no successor to Manheim has been named yet.

Manheim was associated with the Shuberts in legitimate production for five years prior to joining Universal in 1919 as a salesman. Subsequently, he became assistant general sales manager for the company, short subject manager and general service manager. He was appointed general foreign manager 14 years ago and has continued in that post since.

Commenting on the resignation, R. H. Cochrane, Universal president, said, "I am sorry to see Nate go. He has always been one of our standbys and one of the old guard. I have nothing but admiration for the way he handled his duties and I am going to miss him, not only as an associate but as a friend. I know he will be successful in his new undertaking. My best wishes go with him."

Resume Testimony On G.B. Dividend

London, March 23.—The application of C. L. Nordon, attorney representing ordinary shareholders of Gaumont British, who seek an injunction restraining the directorate from paying a dividend as voted on the preference shares, resumed today with the

(Continued on page 8)

Levine Will Quit at Republic on April 3

Hollywood, March 23.—Nat Levine will finish up his duties at Republic on April 3. By that time he will have "Hit Parade," his last for the company, out of the cutting room.

Herbert J. Yates is due from New York in two weeks, following which a successor to Levine will be appointed.

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VIENNA: Nuestiftgasse, 55; Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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Aylesworth's Posts Are Going to Spitz

Leo Spitz, RKO president, is being elected to the chairmanship of the boards of the company's various subsidiaries where the post was left vacant by the resignation of M. H. Aylesworth, the company stated yesterday. The post of chairman of the board of RKO probably will not be filled prior to completion of the parent company's reorganization, it was stated.

Among the subsidiaries of which Spitz is president and either has or will become chairman, as well, are: RKO Radio Pictures, K-A-O, RKO Service Corp., RKO Midwest Corp., RKO Pathe News, B. F. Keith Corp., RKO Proctor Corp. and RKO Union Hill.

Aid Kennedy Nomination

WASHINGTON, March 23.—The Senate Commerce Committee today reported favorably on a resolution designed to assure confirmation of Joseph P. Kennedy's nomination as a member of the Maritime Commission. The resolution would make the confirmation possible without forcing Kennedy to dispose of his stock in shipbuilding concerns.

20th-Fox Film Deal Queried in Commons

LONDON, March 23.—Robert Gibson questioned the Board of Trade in the House of Commons today relative to what action was contemplated in the situation under which the Greenock circuit in Scotland allegedly was refused 20th Century-Fox features unless it used Fox Movietone News in place of British newsreels.

Walter Runciman, president of the Board of Trade, replied that he had no information on the matter, but declared that such action would be an instance of block booking, which was the subject of a specific recommendation by the Moyne Committee in its study of possible revision of the Films Act.

Reveal Price for Ufa

BERLIN, March 23.—It is reported that the new owners of Ufa paid 29,000,000 marks for all the company's stock. The total outstanding shares have a par of 45,000,000 marks and are quoted at 74 on the Boerse. Despite the lack of official confirmation, it is considered certain that the Government has purchased control of the company.

Close for U. A. Reissue

Loew's Metropolitan Circuit has booked "Transatlantic Merry-Go-Round," Reliance film released by United Artists. The deal was closed by Harry Gold for U. A. and Charles C. Moskowitz for Loew's. Deals already have been set with Interstate, Sparks, Comerford, Mort Shea, Robb & Rowley, Sanger and Wilby and Kincey.

Brandt Acquires House

Harry Brandt, head of the Brandt circuit, has acquired the Manhattan, in Greenpoint, Brooklyn. It will be named the Strand. The corporation name is Rayrita Theatre Corp., listing officers as David Weinstock, president; Brandt, vice-president; Ben Weinstock, secretary, and Emanuel Hertzig, treasurer.

Mayor at Zukor Dinner

Mayor F. H. LaGuardia has accepted an invitation to attend the Adolph Zukor testimonial dinner at the Waldorf-Astoria Monday night. It is possible Postmaster General Farley will attend, if he returns from Texas in time.

Poll the Pickets

Ben Serkowitch, publicity and advertising head for the Capitol, says someone took a poll of the pickets in front of the theatre on their reaction to "Maytime." The result was unanimous approval, he states.

Hepburn Stage Take Is Put at $300,000

RKO has accumulated figures on the grosses obtained in the stage engagements of "Jane Eyre," starring Katharine Hepburn, in an effort to determine the value of screen background as a factor in building the box-office power of a player in a legitimate production.

RKO reports that Theatre Guild figures indicate the play has drawn "close to $260,000" in 15 cities and is headed for $27,000 in Washington this week. An estimated total gross of more than $300,000 for 14 weeks in 17 cities is reported by RKO.

J. B. Clinton Dead

JACKSONVILLE, Fla., March 23.—James Brownlee Clinton, 62, owner of a theatre circuit in Duluth, Minn., died today of a heart attack at Lake Worth. Clinton formerly was president of the Allied Theatre Owners of Minnesota. His widow survives.

The body will be returned to Duluth.

Charles Ridgway Dies

KANSAS CITY, March 23.—Charles Howard Ridgway, father-in-law of George S. Baker of the Electric, Kansas City, Kan., is dead here at the age of 71.

"Barriers" Display Set

The lobby of the Criterion has been turned into a replica of the Windsor Station, Montreal, by G. B., for the opening of "Silent Barriers" there tomorrow night. A miniature locomotive which responds to the commands of anyone speaking into the attached phone has been made available by General Electric.

Pathe in SEC Request

WASHINGTON, March 23.—Pathe Film Corp. has applied to the S. E. C. for permission to register on the New York Stock Exchange 625,310 shares of $1 par value common stock, of which 585,095 shares have been issued.

Cheyenne Tries 6-Film Bill

Cheyenne, Wyo., March 23.—Something new under the exhibition sun was tried out recently at the Princess, which booked six features on one program for three days. Shorts also were sandwiched between features.

Advertising the regular admission price of 10 and 25 cents, the exhibitor also gave the exact time when each picture was shown on the different days. No picture was shown the same time at any of the three days.

Only one showing was given a feature on each of the three days and patrons were notified in advance that anyone leaving the theatre for any reason would be required to purchase another ticket to return.

The six features were: "Silly Billies," "The General Died at Dawn," "Devil's Squadron," "Private Number," "Daniel Boone" and "Trail of the Lonesome Pine."

Shows were started daily at 1:30 P. M. No meals were provided for patrons, if any, who sat through all six features and shorts on one day.

The event was advertised as "Wholesale Days."

Fox Counsel to Ask Sentry Suit Delay

Counsel for William Fox will appear before Justice Salvatore A. Cottillo in N. Y. Supreme Court today and ask for an indefinite adjournment of the prosecution of a $300,000 suit brought against Fox and the Fox Film Corp. by J. E. Cohen, president of the Sentry Safety Control Corp.

The court will be advised that Fox is now being examined by a referee in Atlantic City in connection with his bankruptcy proceedings which were instituted in the U. S. District Court in New Jersey last May. The attorney for Fox will point out that the examination in Atlantic City will continue for several months and that it will be impossible for him to appear at the trial of the Cohen action or prepare a defense until these examinations are ended. The court will also be asked to defer prosecution of the suit until 12 months after the adjudication of the bankruptcy proceedings.

Cohen's suit is based on an agreement made in Dec. 1927, whereby Fox allegedly obtained 22,500 shares of Sentry stock on the strength of an agreement to install Sentry devices on projectors in all theatres operated or controlled by the defendants. These devices, it is alleged, were installed on but 62 machines for a weekly rental of $2.50 each.

Technicolor-Tricolor Case Rests

LOS ANGELES, March 23.—Technicolor and Tricolor, principals in the suit in which the latter charges the former with infringement of a camera patent, have been given sixty days in which to file briefs in support of their testimony and oral arguments. The final ruling of Judge James is not expected for 10 weeks or 90 days.

Meanwhile, Judge James has continued his order restraining Tricolor from mailing to exhibitors letters threatening legal action in the event that Tricolor's case is upheld.

Producer Sues Universal

LOS ANGELES, March 23.—Sam Van Ronkel, producer, today filed suit in Superior Court against Universal for $13,000. He alleged that he was employed to make 13 shorts at $1,000 each but that Universal failed to live up to the agreement.

Studios File Debtors Petition

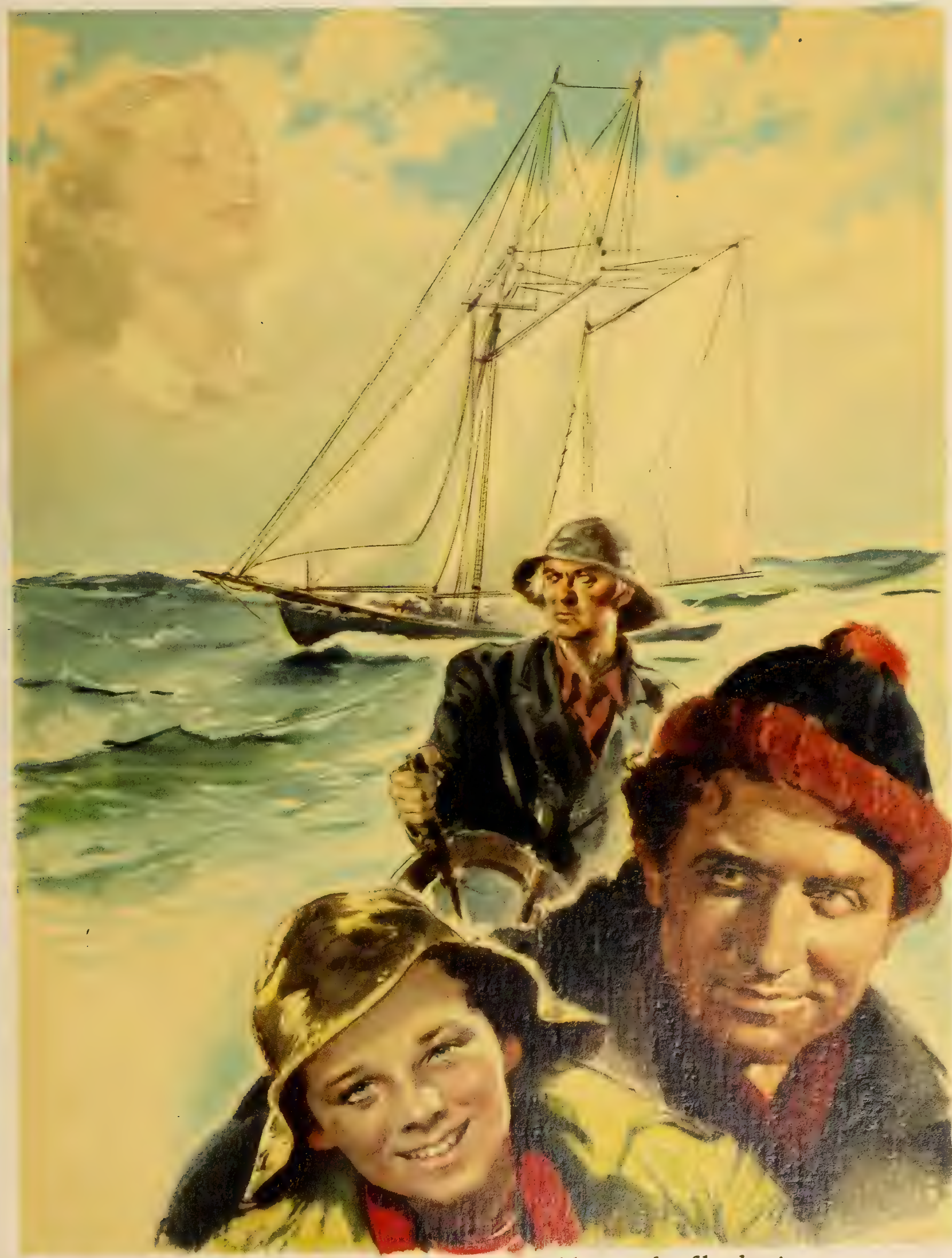
LOS ANGELES, March 23.—Hollywood Studios has filed a debtor's petition under the Bankruptcy Act. It cites as its principal asset its property lease valued at $100,000.

Machinists - Studio Row Report to D. C.

HOLLYWOOD, March 23.—A complete report of the controversy between the machinists' union and seven Hollywood studios on the question of collective bargaining has been forwarded to Washington by Towne Nylander, director of the National Labor Board.

The machinists demand an election under board auspices to decide the question. Six other A. F. L. unions are involved and the board feels that each union should treat the subject individually.

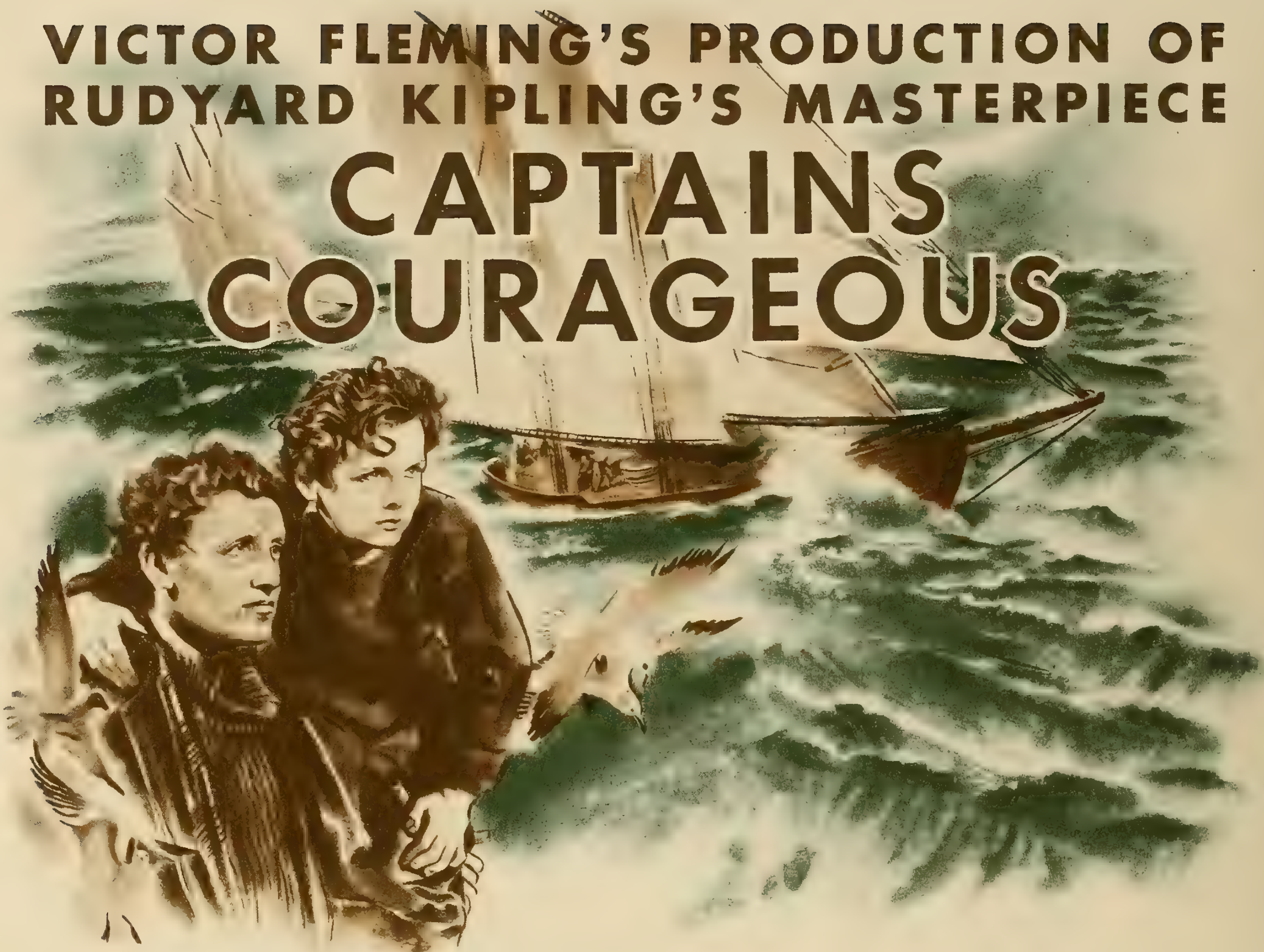
Studios affected are Roach, Warners, Universal, United Artists, Columbia, Paramount and United Research.



Toward fame and fortune it comes, blazing the film horizons
"CAPTAINS COURAGEOUS"

VICTOR FLEMING'S PRODUCTION OF
RUDYARD KIPLING'S MASTERPIECE

CAPTAINS COURAGEOUS



A GREAT MOMENT HAS COME IN THE HISTORY OF THE SCREEN!

The power and poignancy of Rudyard Kipling's stirring novel have been so realistically captured by the magic of the M-G-M cameras that this picture is destined for a fame exceeding that of any entertainment in your memory.

The Cast: Freddie **BARTHOLOMEW** • Spencer **TRACY**
Lionel **BARRYMORE** • Melvyn **DOUGLAS**

A Metro-Goldwyn-Mayer Picture · Directed by Victor Fleming · Produced by Louis D. Lighton

Missouri Game Case Hearing Date Is Set

Kansas City, March 23.—The Bank Night case of Missouri vs. R. W. McEwan has been set for hearing before the state Supreme Court May 5. The case was taken to the high tribunal last year after Judge Marion C. Waltner in Circuit Court here had held no consideration was involved in the promotion, and that, therefore, it did not violate Missouri's anti-lottery laws. The prosecutor of Jackson County filed the appeal.

McEwan, who is the Missouri-Kansas distributor for Bank Night, was arrested in connection with the sale of the giveaway to the Ashland.

Business Bureau Attacks B.N.

Boston, March 23.—The Boston Better Business Bureau has issued a sharply worded denunciation of Bank Night, declaring, "Get gambling out of business." The article points out that the use of such expedients is fraught with danger to good will and causes disgruntled customers.

"The few who win do not complain," the article continues, "but among the others are good customers but poor losers. . . . From the viewpoint of the bureau, it is regrettable that business men should be so shortsighted as to destroy public good will by gambling with it."

No Games in Portland

Portland, Ore., March 23.—Leading exhibitors in Portland use no games in their theatres, while in the suburban houses Bank Night is employed. In the Portland area generally, outside of the city and suburbs, Bank Night is used, but to a less extent than last year.

First Runs Use No Games

Cleveland, March 23.—All five local first run theatres, two Loew houses, one RKO and one Warner are entirely free of giveaways or the use of double bills. The same is true of the affiliated Class A subsequent runs, although about 50 houses in the Greater Cleveland area are using various types of games.

Wall Street

K.-A.-O. Leads Gains on Board

	High	Low	Close	Net Change
Columbia	33½	33	33	— ¼
Consolidated	4½	4⅜	4½	+ ⅛
Consolidated, pfd.	15¾	15½	15½	— ¼
Eastman-Kodak	162½	160	160	.....
Gen. T. Equip.	29	29	29	+ ½
K.-A.-O., pfd.	110	110	110	+4
Loew's, Inc.	76¼	75	76¼	+1¾
Paramount	23⅝	22⅞	23⅜	+ ⅜
Paramount 2 pfd.	21⅛	20⅞	21⅛	+ ⅜
Pathe Film	8⅝	8⅛	8½	+ ¼
RKO	8⅜	7¾	8⅜	+ ⅝
20th Century-Fox	37	35⅞	36⅞	+ ⅞
20th Century, pfd.	45¾	45⅜	45¾	+ ¾
Warner Bros.	14⅛	13⅞	14⅛	+ ¼

Curb Off Slightly

	High	Low	Close	Net Change
Grand National	2⅞	2⅞	2⅞	— ⅛
Sonotone	2	1⅞	1⅞	.....
Technicolor	21⅞	21½	21½	.....
Trans-Lux	4½	4½	4½	— ⅛

Little Bond Movement

	High	Low	Close	Net Change
Keith B. F. 6s '46	98	98	98	.....
Loew's 6s '41 ex war	97¾	97¾	97¾	.....
Paramount Pict. 6s '55	100¼	100	100	— ⅛
Warner Bros. 6s '39 wd	95	94½	94½	+ ¼

(Quotations at close of March 23)

◂ Purely Personal ▸

BILL HOLLANDER, publicity and advertising head for B. & K. in Chicago yesterday was tendered a luncheon at the Astor by a number of former associates, now identified with other companies. Among those attending were Ben Serkowitch, Capitol; Jack McInerney, Paramount; Byron Bilwell, 20th Century Fox; J. Albert Hirsch and Lew Pollak, Universal; Les Kaufman, Columbia; Oscar Doob, Gene Murphy and Art Schmidt, Loew's; Dave, Lipton CBS; Lou Goldberg, Major Bowes Enterprises; Ned Williams, Mills Artists Bureau; A-Mike Vogel, Quigley Publications. Hollander last Sunday celebrated his silver wedding anniversary and on Friday will sail for a Caribbean cruise.

●

J. C. Hunter, general manager of Ralph Talbot Theatres, operating the Ritz, Orpheum, Rialto, Majestic and Akdar in Tulsa, Okla., is in town on a vacation. Yesterday he was a visitor at the Warner home office.

●

Ted Lewis will follow Helen Morgan into the State April 1. Ed Sullivan will headline the stage show beginning April 8; Horace Heidt, April 15, and Cab Calloway, April 22.

●

Mrs. Al Lichtman has returned from the coast. Lichtman was in St. Louis yesterday and is due back in New York either tomorrow or Friday.

●

Edward Schnitzer, Republic district manager, was in Pittsburgh yesterday and is in Cleveland today. He will return to New York tomorrow.

●

Harry Goldberg, director of Warner theatre advertising and publicity, is due back today from a quick trip to Washington.

●

Byron (Dinty) Moore returned yesterday from Homer, Ill., where he attended the funeral of his mother-in-law.

●

Keith Falkner, under contract to Warners in England, is now on a seven-week concert tour in this country.

●

John D. Clark, 20th Century-Fox general sales manager, returned yesterday from the coast.

●

Joel Levy, out-of-town booker for for the Loew circuit, is due back from his vacation April 1.

●

William Scully, Loew district sales manager, has returned from Miami.

●

Joseph D. Basson, president of Local 306, will return from Albany today.

●

Clarence Budington Kelland, has returned from the coast.

●

Sol Rosenblatt will return from the coast next week.

●

Jake Lubin of Loew's is due back from Miami today.

●

Buck Jones is in town from the coast.

●

William Rowland and H. E. Pommer arrive today on the *Paris*.

●

GEORGE CUKOR is due to return from a business trip to Washington today. He will leave Sunday for Atlanta, where he will confer with Margaret Mitchell, author of "Gone With the Wind." The director plans to remain in the south from one to two weeks.

●

Victor M. Shapiro flew to the coast last night. He was here for two weeks taking in the shows.

●

Fenn Kimball and Max Kravetz of General Pictures arrived from the coast yesterday.

●

Jean Rogers, Universal player, is in town for a vacation, stopping at the Edison.

●

. . . Pittsburgh

Harry Rees, United Artists salesman is mourning the death of his father.

John McGreevey, chief booker for the Harris circuit, has gone to St. Petersburg, Fla., to visit his wife and son.

Clarence Eiseman's son, 16, is abed with scarlet fever.

Jackie Heller is home for a short rest after three months of picture-making and vaudeville in England.

Mrs. Joe Feldman is back from New York and Mrs. Tony Stern from Parkersburg, W. Va.

Cullman Stops Roxy Three-week Bookings

Future attractions at the Roxy will not play more than two weeks unless business is extraordinary on the second stanza, according to a new policy adopted by Howard S. Cullman, trustee.

The first picture to be affected by the new ruling is "Top of the Town," which opens Friday and will be replaced after two weeks by "Soldier and the Lady," formerly titled "Michael Strogoff." The latter film also is dated for a fortnight.

Recent experiences by the theatre on "Three Smart Girls" and "One in a Million," which were held three weeks, prompted the new booking setup. Circuits in and around New York usually date in Roxy bookings two weeks from the time they open at the Broadway house. In several instances, major and independent circuits in the neighborhoods have been playing day-and-date with the third Roxy week.

Cullman feels it is not worth losing a week's protection by holding over pictures beyond a second week. The gross on the third week, it is figured, may amount to the same take, or lower than the first seven days of a new picture.

Plans Show for Blind

Blind children of New York will attend a special showing of "Elephant Boy," at the Rialto next Sunday morning through the courtesy of Arthur Mayer, operator of the house. Approximately 600 blind children will attend.

Columbia Changes Title

Hollywood, March 23.—"Two Gun Law" is the final title of the Columbia western formerly known as "A New Trail Ahead."

Quigley New Head of Keller-Dorian Board

George E. Quigley, fiscal agent for European financial interests which hold an option to acquire control of Keller-Dorian Colorfilm, was elected chairman of the board of Keller-Dorian yesterday, succeeding Bayard Colgate, resigned.

The election followed the acquisition of additional Keller-Dorian stock by the interests represented by Quigley, although the group has not yet completed its acquisition of control. Its option was extended from March 1 to Dec. 1, next, during which time its proposes to take up additional stock which is to be deposited by Bayard and Henry Colgate and William Celestin, whose total holdings represented 75 per cent of the outstanding Keller-Dorian stock, Quigley said.

Celestin continues as president of the company. Quigley was also elected a vice-president, and Henry Colgate was reelected vice-president. Lawrence Brown was reelected secretary and treasurer.

Grand National First Licensee

Eastman Kodak has failed to exercise its option to retain exclusive rights for the manufacture of raw stock to be used in the Keller-Dorian color process, as a result of which the company or its licensees may obtain raw stock from any manufacturer, Quigley said.

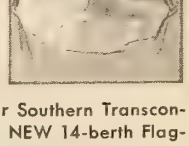
Grand National is the first company to be licensed by Keller-Dorian for the use of its process for feature production. Two Keller-Dorian cameramen will leave here for the coast on Saturday to begin work on Grand National's first feature employing the process, and a crew of technicians from the Keller-Dorian French laboratories will arrive on the *Ile de France* within the next week, en route to the coast in connection with the work for Grand National. The technicians will arrange for the manufacture of filters and other required camera equipment, will set up laboratories on the coast and train American cameramen, Quigley said.

Oscar Hanson Recovered

Toronto, March 23.—Ill since last November, Oscar R. Hanson, president of Empire Films, Ltd., Hanson Theatres Corp., and associated companies, has returned to his office in Toronto fully recovered.

TO LOS ANGELES
FLY "FIRST-CLASS"

SLEEP
Overnight
in new
FLAGSHIPS



Over the all-year Southern Transcontinental Route, in NEW 14-berth Flagship Sleepers; the most luxurious, quietest, longest-range planes. Fly on the AMERICAN MERCURY, 3 stops only.

Phone VAnderbilt 3-2580
or your travel agent
Ticket Office—45 Vanderbilt Ave.

AMERICAN
AIRLINES INC.

THEY WORK THE WAY HE TELLS 'EM..OR ELSE!

Here's that special brand of Davis dram you haven't had for a year, in the firs authentic screen slant on the "wron dames"—and what makes 'em that way! It' a pictureful of sensational ad angles—an biggest of 'em all is the great news tha

BETTE DAVIS

is back for good in

MARKED WOMAN"

with

HUMPHREY BOGART

LOLA LANE • ISABEL JEWELL • JANE BRYAN
EDUARDO CIANNELLI • MAYO METHOT
ROSALIND MARQUIS • Allen Jenkins • John Litel
Ben Welden • Henry O'Neill • Directed by LLOYD BACON
Songs by Warren and Dubin • A First National Picture

Here's One Bondage
Bette Couldn't Escape!

WARNER BROS.

Will Release It As Your Follow-Up Hit for "THE KING AND THE CHORUS GIRL"!

Resume Testimony On G.B. Dividend

(*Continued from page* 1)

taking of evidence before Justice Clauson in place of Justice Crossman.

The hearing was adjourned until tomorrow, following evidence in behalf of W. H. J. Drown, shareholder, whose contention was that the preference dividend could only be paid from capital. He alleged the company had a loss of £623,000 against a profit of £347,000.

The court declared that the audited balance sheet showed a profit, and that he had to be satisfied that that balance had vanished. If the £623,000 had been lost since March 3, 1936, there would be a loss of £400,000 after considering a special reserve of £200,000.

For the company it was stated that arrangements made would prevent losses recurring and show a profit, and that there was a general reserve of £500,000 and profits from other sources of £520,000. The plaintiffs abandoned their plea that the five to four vote of the board on the dividend was invalid, since another board meeting yesterday resulted in a second approval of the preference dividend by a vote of six to four.

Flash Previews

"Oh, Susanna!"—Western action and music combined in a story of a chase after an escaped murderer. The film should please.

"Navy Spy"—Tale of a naval officer on the trail of foreigners who have kidnaped a lieutenant and stolen Governmental secrets.

"California Straight Ahead"—Production technique is the strongest point of this story of the overland trucking business.

These films will be reviewed in full in a coming issue of Motion Picture Daily.

Charter Union in N. H.

New Haven, March 23.—A charter has been granted for a New Haven A. F. of L. union, it was revealed at a meeting of exchange employes last night.

FOR SUPER-SPEED USE AIR EXPRESS

Nation-wide. Covers the continent completely. Delivers day and night to 216 key cities and points between in the United States and Canada.

AIR EXPRESS
DIVISION
Railway Express Agency

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"San Quentin"

(*Warners*)

Hollywood, March 23.—Realistic human-interest melodrama characterizes this film. It is meaty material told in straight-from-the-shoulder fashion, and is adult fare.

The plot centers upon the efforts of an army officer to establish humane discipline in a penitentiary filled with desperate convicts. Convinced that the incorrigibles cannot be reformed, Pat O'Brien devotes his attention to giving inmates who show a desire to make a new start a chance to make good. His task is made difficult by the double-crossing and cruelty of Barton MacLane, a guard, and the fact that the girl he loves, Ann Sheridan, is a sister of a convict, Humphrey Bogart, upon whom O'Brien concentrates his character-building influences. His apparent favoritism causes the convicts to riot.

Bogart is given a road gang assignment with a group in which MacLane has dishonestly included Joseph Sawyer. MacLane is inflamed by Sawyer's insinuations that O'Brien's relations with his sister are not ethical. The escape of the pair precipitates a thrilling chase in which Sawyer is killed, O'Brien is shot by Bogart in Miss Sheridan's apartment, and MacLane is wounded by the police. Dying, he makes his way back to the penitentiary, where he begs the guards to tell the convicts who have hope for future reformation to play ball with O'Brien.

O'Brien, MacLane and Sawyer dominate the action, but Miss Sheridan is acceptable as the romantic element and Veda Ann Borg is impressive as the moll who arranges the road camp escape.

James Robbins, Joseph King, Gordon Oliver, Garry Owen, Marc Lawrence, William Pawley and Al Hill appear to good advantage in character roles.

The film is based on an original by Robert Tasker, John Bright, with the screenplay by Peter Milne and Humphrey Cobb. Lloyd Bacon's direction combines personal drama with exciting action.

Production Code Seal No. 2,752. Running time, 65 minutes. "A."

"Old Louisiana"

(*Derr-Crescent*)

Hollywood, March 23.—Merging fact and fiction, this romance action drama is a combination of elements that should stir popular interest. Well-produced, capably acted and directed, the picture moves smoothly. It should prove attractive in neighborhood and small town houses.

Events leading up to the Louisiana purchase are the background. To hold the territory for Spain, Gov. Carlos De Valdez imposes confiscatory taxes on American traders. As his acts work hardships on the pioneers, Robert Fiske, wily trader, aided by his sinister gunman, Raphael Bennett, attempts to incite the settlers to rebellion and thus seize the territory for himself. Into the picture comes Tom Keane. Detesting strife and bloodshed, his first duty is to calm the settlers and attempt to make an arrangement with De Valdez. The association leads to romance with the governor's daughter, Rita Cansino. Then, as Fiske's actions threaten open warfare, Keane proceeds to Washington to lay the plight of the settlers before President Jefferson (Allan Cavan). Commissioned to preserve order, Keane returns to the frontier. There he outmaneuvers Fiske, who has continued his efforts to stir up trouble and effects a deal with the governor which leads to the Louisiana purchase. Naturally there is a romantic finale for Keane and Miss Cansino.

John T. Nevilles's original is logical and it has been adapted by Mary Ireland in an intelligent manner. I. V. Willat's direction is pointed to capture the interest of thrill action fans. Tom Keane handles his role in pleasing style and the quality of support presented by the cast is high grade.

Production Code Seal No. 3,142. Running time, 60 minutes. "G."

Quits NSS for Warners

Boston, March 23.—Bert Rudnick, former booker for National Screen Service, has resigned to join Warners. Herbert Rice has joined National Screen to replace George Levy, named to Rudnick's post.

Dugan with New House

Dave Dugan is now identified with the Grand Central Theatre, which will be opened shortly in the Grand Central Terminal.

Wilkinson to Advance

Hollywood, March 23.—Advance Pictures has signed Steve Wilkinson to supervise all production. Wilkinson formerly was a Broadway producer.

To Open Bronx House

Leff-Meyers will open the Zenith, newest link in the circuit, on April 15. The theatre is situated at 170th St. and Jerome Ave., Bronx, and will seat 600.

Short Subjects

"Popular Science J6-4"

(*Paramount*)

Another issue of this series that should prove interesting. Shown are a few comic inventions, new kitchen aids, the development of the microscope, closeups of various baccilli and an exciting sequence showing the nitro glycerine technique in renewing the life of oil wells. Production Code Seal No. 2,882. Running time, 11 minutes. "G."

"Bad Housekeeping"

(*Radio*)

Edgar Kennedy's exasperation again registers favorably. A few of the laughs are expected, but generally they are original. The story illustrates Kennedy's adeptness at keeping house while his wife goes to the office. The setup is required for his evasion of a process server. Franklin Pangborn, Vivian Oakland, Harrison Green and Nell Roy are also involved in the farcical proceedings. Production Code Seal No. 2,674. Running time, 19 mins. "G."

"Saratoga Summers"

(*Van Beuren-Radio*)

Bill Corum takes the audience on a delightful trip about the New York resort with this short. His itinerary covers the famous old hotels, former gambling houses, luxurious estates, the spas, and finally winds up with exciting scenes of horse racing. It is beautifully filmed and well paced. Production Code Seal No. 01,196. Running time, 11 mins. "G."

"Coronation Preview"

(*Henry Matson*)

A gossipy and informative film that should satisfy audience curiosity about preparations for the impending royal ceremonies. The camera dashes about London giving glimpses of the route of the procession, landmarks, stands, historical trivia, places and prices of observation posts, castles, the jewels in the Tower and a little comic relief. It is pleasant stuff. No production code seal. Running time, 9 mins. "G."

"Manhattan Waterfront"

(*Van Beuren-Radio*)

The settings and movement in the waters surrounding Manhattan should be a novel change from routine travel fare. It is tastefully composed both in photography and narrative. The reel covers the many interesting places about the waterfront—bridges, shantytown, luxurious yacht landings and outmoded craft and the fish market. Production Code Seal No. 01,486. Running time, 10 mins. "G."

"Pathe Topics No. 5"

(*Radio*)

The four well selected items in this issue embrace comedy, travel, novelty and invention. In the order named there are shots of Raymond Knight doing a bit of English high jinks, fine compositions of Frisian Island scenes, a zoo in Florida where monkeys look in on caged humans, and various appliances for the fingertips working in the arts, etc. Reviewed without production code seal. Running time, 9 mins. "G."

Loew's-Para. Set for Talk On Franchise

(*Continued from page 1*)

with 1941-'42 films. A four-year deal would terminate at the same time of the 20th Century-Fox pact.

Sitting in on the Paramount-Loew deal will be Schenck, C. C. Moskowitz, Al Lichtman, Eugene Picker, for Loew's, and Neil F. Agnew, J. J. Unger and Milton M. Kusell for Paramount. This deal is for the Greater New York area.

Several weeks ago, before George J. Schaefer left for the coast, United Artists sales executives held two sessions with Loew's on a deal for next season's lineup.

Schaefer is understood to have demanded an increase in percentage terms provided in the 10-year deal expiring in June. According to the term contract, it is said, Loew theatres throughout the country were playing vaudeville in the majority of spots. In view of this, the percentage figure is said to have been 17 per cent of the gross.

Loew's has dropped vaudeville in virtually all of its theatres, but, it is said, the percentage figure has not been boosted. Schaefer, it is said, is asking a substantial increase on next season's product. The company's general policy is not to sell franchises to any circuit and it is doubtful whether Loew's will get more than a one-year deal with U. A.

Although United Artists has been unable to come to terms, a friendly feeling prevails. Another meeting is planned shortly after Schaefer and Schenck return from the west.

Both Paramount and U. A. expect to have their Loew deals set by the time annual conventions are held.

Powers-Hossfeld Head East

Los Angeles, March 23.—William T. Powers and Milton Hossfeld of National Theatres left today for New York after ironing out final details with Herman Wobber on the 20th Century-Fox product deal for 420 theatres in the circuit.

The annual sales convention of 20th Century-Fox will be held at the Ambassador here for four days starting May 31. A special car with the home office contingent and others who will board the train en route will leave New York on May 26.

A number of executives of National Theatres will attend the 20th Century-Fox meet, including Spyros Skouras, who will come on from the east.

Brown Heads W. E. Unit

London, March 12.—D. L. Brown, of the Continental distributing organization of Western Electric, has been placed in charge of a new public relations department established by W. A. Bach, managing director, as a consolidation of the advertising and publicity departments.

Harry Harris Joins Firm

Pittsburgh, March 23. — Harry Harris, a brother of John H. Harris, head of the Harris Amusement Co., is breaking in as a relief manager for the Pittsburgh houses.

48,200 Delawareans Plead Sunday Films

(*Continued from page 1*)

mington. The petitions were presented by John R. Fader, Speaker of the House; A. Joseph DeFiore of Wilmington, president of M.P.T.O. of Delaware and the Eastern Shore of Maryland; James T. Houghton of the State Federation of Labor, Frank Pappa, president of the Central Labor Union, and D. Hart, president of the State Federation of Labor.

The bill was introduced in the legislature several weeks ago by John P. Hamill of Wilmington. It also prohibits any employe to be employed for Sunday showings unless he has had at least 24 consecutive hours of rest during the preceding six days.

A number of church organizations are continuing their fight to prevent the enactment of the bill.

Reject Billboard Bill

Boston, March 23.—The House of Representatives today by a four to one vote sidestepped action on the billboard regulation bill, referring it to the next annual session.

The bill would have taken regulation of billboards from the State Dept. of Public Works and would have vested it in individual cities and towns. The Committee on Mercantile Affairs rejected the bill last week. The House refused to accept the adverse report at the time, but reversed itself today The bill has been a political football for several years.

Postpone Nebraska Hearing

Lincoln, March 23.—Heavy rains kept outstate exhibitors from appearing before the legislative committee today which was to hear testimony on a bill introduced by Senator Tracy Frost which calls for a 10 per cent tax on film rentals.

Charles Williams, M.P.T.O. head, and Regina Molseed, secretary of the Omaha Film Board of Trade, asked for and were granted a postponement.

Colorado Race Bill Up

Denver, March 23.—A bill legalizing pari-mutuel betting, horse and dog racing in the state, has been ordered printed by the Finance Ways and Means Committee of the Colorado house. The bill would limit meets to 60 days, not more than 120 at one track in a year, and limit the total for the state to 250 in a year. The state would tax meets $100 for a license, receive five per cent of the pool money and 10 per cent of admissions.

Kansas Tax Bill Killed

Kansas City, March 23.—The Kansas house of representatives has killed a social welfare bill containing provision for a two per cent tax on most retail sales, including admissions, all forms of advertising, trucks, telegrams, and utility services.

To Vote on Sunday Shows

Meadow Grove, Neb., March 23.—Wearied of complaints that lack of Sunday films is driving trade away from here, the Business Men's Club has persuaded the Town Council to put the issue to vote April 6.

Selznick Signs Howe

Hollywood, March 23. — James Wong Howe, cameraman, has been signed to a long-term contract by Selznick International.

ITOA to Fight New Albany Matron Bill

(*Continued from page 1*)

the measure before the Committee on Cities.

The Rossi measure calls for local option by municipalities in the state on the admission of unaccompanied children between the ages of eight and 16 to theatres, but requires that one matron be employed for each 35 children admitted. The specific terms of the matron clause of the bill are the cause of the opposition of theatre men.

Another similar measure, the Ehrlich bill, which is couched in virtually the same terms, but refers to cities with population of less than 1,000,000, and requires only one matron to each theatre, would receive the support of exhibitors, it was said yesterday. The Ehrlich measure is similar in effect to the present Joseph law in New York City, which has been in successful operation here for some months. It is believed here that if the Rossi measure were to become law, it also would refer to New York City, and would have the effect of nullifying the Joseph law, since it makes no mention of population limitation on the municipalities included.

Fined for Overcrowding

Toronto, March 23. — The overcrowding problem has once more become a matter of consideration among neighborhood houses—so much so that the police took action against Harry Ginsler, proprietor of the Iola. Magistrate Tinker found him guilty and imposed a fine of $20 and $4 costs.

Group to Work Up Equipment Show Is Urged

(*Continued from page 1*)

made the suggestion to Kuykendall, however, would be insistent about playing a greater part in the convention agenda. They feel it would be essential to change procedure from a free-for-all meandering of delegates to exhibits in hit-and-miss fashion to a definite half or full day turned over exclusively to inspection and explanation of new developments in the equipment field.

This, it so happens, is the identical idea advanced by Percy Phillipson, president of the General Register Corp., in his convention address. He explained the equipment display arranged in connection with the meetings of the Cinematograph Exhibitors' Ass'n in England each year brought out anywhere from 100 to 125 booths which not only defrayed convention costs, but, in some instances, had returned a profit as well.

Buy 4 Canadian Houses

Vancouver, March 23. — Famous Players Canadian Corp., has purchased theatres in Kelowna, Kamloops, Vernon and Chilliwack from R. E. Berry.

The houses have been operated by Famous Players for the past eight years on leases.

"DECENCY IN MOTION PICTURES"

by MARTIN QUIGLEY

THE NEW YORK TIMES says:

"Here is the story of the motion pictures' 'reform from within' as modestly told by the man who had most to do with giving that reform its effective instrument . . . the film industry's production code. This little book contains much clear information on a subject of wide interest."

ONE DOLLAR POSTPAID

Published by the MACMILLAN COMPANY
available at THE QUIGLEY BOOKSHOP
Rockefeller Center, New York City

A picture greater than words can tell!

"Every evidence the picture will score a boxoffice smash! Will take any audience by the heart and send it out inspired! Simone Simon's deeply moving performance carries her forward to wide appeal. Projects James Stewart to unquestionable star status!"

—*Daily Variety*

"Should prove magic at the boxoffice. Fine, deeply moving romance, brought to exquisite life for cycle of sweeping popularity. Simone Simon and James Stewart are superb!"

—*Hollywood Reporter*

SIMONE SIMON
and
JAMES STEWART
in

'SEVENTH HEAVEN'

with JEAN HERSHOLT
GREGORY RATOFF
GALE SONDERGAARD • J. EDWARD BROMBERG • JOHN QUALEN • VICTOR KILIAN • THOMAS BECK • SIG RUMANN
MADY CHRISTIANS

Directed by Henry King
Director of "Lloyds of London"

Associate Producer Raymond Griffith.
Screen play by Melville Baker. Adapted from the stage play "Seventh Heaven" produced and directed by John Golden. Written by Austin Strong.

Darryl F. Zanuck in Charge of Production

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

◂ Radio Personals ▸

PHILIP I. MERRYMAN, for the past 10 years operations supervisor for NBC in Washington, yesterday joined the New York station's relations department . . . Segar Ellis' orchestra and vocalist Irene Taylor signed to a Rockwell-O'Keefe contract . . . The Mills Brothers set for the WOR "9 O'clock Revue" this Sunday . . . Richard Crooks will not appear on the "Ford Sunday Evening Hour" this week, due to an attack of laryngitis. He will be replaced by Richard Bonelli . . . Stuart Erwin, Dale Carnegie and Alec Templeton set for the Joe Cook program Saturday night . . . Shirley Ross will replace Frances Langford on "Hollywood Hotel" Friday, due to the latter's illness . . .

* * *

Bob Allen, baritone, of Hal Kemp's band, cracked three ribs the other night. . . . Niela Goodelle opens at the Paramount today, and has signed for a guest spot on the Ed Wynn show. . . . Carl Hoff will relinquish the CBS "Hit Parade" baton to Mark Warnow Saturday, and will follow Horace Heidt into the Biltmore with a Mutual wire. . . . Eddie Dowling and Ray Dooley will be Joe Cook's guests Saturday. . . . Carlton KaDell, announcer for Amos 'n' Andy, now narrating for film shorts. . . . Ted Lewis will be Kate Smith's starring guest April 1. . . . Lowell Thomas will step out of his role as commentator to re-enact a few of his adventures on the "Moments You Never Forget" program over WOR Saturday. . . .

* * *

Clayton Colyer, romantic interest on the "Pretty Kitty Kelly" series, is June Colyer's brother. . . . Duke Slohm of Buffalo radio visiting at WMCA to study the "High School Reporter" program. . . . Grace Moore will broadcast from Hollywood beginning April 17. . . . Charles Kullman, Met tenor, will support Jessica Dragonette March 24. . . . "All Star Varieties," WOR, will have East and Dumpke as featured guests Saturday. . . . Dorothy Knox is a new addition to the "Your Unseen Friend" cast on CBS. . . . Mary Boland set for the "Saturday Night Party." . . . Bob Hope and Tony Sarg added to the Vallee cast for tonight. . . .

* * *

Frank Healey, of the NBC press staff, will leave for Hollywood March 31 to join his wife, now under contract to 20th Century-Fox . . .

Heatherton Gets Contract

Ray Heatherton, who has been singing on the WOR "9 O'clock Revue" on a week-to-week basis, has been signed to a run-of-the-program contract. Schaefer Beer sponsors; Batten, Barton, Durstine and Osborn is the agency.

LEO SAYS:
Don't miss Vincent Richards' description of the tennis matches tonight on WHN at 9 P.M.
WHN DIAL 1010 AFFILIATED with M-G-M • LOEW'S

New Shows on the Air

"Mason and Dixon"

Sweetly sentimental is the new WMCA sustaining opus, "Mason and Dixon," featuring Bob Mason in southern folksongs against an organ background supplied by George Dixon.

Mason is the possessor of an excellent baritone voice, and his Negro spirituals pull pleasantly on the heartstrings. The program easily would lend itself to sponsorship of a limited type. An effective touch is rendered by the reading of a text, presumably from the Bible, at the close of the broadcast.

The series is heard over WMCA Tuesdays, Thursdays and Fridays at 10:45 A. M., E.S.T. BANNER

"Deutsches Lied"

CINCINNATI, March 23.—"Deutsches Lied," a new 30-minute sustaining program over WCPO, Scripps-Howard station, operated by the *Cincinnati Post,* had its initial airing Monday at 7:45 P. M., E. S. T. It consisted of German folk songs and music by German artists directed by Robert Korst. The Teutonia Male Choir, founded in 1862, and celebrating its 65th jubilee on the night of the broadcast, appeared as guest artists.

The various numbers, rendered in style typical of the country of origin, appealed to the local German listeners. From the standpoint of harmony and melody the programs will be enjoyable for the average dialer with an appreciation of music, but to those not able to understand the language, much of the effect of the vocal numbers will be lost.

"The Deutsches Lied" series will be aired on Mondays, Wednesdays and Fridays at the same hour.

Zora Layman, Vocalist

CINCINNATI, March 23.—Zora Layman, former NBC vocalist, latest addition to the Crosley family, presents what is labeled a new type of program, consisting of songs of all varieties, ranging from modern blues numbers to westerns and comedy tunes and sentimental ballads, each handled with equal facility. Her numbers are arranged by Herbie Claar, who accompanies her on the piano, and engages in brief chatter. Miss Layman has a clear, pleasing voice, free from affectation, in both her singing and talking routine, the latter being of the "intimate" type which is put over with considerable feeling and appeal. Her enunciation is above the average. The program throughout compares favorably with others in the same category.

Heard locally over WSAI, Tuesdays, Thursdays and Saturdays, at 7 P. M., E. S. T. A sustainer until a sponsor comes along.

Many Air Programs Fading for Summer

The summer exodus in radio is now underway.

"Musical Camera," sponsored by International Silver, fades from the air April 18. The series is heard Sundays at 4:30 P. M., E.S.T. on NBC-Red. N. W. Ayer & Son is the agency.

"Adventures of Captain Diamond," heard on the NBC-Blue web at 3 P. M., E.S.T. Sundays, will not be renewed beyond its present contract period, which ends April 18. Benton & Bowles is the agency. Diamond Salt is the sponsor.

"Iodent Dress Rehearsal," sponsored by Iodent Toothpaste, heard Sundays at 11:30 A. M., E.S.T. leaves the NBC-Blue network April 25. Mason, Inc., is the agency.

Other NBC programs which will fade shortly are the "Log Cabin Revue," sponsored by Log Cabin Syrup, the Edwin C. Hill program sponsored by the Real Silk Hosiery Mills, and the Warden Lawes program sponsored by Sloan's Liniment. The Helen Hayes program faded this week.

Report WDSU Deal Off

According to a report, the deal to bring WDSU, New Orleans station, into the NBC-Blue network has fallen through. Joseph H. Uhalt, president of the southern station, and P. K. Ewing, vice-president and general manager, who were here consulting with NBC officials, have returned to New Orleans.

Beebe to Esquire Series

According to a report last night, Lucius Beebe, *Herald-Tribune* columnist, has been signed as "em cee" for the forthcoming *Esquire* program on WOR.

FCC Receives Three More Applications

WASHINGTON, March 23.—The F. C.C. has received applications from KOY, Phoenix, Ariz., for increase of night power to 1,000 watts, and from Galesburg Broadcasting Co., Galesburg, Ill., for a new 1,500-kilocycle, 250-watt station.

The commission also received an amended application from WWVA, Wheeling, W. Va., for authority to move its transmitter from that city to Richmond Town, O., and a change of frequency to 1,140 kilocycles.

WMCA Adds Five Accounts

Five new accounts have been signed for WMCA presentation.

Continental Baking Co., through Benton & Bowles, set for 10 announcements, plugging Wonder Bread.

Washington State Apples, through J. Walter Thompson, 26 announcements, to be heard daily except Sundays.

Alkine Laboratories, through the Schillin Advertising Corp., daily announcements for "Flemolyn," a cough remedy, for a 52-week period. Also through Schillin, a dance marathon from the Brooklyn Ice Palace, to begin either March 29 or April 15, until the end of the contest.

Vapoo Products Co., for "Vapoo" Cleaner, sponsoring Kurt Haessler in "Home Talks" for 13 weeks. The contract was placed direct.

Renew "Homemakers' Exchange"

Eleanor Howe's "Homemakers' Exchange," heard Tuesdays and Thursdays from 11:45 to 12 noon on the CBS network, has been renewed until June. Ice Industries is the sponsor. Donahue & Coe is the agency.

Broadcasting Plans For Coronation Set

Final arrangements for broadcasting the coronation of King George VI in London, May 12, have been completed by CBS in arrangement with the BBC.

During the actual ceremonies, CBS will have two exclusive microphones strategically placed outside Buckingham Palace and Westminster Abbey. Other commentators will be placed at points of vantage along the processional route, and within the Abbey itself.

The broadcast will begin at approximately 5:30 A. M., E.D.S.T. On the ride to the Abbey, microphones at the Victoria Memorial, at the Cenotaph and outside the Abbey will bring a description of the scenes.

Within the Abbey an announcer will describe the coronation, followed by a description of the procession back to the palace. This route will be covered with microphones on the Embankment, in Trafalgar Square, at St. James's Palace, and in Piccadilly Circus. The climax will be reached when the King broadcasts official greetings from the palace balcony. This will be heard over CBS at approximately 3 P. M., E.D.S.T.

Renew "Five-Star Final"

"Five Star Final," WMCA and Inter-City network dramatized news program, has been renewed for another year by Remington Rand. The contract is for five nightly broadcasts of 15 minutes each, and a Sunday broadcast of half an hour. In addition to the Inter-City stations, WORK, York, Pa., will carry the program. WORK has been considering joining Inter-City for some weeks.

National Silver Signs Kaufman

Confirming an earlier report here, Irving Kaufman was signed yesterday by the National Silver Co. for a new WOR series to begin March 28, from 11:30 to 12 noon. Kaufman will be supported by Louis Wilcher, organist, and Pauline Alpert, pianist. The contract, for 52 weeks, was handled direct.

Jesse Butcher Joins NBC

Jesse Butcher, formerly head of the CBS publicity department, yesterday joined the station's public relations staff at NBC. Prior to assuming his present position, Butcher maintained his own production and talent agency.

"Jazzters" to Start Tonight

A new vocal trio, "The Three Jazzters," will make their bow on WHN tonight, when they appear at midnight for a 15-minute broadcast. Thereafter they will be heard Thursdays, Fridays and Saturdays at the same time.

Reveal More NBC Figures

The latest piece of NBC promotion reveals that advertisers invested $5,452,890 in daytime hours, Sundays not included. In 1936 the daytime investment by sponsors aggregated $7,695,482, an increase of more than 41 percent.

Mary Garven to Taplinger

Mary Garven, assistant to Paul Rickenbacker, manager of KNX, CBS west coast station, has resigned to assume management of the Bob Taplinger office in Hollywood.

RenewRequest For Air Probe By Congress

(Continued from page 1)

explaining that we have not eliminated private ownership or its equivalent in radio channels as well as the undesirable trafficking in radio licenses with all the possibilities with which we have been familiar in the past in other fields for the capitalization of earnings and profits to the detriment of the American people."

Wigglesworth charged that stations have been transferred for considerations far in excess of their replacement cost. He declared that one of the most striking cases of this character was the transfer of KNX, Los Angeles, to CBS. The replacement value of the station was about $217,000 and, after the deduction of accounts receivable, cash and good will, the value of the physical property was about $63,000, but the consideration paid for the assignment was $1,250,000. He also cited the lease of a station with a replacement value of less than $500,000 for $219,000 a year for seven years.

Cites Possibility of Scandal

"These transactions, in the absence of further explanation, appear to indicate that we have failed thus far to bring about either the elimination of private ownership or its equivalent in radio channels or the undesirable trafficking in radio licenses," he said. "Unless this is accomplished the opportunity remains for the capitalization of Government gratuities and for all the scandals of the past in other fields."

"A thorough and impartial investigation into the entire situation should serve to establish the extent and effects of monopoly in the broadcasting field. It should serve to determine the extent to which the elimination of private ownership and trafficking in licenses have been accomplished. It should serve to throw light on the proper manner of program control. It should serve to determine the earnings of the industry, whether or not rates charged are reasonable, and what contribution, if any, the industry may fairly be asked to make to the Federal treasury. The industry today is dependent for its very existence on Federal license, yet it commands a gross income which has been estimated for 1937 as amounting to between $125,000,000 and $135,000,000," Wigglesworth said in conclusion.

Action on the resolution by the committee was postponed until a later meeting.

Aid Safety Drive on Air

CINCINNATI, March 23.—Cooperation with the Cincinnati Safety Dept. campaign to end reckless driving is a feature of the "Taxicab Night" program, heard twice weekly over WCKY, and sponsored by Taxicabs of Cincinnati, Inc. The contract has just been renewed for 52 weeks.

Mary Goodrich Quits Agency

Mary Goodrich, formerly in charge of publicity for the Pendleton-Dudley agency, has resigned to assume supervision of publicity for the Greater Texas and Pan American Exposition.

Brandt Impressed

"Allow me to congratulate you on the radio news you carry in *Motion Picture Daily.* Motion picture theatres are so closely aligned with the radio industry that theatre owners must be kept up-to-date with what is happening in that industry. Your paper is covering the radio field remarkably well."—*Harry Brandt,* president, Independent Theatre Owners Ass'n of New York City.

Catchings Says New Unit Not for Radio

Waddill Catchings, Warner director who has been given an option to acquire a 49 per cent interest in a Warner subsidiary for the exploitation of patents owned by the company, denies that the agreement was related in any way to radio, or to broadcasts of recordings from Warner pictures.

"The importance of the agreement has been greatly over-rated," Catchings said. "It relates simply to a variety of patents developed by a former employe which have never been utilized commercially, but which might have value if properly exploited. Under the agreement, a subsidiary would be formed to exploit the patents. In the event that I spend $510,000 for this purpose during the next five years, I would receive an option to purchase for $490,000 a 49 per cent interest in the subsidiary. The company has not even been formed and there is only a vague possibility that it will be. In any event, it would have no relation to radio broadcasting."

Catchings was asked specifically whether the agreement involved Warners' reported plans for making excerpts from its musicals and other productions available for radio broadcasts.

Baker on KIRO Programs

SEATTLE, March 23.—Gene Baker has been named program director of KIRO, which will become a CBS affiliate next fall. Baker's radio work began 11 years ago in Portland, and since that time he has written radio copy and shows, served as assistant musical director for CBS and NBC stations, and has appeared as vocalist on programs with Stoopnagle & Budd, Freddie Rich's band and Frank Black's orchestra.

Bernie Back on Air April 13

HOLLYWOOD, March 23.—Ben Bernie, who left for Florida Tuesday, will return to Hollywood for his broadcasts on April 13.

Eddie Cantor will be his guest on the first program.

Murray Starts Rehearsals

HOLLYWOOD, March 23.—Ken Murray and Oswald have started rehearsals for Murray's new air show which goes on the CBS network March 31.

Campbell's Soup is sponsoring the series.

Gregory Ratoff with Cantor

HOLLYWOOD, March 23.—Gregory Ratoff has been penciled in for a guest starring spot on the Eddie Cantor show next Sunday.

Roxy Needs Wizard, Accountant Asserts

Charles A. Bennett, Roxy accountant, testifying before Special Master Addison S. Pratt in the hearings on the Roxy Theatre plan of reorganization, yesterday said it would require a wizard to restore the theatre to its former earning capacity. Profits from the opening to the date of receivership were placed at $1,862,598. Earnings for the reorganized corporation would have to be at least $500,000 annually before deduction for depreciation, taxes and interest if a reasonable return on the common stock were to be realized, according to Bennett.

Answering a contention of the Tipton bondholders' committee, Bennett declared that good pictures were far more important than good stage shows. The present management is now following the policy of the late S. L. Rothafel and building the stage show around the picture. Management charges should be between $50,000 and $75,000 a year, according to Bennett.

Discusses Admission Prices

The expense of the original $10,500,000 financing of the Roxy was placed at $936,298. First mortgage bonds amounting to $4,250,000 cost $488,750. Five year gold notes of $2,500,000 cost $272,548, 125,000 shares of Class A stock and 122,500 shares of common were sold for $3,750,000. A total of 202,500 shares of common and $175,000 in cash were given to Herbert Lubin and 25,000 shares of common to the Associated Holding Corp. for obtaining the first mortgage loan and the sale of the stock. Bennett said he believed admission prices could be raised after 6 P.M. but said it would be the height of folly unless better pictures were obtained.

RKO Signs First Big Deal for New Season

(Continued from page 1)

the independent circuit, attached their signatures to the pact.

Approximately 80 theatres in New York, Ohio and Kentucky are included in the franchise, which calls for the circuit to play all features, newsreels, shorts, March of Time and Life subjects.

This is the first product deal for the circuit as the current season winds up. Some time ago franchises were set with Paramount and 20th Century-Fox.

B'way Spurt Shown By Revenue Bureau

(Continued from page 1)

collections for February in the third New York district were $558,620 against $498,924 in January.

The larger part of the increase was accounted for by collections at the box-office, which for February were $476,932 against $425,863 during the preceding month.

Other collections were listed by the bureau as follows: Free or reduced-rate admissions, $7,551 against $10,374; tickets sold by brokers, $14,047, against $13,345; tickets sold at the box-office in excess of the established price, $5,052 against $2,898; permanent use of boxes and seats, $14 against $9, and admissions to roof gardens and cabarets, $55,023 against $46,435.

"Larceny" and Show Seattle Hit, $8,400

SEATTLE, March 23.—Larceny on the Air," with A. B. Marcus' "Fantasy D'Orient" on the stage of the Palomar, turned in a huge $8,400, over normal by $3,900, but every other house was below normal, except the Fifth Avenue.

"Swing High, Swing Low" pulled $7,600 at the Fifth Avenue.

Total first run business was $35,650. Average is $36,500.

Estimated takings for the week ending March 19:

"SEA DEVILS" (RKO)
"ESPIONAGE" (M-G-M)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Paramount. **Gross:** $3,400. (Average $4,000)

"SWING HIGH, SWING LOW" (Para.)
"THE MIGHTY TREVE" (Univ.)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $7,600. (Average, $7,000)

"MEN ARE NOT GODS" (U.A.)
"PAROLE RACKET" (Col.)
LIBERTY—(1,800), 15c-25c-40c-55c, 7 days. **Gross:** $4,400. (Average. $5,000)

"LAST OF MRS. CHEYNEY" (M-G-M)
"RACING LADY" (RKO)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $3,700. (Average, $4,000)

"READY, WILLING AND ABLE" (W.B.)
ORPHEUM—(2,450), 25c-35c-40c, 7 days. Vaudeville headed by Irene Vermillion & Co. **Gross:** $5,950. (Average, $6,000)

"LARCENY ON THE AIR" (Republic)
PALOMAR—(1,500), 25c-35c, 7 days. Stage: A. B. Marcus' "Fantasy D'Orient." **Gross:** $8,400 (Average, $4,500)

"JOHN MEADE'S WOMAN" (Para.)
"HEAD OVER HEELS IN LOVE" (G.B.)
PARAMOUNT — (3,050), 25c-30c-40c, 7 days. **Gross:** $5,200. (Average, $6,000)

"Swing High" Best Louisville Grosser

LOUISVILLE, March 23. — "Swing High, Swing Low" and "Murder Goes to College" at the Rialto did top business with a take of $7,000. This was $2,500 over par.

All other first runs felt the Lenten slump. Snow over the weekend left the streets slushy and made traffic conditions hazardous.

Total first run business was $23,800. Average is $22,400.

Estimated takings for the week ending March 18:

"LAST OF MRS. CHEYNEY" (M-G-M)
BROWN—(1,500), 15c-25c-40c, 7 days, 2nd downtown week. **Gross:** $2,200. (Average, $2,500)

"STOWAWAY" (20th-Fox)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
"ONE WAY PASSAGE" (W.B.)
"GO WEST YOUNG MAN" (Para.)
KENTUCKY—(900), 15c-25c, 7 days, split week. **Gross:** $2,100. (Average, $1,700)

"WHEN YOU'RE IN LOVE" (Col.)
"MAN OF THE PEOPLE" (M-G-M)
LOEW'S STATE—(3,000), 15c-25c-40c, 7 days. **Gross:** $5,300. (Average, $5,500)

"THE GREAT O'MALLEY" (W.B.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days. **Gross:** $3,100. (Average, $3,500)

"UNDER TWO FLAGS" (20th-Fox)
"ROOFTOPS OF MANHATTAN" (W.B.)
"REMEMBER LAST NIGHT" (Univ.)
"SPLENDOR" (U.A.)
OHIO—(900), 15c, 7 days, split week. **Gross:** $900. (Average, $1,200)

"SWING HIGH, SWING LOW" (Pára.)
"MURDER GOES TO COLLEGE" (Para.)
RIALTO—(3,000), 15c-25c-40c, 7 days. **Gross:** $7,000. (Average, $4,500)

"WHEN'S YOUR BIRTHDAY" (RKO)
"CRIMINAL LAWYER" (RKO)
STRAND—(1,500), 15c-25c-40c, 7 days. **Gross,** $3,200. (Average, $3,500)

"John Meade," Show, $24,700 Hit, Chicago

CHICAGO, March 23.—"John Meade's Woman," with the "Stars and Strips" featuring Ann Pennington, June St. Clair and Rosita Royce, was the outstanding attraction in the Loop last week. Playing to adults only, the Oriental grossed $24,700 for the week. Average is $15,000.

"Lost Horizon" opened at the Erlanger for a three-week engagement and drew very well. The gross was $12,600, well over average. "Good Earth," in its fourth week at the Apollo, continued strong.

The weather was fair most of the week. Business was off generally.

Total first run business was $137,700. Average is $130,500.

Estimated takings:

Week Ending March 18:

"GOOD EARTH" (M-G-M)
APOLLO—(1,400), 50c-$1.50, 2 shows daily, 4th week, 7 days. **Gross:** $9,500. (Average, $9,000)

"WHEN YOU'RE IN LOVE" (Col.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: "Best Cellars of 1937." **Gross:** $26,500. (Average, $32,000)

"JOHN MEADE'S WOMAN" (Para.)
ORIENTAL—(3,490), 35c-55c, 7 days. Stage: "Stars and Strips" Revue. **Gross:** $24,700. (Average, $15,000)

"WHEN'S YOUR BIRTHDAY?" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: "World's Fairest" Revue. **Gross:** $17,000. (Average, $19,000)

Week Ending March 19:

"READY, WILLING AND ABLE" (W.B.)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $7,700. (Average, $6,500)

"THE LAST OF MRS. CHEYNEY (M-G-M)
ROOSEVELT—(1,591), 35c-55c-75c, 7 days, 2nd week. **Gross:** $12,900. (Average, $11,000)

"UNDER COVER OF NIGHT" (M-G-M)
STATE-LAKE—(2,776), 20c-35c-40c, 7 days. Stage: "Casino Continental" Revue. **Gross:** $13,800. (Average, $13,000)

"ROMEO AND JULIET" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $13,000. (Average, $15,000)

Week Ending March 20:

"LOST HORIZON" (Col.)
ERLANGER—(1,200), 50c-$1.50, 7 days, 2 shows daily. **Gross:** $12,600. (Average, $10,000)

Grace Moore Only New Haven Grosser

NEW HAVEN, March 23.—The pre-Easter slump was felt more keenly last week. "When You're in Love" and "Find the Witness" at the Poli grossed $7,600, over par by $600.

The College, with the aid of an excellent weekend, hit $3,200, $400 over the line, with "The Plough and the Stars" and "Under Cover of Night."

Total first run business was $18,500. Average is $19,300.

Estimated takings for the week ending March 19:

"PLOUGH AND THE STARS" (RKO)
"UNDER COVER OF NIGHT" (M-G-M)
COLLEGE — (1,499), 25c-35c, 7 days. **Gross:** $3,200. (Average, $2,800)

"TWO WISE MAIDS" (Republic)
"THE WOMAN ALONE" (G.B.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $4,000. (Average, $4,800)

"WHEN YOU'RE IN LOVE" (Col.)
"FIND THE WITNESS" (Col.)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $7,600. (Average, $7,000)

"MEN ARE NOT GODS" (U.A.)
"BREEZING HOME" (Univ.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $3,700. (Average, $4,700)

Out Hollywood Way

HOLLYWOOD, March 23.—WALTER WANGER has started a talent school with WALTER CLURMAN in charge and 12 models as pupils.

JOE CAITS, formerly of the Caits Brothers vaudeville act, signed by GEORGE HIRLIMAN for "Looking for Trouble," GEORGE O'BRIEN'S next. . . . M-G-M to start two musical shorts, "The Canary Comes Across" and "Carnival," April 1. . . . JEAN ARTHUR due back on Paramount lot April 22 to start "Easy Living." . . . CHARLES GORIN calls off concert tour to meet schedule on "Broadway Melody of 1937," M-G-M.

"On with the Dance" set for GEORGE RAFT at Paramount. . . . CLAUDIA DELL to play opposite KEN MAYNARD in "Boots of Destiny," Grand National. . . . 20th Century-Fox drops "Thin Ice" as next for SONJA HENIE and substitutes "His Majesty's Car". . . RAY HOADLEY joins Universal publicity department.

CLAUDE RAINS receives second citizenship papers. . . . ANN SOTHERN back from Chicago visit. . . . EDWARD L. ALPERSON, Grand National president, signs STUART ERWIN to two-picture contract, first to be "Small Town Boy."

✚

Casting—GRANT MITCHELL in "The Life of Emile Zola," Warners. . . . SPRING BYINGTON in "The Road Back," Universal. . . . ALAN MOWBRAY, JEROME COWAN and ALMA KRUEGER in "Walter Wanger's Vogues of 1936" . . . JOHN CARRADINE in "One Mile from Heaven," 20th Century-Fox.

MONTAGU LOVE in "The Life of Emile Zola," Warners. . . . RAYMOND MASSEY in "Hurricane," SAMUEL GOLDWYN. . . . LEE PATRICK in "Stage Door," RKO. . . . LEROY MASON in "It Happened Out West," Principal.

✚

Writers—At Radio, IRWIN SHAW assigned to "Puzzle for Fools," VIOLA BROTHERS SHORE to "Three on a Latchkey," and RON FERGUSON to "The Seeing Eye" . . . JOEL SAYRE, under contract to RKO, loaned to Columbia. . . . FERDINAND RAYHER on screenplay of WILLOUGHBY SPEYERS' original, "Certified," RKO. . . . HOWARD LINDSAY and RUSSELL CROUSE on screenplay for "The Big Broadcast of 1938," Paramount. . . . MONCKTON HOFFE, M-G-M writer, leaves to attend coronation. . . . GEORGE OPPENHEIMER assigned to "The Umbrella Man," M-G-M. . . . VIRGINIA FAULKNER to adapt "You Made a Bargain," M-G-M.

✚

Story Buys—VIRGINIA KELLOGG'S "Honeymoon in Reno" acquired by SAMUEL GOLDWYN. . . . FREDERICK STEPHANI'S "Moonstruck," purchased by 20th Century-Fox.

"Swing High," Show, $26,000 Tops Detroit

DETROIT, March 23.—"Swing High Swing Low," with a stage show, at the Michigan garnered $26,000 on the week, leaving par $6,000 astern.

"Nancy Steele Is Missing," with Ethel Shutta heading a vaudeville bill, reached $25,500, over the line by $5,500, at the Fox. "Ecstacy" at the Downtown took a big $14,500.

Sit-down strikes reduced grosses.

Total first run business was $92,700. Average is $77,500.

Estimated takings for the week ending March 18:

"ON THE AVENUE" (20th-Fox)
(2nd week)
"BREEZING HOME" (U)
(1st week)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $4,800. (Average, $5,000)

"NANCY STEELE IS MISSING"
(20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Ethel Shutta, Burton Pierce, Four Trojans, Jeans & Gower. **Gross:** $25,500. (Average, $20,000)

"SWING HIGH, SWING LOW" (Para.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Neila Goodelle, Rex Weber, Harris & Howell, 7 Royal Uyenos, Mattison's Rythmaniacs. **Gross:** $26,000. (Average, $20,000)

"YOU ONLY LIVE ONCE" (U. A.)
"PARK AVENUE LOGGER" (RKO)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $3,200. (Average, $5,000)

"LAST OF MRS. CHEYNEY" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days, 2nd week. **Gross:** $11,200. (Average, $10,000)

"MICHAEL STROGOFF" (RKO)
MADISON—(2,000), 15c-65c, 7 days. **Gross:** $7,500. (Average, $10,000)

"ECSTASY" (Eureka)
DOWNTOWN—(2,950), 40c-65c, 7 days. **Gross:** $14,500. (Average, $7,500)

"Swing High" Kansas City Top, $12,800

KANSAS CITY, March 23.—"Swing High, Swing Low" ran the Mainstreet gross up to $12,800, over par by $4,100, and the picture, with "Outcast," was moved to the Newman for a second week.

Other first runs felt the competition of the Food Show, March 14-20, in the Municipal Auditorium, which drew over 100,000, with liberal sample giveaways and Irene Rich, Gene & Glenn, and Benny Meroff's band.

"Off to the Races," with a stage show, gave the Tower $400 over its $7,000 par. "Love is News," in its second week at the Uptown, grossed $4,500, average for eight days.

Total first run business was $38,200. Average is $38,700.

Estimated takings:

Week Ending March 18:

"SWING HIGH, SWING LOW" (Para.)
"OUTCAST" (Para.)
MAINSTREET—(3,100), 25c-40c, 8 days. **Gross:** $12,800. (Average, 8 days, $8,700)

"A FAMILY AFFAIR" (M-G-M)
"PAROLE RACKET" (Col.)
MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $8,000. (Average, $11,500)

"THE PLOUGH AND THE STARS"
(Radio)
"THEY WANTED TO MARRY" (Radio)
NEWMAN—(1,900), 25c-40c, 7 days. **Gross:** $5,500. (Average, $7,000)

"OFF TO THE RACES" (20th-Fox)
TOWER—(2,200), 25c-40c, 7 days. Stage: Ada Brown & Co., Dale Winthrop, Dick & Leota Nash, and Paul Nolan. **Gross:** $7,400. (Average, $7,000)

"LOVE IS NEWS" (20th-Fox)
UPTOWN—(2,000), 25c-40c, 8 days. **Gross:** $4,500. (Average, 8 days, $4,500)

"Horizon" 2d Week High in San Francisco

SAN FRANCISCO, March 23.—"Lost Horizon" continued to set a fast pace in its second week at $1.65 top at the Geary. The $13,400 take was $3,400 over normal at regular admission prices.

"The Good Earth," the other roadshow attraction, slipped to $9,800 in its third week at the St. Francis.

"Swing High, Swing Low," with "Time Out for Romance," went $1,000 into the profit column on a take of $17,000 at the Fox. "Maytime" at the Paramount, "Nancy Steele Is Missing" and "Wings of the Morning," at the Warfield and "The Man Who Could Work Miracles" at the United Artists also were in the profit column.

Total first run business was $99,400. Average is $99,000.

Estimated takings:

Week Ending March 16:

"DEVIL ON HORSEBACK" (G.N.)
"THEY WANTED TO MARRYY" (RKO)
EMBASSY—(1,400), 15c-30c-35c, 7 days. **Gross:** $2,700. (Average, $4.500)

"LOST HORIZON" (Col.)
GEARY — (1,400), 55c-88c-$1.10-$1.65, 7 days, 2nd week. **Gross:** $13,400. (Average, $10,000)

"PLOUGH AND THE STARS" (RKO)
GOLDEN GATE—(2,850), 15c-30c-35c-40c-55c, 7 days. Stage: vaudeville. **Gross:** $16,800. (Average, $16,000)

Week Ending March 17:

"SWING HIGH, SWING LOW" (Para.)
"TIME OUT FOR ROMANCE" (20th-Fox)
FOX — (5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $17,000. (Average, $16,000)

"WHEN YOU'RE IN LOVE" (Col.)
"BREEZING HOME" (Univ.)
ORPHEUM — (2,400), 15c-30c-35c-40c, 7 days, 3rd week. **Gross:** $5,200. (Average, $9,500)

"MAYTIME" (M-G-M)
PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $13,600. (Average, $13.000)

"GOOD EARTH" (M-G-M)
ST. FRANCIS—(1,400), 55c-88c-$1.10-$1.65, 7 days, 3rd week. **Gross:** $9,800. (Average, $10,000)

Week Ending March 18:

"NANCY STEELE IS MISSING"
(20th-Fox)
"WINGS OF THE MORNING" (20th-Fox)
WARFIELD — (2,680), 15c-30c-35c-40c-55c-75c, 8 days, 2nd week. **Gross:** $13,400. (Average, $13,000)

Week Ending March 19:

"TALES OF VIENNA WOODS"
(Vienna Films)
CLAY—(400), 15c-35c, 7 days. **Gross:** $1,300. (Average, $1,000)

"MAN WHO COULD WORK MIRACLES" (U.A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days. **Gross:** $6,200. (Average, $6,000)

Air Shipments Increase

Air express shipments of films and news photos handled at New York during February accounted for 15.5 per cent of the total air express shipments here, according to Railway Express Agency records. There were 3,167 such shipments, or an increase of 1,111 over February, 1936.

Robbins, Dembow Tour

MIAMI BEACH, March 23.—Herman Robbins, president of National Screen Service, and George Dembow, general sales manager, have left Miami Beach for Atlanta, New Orleans, Dallas and Los Angeles on a sales tour. They return to New York the end of April.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

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Losses of GB Seen Basis of Maxwell Suit

ABP Head Declines All Comment on Action

By BRUCE ALLAN

LONDON, March 24.—Film circles here were humming today with comment on the action brought by John Maxwell against the Ostrer brothers charging breach of agreement and misrepresentation in the sale to him of the non-voting shares of Metropolis & Bradford Trust, and out of the welter of speculation several viewpoints on the reason for the action emerged.

One of the most pronounced views held that Maxwell's action is based on the fact the Ostrers allegedly sold the shares in M. & B., which controls 57 per cent of Gaumont British, on the representation that G. B. was returning a profit, whereas actually it was sustaining losses.

Maxwell himself declined all comment on the case. Another view was that Maxwell commenced the action as a means of preventing the Ostrers

(*Continued on page* 11)

RKO Will Distribute Wilcox's "Victoria"

LONDON, March 24.—Herbert Wilcox revealed here that "Victoria the Great," which will go into work shortly, will be distributed throughout the world by RKO. A separate company will be formed here for the production of the picture.

Wilcox declined to comment on the current reports of his break with C. M. Woolf's General Film Distributors, but it is generally believed in many quarters here that the three Woolf brothers, C. M., Morris and John, are leaving the board of directors of the Wilcox company, and

(*Continued on page* 11)

Toeplitz Denies Any Transfer of Assets

LONDON, March 24.—Ludovico Toeplitz, head of Toeplitz Prod., today told MOTION PICTURE DAILY there is no truth to the statement made by Eugene Frenke on his arrival in New York Monday that he and Corniglion Molinier had acquired the assets of Toeplitz Prod.

Toeplitz said the story was fantastic and that he still plans to produce. He will probably make "I'll Take the Low Road," originally planned with

(*Continued on page* 11)

Warner Sound Patent Move Held Aimed at Television

The belief that the James A. Miller sound recording patents, which are owned by Warners, hold greater potential value for television than for radio broadcasting use, was advanced yesterday by ranking industry technicians. Interest in the patents was revived recently as a result of the agreement for the exploitation of the patents which was made by Warners with Waddill Catchings, a Warner director, financier and utilities associate.

It was pointed out by technical authorities that the Phillips Co. of Holland, a Tobias-Klangfilm affiliate, has been actively exploiting the Miller patents abroad for several years without any successful application to radio broadcasting use. The comment was made in the face of reports that Catchings would endeavor to apply the patents to sound-on-film recordings which could be used to replace electrical transcriptions for broadcasting purposes.

Technicians declared that the greatest advantage of the Miller recording over disc recording was its instantaneous playback feature. This makes possible speedier editing of a sound

(*Continued on page* 10)

Ascap to Discuss Legislative Fight

The most serious legislative campaign which Ascap has faced in years is expected to be discussed at the annual meeting at the Ritz-Carlton tonight.

E. C. Mills, Ascap general manager, who returned yesterday from a month's trip which took him to five or six of the state capitals where legislation designed to restrict the operations of the society has been passed or is pending, will report to the meeting with a plan for combating the legislative onslaught.

Montana has enacted a law which makes it illegal for two or more persons to pool copyrights and operate as licensors through an agent in that

(*Continued on page* 9)

"Maytime" $55,000 Grosser at Capitol

"Maytime" ended its first week at the Capitol last night with approximately $55,000. "Lost Horizon" finished a third week at two-a-day prices at the Globe with $17,000.

The Paramount wound up a third week of "Maid of Salem" and Benny Goodman on the stage with $34,000. "Her Husband Lies" tallied about $5,800 at the Criterion. "Silent Bar-

(*Continued on page* 11)

Anti-Nazis Begin to Picket "Amphitryon"

The Non-Sectarian Anti-Nazi League, of which Samuel Untermeyer is president, yesterday began picketing the Belmont on 48th St., coincident with the opening at the theatre of "Amphitryon," a German-produced picture. The film was produced by Ufa, with French dialogue and players, and released through its French subsidiary, L'Alliance Cinematographique

(*Continued on page* 9)

Films Bear Brunt of Increase in Ad Rate

Increases in newspaper advertising rates throughout the country are weighing most heavily on the film industry, according to a study of the situation appearing in *Motion Picture Herald* this week.

The average of the national rates of 73 newspapers shows that while general rates have gone up two cents per line since 1934, the industry is asked to pay seven cents a line more than they did three years ago. At that time the industry was paying five cents more than other fields, today amusements are assessed 10 cents more.

Standard Rate and Data Service is

(*Continued on page* 11)

Irving Barry Named Buyer for National

Irving Barry has been named short subjects film buyer for National Theatres, operating approximately 420 theatres, by Spyros Skouras, vice-president in charge of operations for the circuit.

The appointment, Skouras stated yesterday, is in line with his plans of promotion within the ranks. Barry joined Skouras five years ago when the latter became identified with

(*Continued on page* 9)

Fox Interm't Taking The 7 Huffman Spots

DENVER, March 24.—Fox Intermountain Theatres will take over the seven Harry Huffman houses in accordance with the terms of contracts which are expected to be signed on Friday. The Huffman houses will be added to the Fox Intermountain circuit.

The deal now in negotiation will make Huffman city manager, with

(*Continued on page* 11)

Unions' Drive In Exchanges Losing Force

Employers' Concessions Seen As Reason

The organizing of exchange employees which was proceeding at a rapid rate in strategic distribution centers up to two weeks ago, appears to have been checked as a result of the recent moves by distribution companies toward increase of wages and adjustment of employes' complaints on hours and working conditions, industry observers here reported yesterday.

Evidences of the effectiveness of the new policy have been furnished during the past few days by the cessation of organizing drives throughout the country and the obvious loss of enthusiasm for unionizing movements where they had been inaugurated earlier.

In New Haven, where the drive had been started in advance of the new policies of distribution companies, exchange employes carried out their intention of obtaining an A. F. of L. charter, but attendance at the union's meeting was below that of earlier meetings. The difference was ascribed directly to either direct action by distribution companies on

(*Continued on page* 4)

Frank White Named Treasurer of CBS

Frank White, treasurer and business manager of *News Week,* yesterday was elected treasurer of CBS at a meeting of the network board of directors—which was the first intimation given the trade that White had decided to sever his connections with the publishing company. He will assume his new duties April 1.

White succeeds Mefford Runyon as

(*Continued on page* 11)

Wayne King Is Suing KFWB on Recordings

LOS ANGELES, March 24.—The first of what is expected to be a countrywide series of litigation against broadcasting stations for promiscuous use of recorded music was filed today in Federal Court here by Wayne King, orchestra leader, who is suing to permanently enjoin KFWB, controlled by Warner Bros., from transmitting his

(*Continued on page* 11)

More Radio Pp. 10-11

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WARSAW: Sienna 32; R. Sillei, Representative.

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Warners May Secure Theatre in London

Warners may invade the British exhibition field with a show window, it was learned yesterday. The company has been reported from time to time as angling for a theatre in London. As the reports have cropped up, Warner executives have denied them.

Joseph Bernhard, general manager of Warner theatre operations, will sail Saturday on the *Paris* for a five-week trip abroad. The purpose, it is said, is to confer with Harry M. Warner, now there, and to survey the first run exhibition situation with a view to stepping in with a Warner unit.

Before Warner sailed he admitted he had had several offers from British interests to enter the theatre business in England and had turned them down. The situation may have changed since Warner arrived in London with Sam E. Morris, head of foreign activities for the company.

Capra Book at Brentano

"The Making of a Great Picture," Frank Capra's story of the production of "Lost Horizon," has been placed on sale at Brentano's. It is said to be the first time the big Fifth Avenue book store has offered for public sale a volume admitted to be a publicity item.

Insiders' Outlook

By RED KANN

El Paso, March 24.

IF you ever doubted the long-since established axiom this industry moves in cycles, along comes RKO to add further color. Sam Briskin, among others, was barraging heavily for Gypsy Rose Lee, who admits she does not belong in pictures despite an attractive, if short-term, contract with 20th Century-Fox. Sam lost out on the Lee matter, as did Sam Goldwyn. But just as one studio makes a sea picture all think they must, so does this juvenile procedure hold once again. Ada Leonard, straight stripteaser who has played most of New York's burlesque houses, many of the night spots and a number of the hotels, has been given a Radio contract to do a "specialty dance" in "Missus America" which will feature Helen Broderick, Victor Moore and Ann Shirley. She won't striptease, naturally; there is the code. But the why in the reason for her signing leaves no more room for speculation than did Darryl Zanuck's deal with the better publicized Miss Lee. Somewhere around New York, also, is a girl named St. Clair. She de-clothes herself in public performance as well and Metro is ogling her. A few more of the majors are yet to be heard from and the legislatures are still enacting censorship laws. . . .

▼ ▼

Recently, the RKO circuit pondered long and hard over the advisability of booking a foreign picture about which hovered the suspicion, never advanced beyond a suspicion, that its antecedents were German. Apparently convinced finally that the film was French, which it asserted itself to be at the outset, the deal was made for the circuit's Greater New York theatres. The title? Of course. "Carnival in Flanders." This constituted only one instance of the care exercised by thoughtful theatre operators over avoidance of possible offense to a part, or a majority, of their clientele. And that's one phase of the current doubt raised by the German industry over its attractions and its method of cloaking some with an external origin not identified with Berlin or Hitler. . . .

▼

However, there is more to it. And while we, at the outset, recognize the full right of Sam Krellberg, or any other exhibitor, to run his theatre as he deems fit, so long as he observes the tenets of good taste, we also recognize our own prerogative to criticize where we see fit. This is what we are now embarking upon in the case of the current booking of "Amphitryon" at the Belmont in New York. MOTION PICTURE DAILY, some months ago, demonstrated conclusively by its own investigation that here, at least, was a film financed and produced by Germany although its cast and its director were French. Part of every dollar of rental thus kicks back to Berlin to further the Nazi cause and to make it more difficult for a race already unfairly and brutally oppressed. Krellberg may have trouble in getting film for his Belmont, but when he turns toward Germany he heaps upon himself the sharp disapproval of those in the industry who are socially conscious. There are many and not all of them are Jews. . . .

▼

While this proceeds on this side, on the other a final nail in the coffin which now encases the German film industry is driven with the enforced absorption by the Reich of Ufa. An "anonymous group" in which the Deutsche Bank, which is another word for the Hitler Government, has taken over, places under state control the last of the big German producing and distributing companies. The purpose of all of this is readily apparent, centering in the hands of the powers there complete dominance of the native industry for propaganda purposes with a regular entertainment film thrown in from time to time. They'll find out it will not work. Films drumming up and further firing the regimented patriotism of the German citizenry may be produced successfully, it is true, but whatever impact Germany may have as an international factor will lose its force. By another act, the government has prohibited exhibitors from increasing admissions, which about completes the ring of political dictatorship enforced on what ought to be a private business. Who said matters were badly off in this country? . . .

▼

The government-in-business complaints heard on all sides these days, furthermore, lose sight of the overseas situation. Forgetting Germany, you must remind yourselves of the British situation where the law compels the exhibitor to show one British film in five. In France, the unions are campaigning for nationalization of that industry, which is protesting, as it should. Under the plan proposed in Paris, private production would be allowed, but scripts would be controlled by state censorship. A neat gadget of control would keep from the producer studio space if he failed to flash a license which the government would hand out after his scripts have been approved. Distribution would fall under control by creation of an official organization to handle domestic and foreign sales. The throat of exhibition would be clutched tightly by supervision of shows and their makeup, exploitation and handling of receipts. Fit part of that into the scheme of things here for an appreciation of the American system, faulty to be sure, but free to operate without bureaucracy dogging its every step. . . .

Joseph Reed Named Conn. Allied Head

NEW HAVEN, March 24.—Joseph Reed, operator of the Washington Depot Theatre, was elected president of Allied Theatres of Connecticut at the Hotel Garde yesterday. Others elected were Ralph Pasho, Naugatuck, vice-president; Maurice Shulman, Hartford, 2nd vice-president; Abe Fishman, treasurer; Joseph A. Davis, Southington, secretary, and Jack Post, financial secretary.

Arrangements for the coming eastern regional conference of Allied to be held here April 5th, were discussed, and the following committee appointed: Martin Keleher, Davis, Shulman, Pasho and Fishman.

"Champions" Headed By "On the Avenue"

"On the Avenue" heads the list of six "Box-office Champions" as published today in *Motion Picture Herald*. It is followed by "One in a Million" and "Lloyds of London" in second and third place, respectively.

Fourth position in the February standings goes to "The Last of Mrs. Cheyney," while "After the Thin Man" is number five on the list, followed by "The Good Earth" in sixth place.

J. George Feinberg Dies

MIAMI, March 24.—J. George Feinberg, vice-president in charge of sales for the International Seat Corp., died here this morning. He had been ill for about a year, and was here attending the conventions of the M.P.T.O.A. and the Paramount partners. Before joining International Feinberg was eastern sales representative for Heywood-Wakefield for 17 years. The body will be taken to Minneapolis for burial. He is survived by his widow and a brother, Archie, sales manager of U. S. Air Conditioning.

Billy Van Dead

BOSTON, March 24.—William R. Lincoln, known on the stage and radio as Billy Van, died in his automobile in Auburn, Me., this week. He apparently suffered a shock while at the wheel. The machine crashed into the home of a local doctor. He leaves a widow.

William White Passes

OLD ORCHARD BEACH, ME., March 24.—William L. White, 71, prominent amusement man and founder of the Whiteway Amusement Co., formerly well known in Maine, is dead here.

Call it a Day

has plenty of box-office pull! One of the cleverest of the season's comedies!
—*Film Daily*

it a Day" will cause no worry about business! Chock-full of entertainment that will make any audience feel good!
—*Motion Picture Daily*

top-flight comedy with every element needed to make it a success!
—*Variety Daily*

"ONE OF THE BEST COMEDIES YET TO REACH THE SCREEN!"
—*Ted Magee, Screen Book Magazine*

from the International Stage Success, with

OLIVIA DE HAVILLAND
IAN HUNTER • ANITA LOUISE
ALICE BRADY • ROLAND YOUNG
FRIEDA INESCORT • Peggy Wood
Walter Woolf King • Bonita Granville
Beryl Mercer • Directed by ARCHIE MAYO
A COSMOPOLITAN PRODUCTION

WARNER BROS.
have every reason to be proud of this grand picture. I call it a daisy!
—*Ruth Waterbury, Photoplay Magazine*

Unions' Drive In Exchanges Losing Force

(Continued from page 1)

wage increases or, where companies have not yet taken action, to Motion Picture Daily's disclosure last week that the new policy had been decided upon by most major companies. An organizing effort in Philadelphia last week failed to make headway. At Kansas City the same result was reported. A decline in unionizing sentiment was noted in Cleveland and Indianapolis. No new organizing movements have been brought to the attention of distributors during the past week. Membership of any significant number appears to have been gained only by the Detroit and Boston exchange employes' locals, which were the first in the field.

The organizing of exchange employes was reputedly the instrument by which labor hoped to force union projectionists upon small city and rural theatres and to organize theatre service staffs of de luxe houses from front to rear, by control of the film supply of the theatres. Whether direct attempts to carry out the theatre organizing program will be made without the exchange service weapon appears to be problematical.

Phillips & Nizer Go Plush and Mahogany

The 25th floor of the Paramount Bldg. tower has gone red plush and polished mahogany. It has been taken over by Phillips & Nizer, well known local film attorneys and investors in "The Eternal Road."

The creation, although on a somewhat grander scale, resembles the British House of Parliament set for M-G-M's "Parnell." The elevator corridor, like most of the remainder of the 25th floor, has been dressed in inlaid woodwork, plenty of scroll work and a carpet which warms the legs of the waiting plaintiffs and defendants to well above the ankles. At the end of the corridor a receptionist sits at a replica of the U. S. Supreme Court bench. The approach compares favorably with the offices of the industry's major executives.

The library and private offices have enough mahogany, solid oak and birdseye maple, tapestries, draperies and lush carpeting to arouse the undying envy of both W. & J. Sloane. In short, it's colossal.

Flash Preview

"White Gods"—Interesting and unusual scenes from the jungles of Ecuador showing natives who are said never to have seen a white man before. An unimportant plot is interwoven.

This film will be reviewed in full in a coming issue of Motion Picture Daily.

Chiropractor Arrested

Hollywood, March 24.—E. J. Foote, a chiropractor, has been arrested as a material witness in connection with the sending of threatening letters to Mrs. David Selznick, Anna May Wong and Mrs. Selznick's father.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Captains Courageous"

(M-G-M)

Hollywood, March 24.—Here is another distinctive addition to M-G-M's list of worthy pictures. It will profoundly stir all who see it.

It has excellent story content, inspired acting and artistic photography. Freddie Bartholomew and Spencer Tracy are raised to new heights. Lionel Barrymore, Melvyn Douglas, Charles Grapewin, Mickey Rooney and John Carradine take full advantage of their opportunities to turn in remarkable performances.

Louis D. Lighton, the producer; Victor Fleming, director, and John Lee Mahim, Marc Connolly and Dale Van Every, the scenarists, all deserve credit. Harold Rosson's photography adds much to the value of the film.

The story has power and simplicity. It also has humor, but its dominating note is pathos. Several sequences plumb audience emotions to the depths. Bartholomew's portrayal of a lying, hypocritical rich man's spoiled son calls for superlatives. His rescue from the sea by Tracy, a fisherman, following early scenes aboard Barrymore's schooner grapically sets the stage for the ensuing drama. Tracy's efforts to knock some sense into the addled head of the boy, climaxed with his poetic description of a fisherman's heaven, is a splendid combination of humor and spiritual drama. Bartholomew's regeneration on the Grand Banks under Tracy's guidance and his transformation from a headstrong, domineering brat to a boy of honor stirred a preview audience to applause.

A race to Gloucester in which Barrymore, Rooney, Carradine and Grapewin recognize the boy as a member of the crew is exciting. Tracy's death at sea is heart-stirring.

The most impressive emotional sock is reserved for the closing memorial sequences. With the memory of Tracy before them Bartholomew and Douglas become a real son and father.

Exhibitors and audiences will remember this one a long time. Wherever it is played there will be no worry about top business.

Production Code Seal No. 2,961. Running time, 125 minutes. "G."

"Charlie Chan at the Olympics"

(20th Century-Fox)

Hollywood, March 24.—With better production values than preceding films in this series and with stock shots of the Olympic games used, this proves the most interesting of the Chan stories to date.

It is an exciting narrative of international spies intent on stealing an airplane device and includes several killings before Warner Oland tracks down the culprits in Berlin after a chase which starts in Honolulu. Keye Luke, as a member of the Olympic swimming team, again aids Oland, as his father, in the solution of the mystery, and Layne Tom, Chinese youngster, lends his aid, too, before the pursuit leaves Hawaii.

Falling under suspicion as the story progresses are Katherine De Mille, C. Henry Gordon, Jonathan Hale, Morgan Wallace and John Eldredge. Frederick Vogeding, allied with Chan as a German police inspector, helps in solving the mystery. Pauline Moore and Allan Lane, Olympic athletes, furnish the romantic interest.

The story by Paul Burger and the screenplay by Robert Ellis and Helen Logan and the direction by Bruce Humberstone provide humor generously interspersed with suspense. The picture should amply please all followers of Chan's adventures.

Production Code Seal No. 3,090. Running time, 68 minutes. "G."

"California Straight Ahead"

(Trem Carr-Universal)

Hollywood, March 24.—The story doesn't mean very much here. Whatever entertainment or commercial value the film possesses is due to the manner in which production technique has injected an overland truck caravan-railroad train race. Even that quality is pretty far fetched.

Preceded by a couple of reels in which romance, drama and comedy are complicated, John Wayne advances from school bus driver to big trucking company superintendent. Two airplane companies have loads of war materials they want to get aboard a transpacific liner before a strike is declared. Wayne gets one assignment; his romantic and business rival, Theodore von Eltz, railroad traffic manager, the other. The race over snow-covered mountains and dusty deserts follows. The train, which has the advantage of several hours' head start, plus every facility to assure speed, loses the race to the caravan.

It is based on an original by Herman Boxer. Scott Darling did the screenplay and Arthur Lubin directed.

Production Code Seal No. 3,111. Running time, 70 minutes. "G."

Monogram's Plans Call for 42 Films

Monogram has completed plans for a program of 42 features for 1937-'38, W. Ray Johnston, president, said yesterday. The company's annual sales meeting will be held here early in May.

Scott R. Dunlap, production head, has nine features in work with writers assigned to each story. The company's production subsidiary headquarters are at the New Hollywood studios. Two features have been completed. They are "The Outer Gate" by Octavus Roy Cohen, with Ralph Morgan and Kay Linaker, and "The Legion of Missing Men," with Ralph Forbes and Ben Alexander. In preparation are "Paradise Isle," "The Hoosier Schoolboy," "College Sweetheart," "Blazing Barriers," "The Marines Are Here," "A Bride for Henry," "Romance of the Limberlost," "The Luck of Roaring Camp" and "Federal Bullets."

Titles listed for other productions are "Freckles Comes Home," "Land of the Sky Blue Water," "The County Fair," "Sales Lady," "The Girl Next Door," "Numbered Woman," "False Colors," "Scandal," "Queen of the Yukon" and "The Thirteenth Man."

Plan an Advisory Committee

An advisory committee on production and sales policy, composed of Monogram officials and franchise holders, was appointed yesterday by Johnston. It includes, in addition to Johnston, John W. Mangham, Atlanta; Howard Stubbins, Los Angeles; Dunlap, Hollywood; Ed Blumenthal, Dallas; Henri Elman, Chicago; Charles W. Trampe, Milwaukee; Benjamin Welansky, Boston; Edward Golden, sales manager, and Norton Ritchey, export manager, New York.

"Acting on the belief that the independent field has presented a highly disorganized picture during the past year," Johnston said, "we feel that the resumption of Monogram production will provide a much-needed and regular source of product."

The company recently reported completion of its arrangements for 31 branches in this country and the distribution rights for Great Britain. Canadian distribution arrangements have not been completed yet. Designations now used by the domestic distributors, other than Monogram Pictures, will be discarded, it was said, under the company's plans for every exchange operator to become a stockholder, operating his own branch.

Harry Smythe to N. Y.

Chicago, March 24.—Harry Smythe, Bank Night distributor here and co-owner of the Iris, leaves this week for New York to take a position with a theatrical concern.

W. C. Fields Gaining

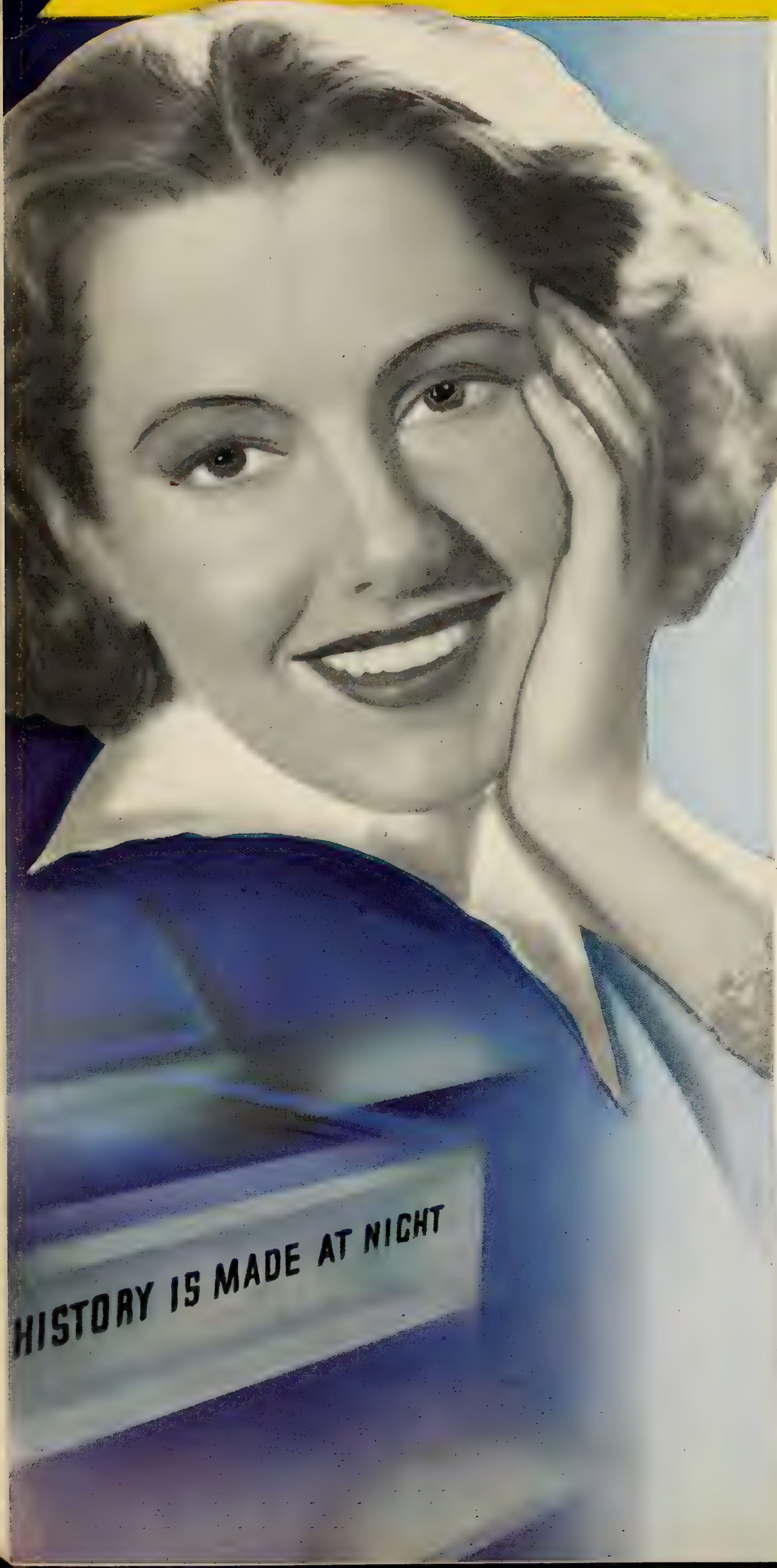
Hollywood, March 24.—W. C. Fields, convalescing from pneumonia here, today left his sanitarium bed for the first time since he was stricken almost a year ago.

C. R. Rogers on Coast

Hollywood, March 24.—Charles R. Rogers, vice-president and head of production at Universal, arrived at the studios today.

WE WOULD LIKE YOU TO SETTLE A LITTLE CONTROVERSY

JEAN ARTHUR...


HISTORY IS MADE AT NIGHT

says:

"Thanks, Charlie, my pal—always gallant to the ladies—letting me tell my side of the story first!

Yes, I'll make you a little bet that "History is made at Night" will draw more business *at night* than it will on *the matinees.* And what's more I'll spot you an extra hour's business as a handicap. I mean we'll count matinee receipts up until 7:00 P. M. instead of the usual six o'clock figure.

Why, sure! You'll draw the love-sick dames in the afternoon—but when I slip into those manly arms of yours and we clinch—the men will want to trade places with you and the women will say 'That gal, Jean Arthur, knows her technique'.

Matinees alright . . but watch that box-office get hot at night!"

CHARLES BOYER...

says:

"Ordinarily, ma cherie, you'd have a good bet. But on 'History is Made at Night' you've made a faux-pas (bum guess to you), and here's the reason why—

Exhibitors know a good combination (I'm gallant enough to give you some credit) and therefore they'll open their doors *several hours earlier than usual.* That will make the matinees that much longer, increase the theatre-man's turnover by one full show and add whatever money you'd care to wager to the shiny coffers of your dashing screen lover.

R.S.V.P. (which means if you've got a clever answer let's hear from you)."

MR. EXHIBITOR

says:

"What's all the argument about?

'History is Made at Night' will draw morning, noon and night—it's packed with every sure-fire box-office ingredient—Stars at the very crest of their popularity—A story spiced with laughs and thrills . . .

Reserve your best playing time—double it...and even that won't be enough".

HISTORY IS MADE AT NIGHT

Day OR *Night*

IT WILL WRITE BOX-OFFICE HISTORY

WALTER WANGER *presents*

CHARLES BOYER *and*

JEAN ARTHUR *in*

HISTORY IS MADE AT NIGHT

with

LEO CARRILLO • COLIN CLIVE

Directed by **FRANK BORZAGE** *Original story by Gene Towne and Graham Baker*

RELEASED THRU UNITED ARTISTS

◂ Purely Personal ▸

ADOLPH ZUKOR, Y. FRANK FREEMAN and CHRIS DUNPHY are expected in from Miami today. BARNEY BALABAN and STANTON GRIFFIS are remaining in Florida for several additional days.

•

TYRONE POWER has been forced to cut his New York vacation short by a wire from DARRYL ZANUCK. He arrived here Tuesday and must be back at the studio Monday.

•

ERNEST V. HEYN has been named assistant supervising editor of Macfadden Publications, in charge of *Photoplay, Movie Mirror* and *Radio Mirror.*

•

FRANK LLOYD and RUFUS LEMAIRE sailed yesterday for England on the *Queen Mary.* PAULINE STARKE also sailed to make a picture in London.

•

HARRY MOSKOWITZ, chief of Loew's construction department, left yesterday for a tour of the circuit's out of town houses. He will be gone several weeks.

•

J. CHEEVER COWDIN, Universal chairman, leaves for the coast by plane tomorrow for a brief studio visit. He is expected back in a week or 10 days.

•

WILLIAM FINNEY, Loew theatre division manager, is in town and will return to Columbus, his headquarters, in a few days.

•

CARL SHALIT, Columbia district manager, left for Detroit yesterday after conferring with home office executives.

•

JEAN ROGERS, under contract to Universal, left yesterday to visit her home town, Belmont, Mass.

•

DORIS NOLAN, who appears in "Top of the Town," will arrive in New York Saturday on a vacation.

•

LILLIAN NADEL, who handles publicity for ARTHUR MAYER, has also taken over publicity for the Filmarte.

•

J. ROBERT RUBIN and BERTRAM BLOCK of M-G-M are en route here by train.

•

JACK GOLDHAR, U. A. district manager, has returned to Chicago after a short visit here.

•

GEORGE ABBOTT will return from Palm Beach next month to prepare for "Room Service."

•

KATHARINE HEPBURN has purchased for her own use a private residence at 244 E. 49th St.

•

GEORGE J. SCHAEFER is due to arrive from Hollywood by plane today.

•

MOE STREIMER will celebrate his 33rd wedding anniversary today.

•

MAURICE CONN arrived yesterday by plane from Hollywood.

•

H. B. WARNER is en route to England aboard the *Manhattan.*

Fox-Sentry Hearings Delayed to March 31

Argument on a motion by William Fox and the Fox Film Corp. to defer trial of a $300,000 suit brought in N. Y. Supreme Court by Joseph E. Cohen, president of the Sentry Safety Control Corp. was adjourned yesterday until March 31.

The defendants want the trial postponed some months and until Fox's bankruptcy proceedings in the New Jersey Courts have been adjudicated. Fox is at present in Atlantic City being examined by an official referee in bankruptcy.

Kingsley Files Judgment

A judgment for costs amounting to $2,573 was entered in U. S. District Court yesterday by Sidney Kingsley and Norman Bel Geddes against Edna Buckler. The judgment includes $2,500 for counsel fees which were granted by Justice John M. Woolsey when he dismissed the suit for $2,000,000 damages. Miss Buckler charged that Kingsley's play, "Dead End," had been plagiarized from a manuscript which she had submitted to him.

Orders Details Filed

Justice Charles B. McLoughlin in N. Y. Supreme Court yesterday granted Columbia Pictures Corp. its request for an order requiring Ferdinand Voteur, a writer, to file a bill of particulars supporting his $1,000,000 suit against Columbia. The plaintiff accuses the corporation of having produced a picture which was similar in many details to one of his own scenarios after the writer's work had been rejected by Columbia.

Seeks to Continue RKO Suit

Alfred West, a creditor of RKO, who brought the original action for an equity receivership for RKO in 1933, yesterday filed an affidavit to keep the suit alive. The affidavit, which was filed pursuant to an order by Federal Court Judge John C. Knox, stated that all parties to the suit consented to its continuance. The company was admitted to reorganization on its voluntary petition, supplanting the receivership.

Morris Agency Sues Vici

CINCINNATI, March 24.—The William Morris Agency, Inc., New York, has filed suit in Common Pleas Court here to attach money in possession of the RKO Shubert, in an action against Count Berni Vici, currently appearing at that house with his "Spices of 1937." The plaintiff claims $1,680 due as commissions, and $1,500 on a note dated Oct. 5, 1936.

Expunge Proctor Claim

Federal Court Judge William Bondy yesterday expunged the claim of the F. F. Proctor Holding Corp. for $150,000 against RKO on recommendation of Special Master Thomas D. Thacher. The claim was based upon an extension of a mortgage made by the RKO Proctor Corp. to the F. F. Proctor Corp. Rogers Productions, Ltd., withdrew its $350,000 claim.

Calls Statements Misleading

Alfred P. Seligson, counsel for the Tipton bondholders' committee, charged that the Roxy weekly profit statements were misleading because they indicated that a greater profit was received when 20th Century-Fox pictures were exhibited during the third day of the hearing before Special Master Addison S. Pratt on the Roxy plan of reorganization.

Seligson and Col. Hartfield, representing the Pound bondholders' committee, engaged in acrimonious bickering, Hartfield charging that the bondholders who formed the Tipton committee purchased their bonds after default and came into the hearing later.

Penitent

Terre Haute, Ind., March 24. — Shannon Katzenbach, manager of the Grand, is singing the praises of an honest man. He recently received a letter with $1 enclosed. The man, now of Detroit, knew a stage hand, and went backstage. The $1 was to pay for his admission.

The backstage maneuver occurred 34 years ago, in 1903, and since that time the Grand has been opera house, legitimate theatre and film house, with varied management changes.

Ascap to Discuss Legislative Fight

(Continued from page 1)

state. The law permits an individual copyright owner to license directly at prices not more than those charged in other states. The law is directly aimed at Ascap which represents hundreds of copyright owners, although it exempts films specifically. Ascap, through its counsel, Schwartz & Froehlich, has filed an application for a temporary injunction to restrain the state from enforcing the law, which it contends is unconstitutional, and expects a hearing before a special three-judge Federal court within the next 10 days or two weeks.

Washington Has Similar Bill

A measure similar to the one in Montana has been passed by the Washington legislature and becomes effective June 15, while other bills establishing high license fees or special taxes on copyright licensing agencies have been introduced in Nebraska, Tennessee, Ohio, Wisconsin and Indiana. In the last named state, however, the legislature recently adjourned without the bill having been passed.

In addition, Ascap is facing the possible passage by Congress of the Duffy Bill, which would minimize the penalties for unlicensed use and copyright infringement. The Government's monopoly action against the society, filed in 1934, is still pending with attorneys for the society and the Government at work on stipulations which may determine, when completed, whether the Federal courts may decide the case forthwith or order it returned for trial.

Form Imperial Branch

SEATTLE, March 24.—Imperial Pictures of the Northwest, Inc., has been formed here to handle Imperial product under a franchise arrangement, covering the Seattle and Portland territory.

Markey Option Lifted

HOLLYWOOD, March 24.—Gene Markey's option has been lifted by Darryl F. Zanuck at 20th Century-Fox. He was associate producer on "Wee Willie Winkie."

Anti-Nazis Begin to Picket "Amphitryon"

(Continued from page 1)

Europeene. It is distributed here by Globe Film Distributing Co., of which David Brill is the head. The Belmont is owned by Al Krellberg.

The league's statement points out that threatened similar action last October forced the cancellation of the scheduled run of the film at the 55th St. Playhouse when the German origin of the production was revealed. As presented on the screen at the Belmont the film is indicated as a Guenther Stapenhorst production, presented by L'Alliance Cinematographique Europeene. It is furthere listed as "A Universum Film," and distributed by Globe. Universum Film Aktigensellschaft is the full name of the leading German company generally known as Ufa, control of which was taken over by the Nazi Government a few days ago.

Irving Barry Named Buyer for National

(Continued from page 1)

National. At the time, Barry was Skouras' private secretary, but in the past two years has been doing special field work for National Theatres.

Barry, who took over the post early this week, succeeds George Balsdon, now assistant film buyer to William T. Powers. Balsdon was injured some time ago in an automobile crash on the coast and is now at the Neurological Hospital, Medical Center, for observation. He expects to be discharged in a few days and to take a vacation before reporting back to work.

Ship it

GENERAL AIR EXPRESS

1. Merely phone Postal Telegraph. Pick-up is immediate . . . by messenger or high speed truck . . . **direct** to the field.
2. The first plane out carries your shipment via the shortest, fastest route coast to coast. It travels swiftly as any passenger.
3. At the destination, delivery is made at once. Overnight coast to coast.

—and it's there

Only General Air gives you shortest, fastest coast to coast. Phone Postal Telegraph, any TWA office . . . or

GENERAL AIR EXPRESS
Division of TWA

GENERAL AIR EXPRESS

◀ Radio Personals ▶

VIRGINIA VERRILL, CBS vocalist, leaves New York by plane April 5 for Hollywood where she will make an M-G-M feature . . . Ted Streibert, WOR-Mutual official, is abed with grippe . . . Paul M. Massman has joined the NBC sales department . . . Lowell Thomas will broadcast twice weekly from London during the Coronation period. It is believed he will be succeeded here on his regular news broadcast period by John B. Kennedy . . . Rudolf Friml, Sr. will be piped in from Hollywood on the occasion of his son's network debut March 30 on NBC . . .

✚

Henry Hull, of "Masque of Kings," will be interviewed this morning on WINS . . . Robert Riskin replaces Gloria Swanson as the guest star of Radie Harris on the WHN "Movie Club" tomorrow night . . . George Nobbs, production man on WHN's staff, celebrates his daughter's birthday next week . . .

✚

Jim Coots and Ed Smith, radio actors, are in the cast of Warden Lawes' stage play, "Chalked Out," which opened last night. . . . Vincent Price, of the "Victoria Regina" cast, will be a guest star on Bide Dudley's "Theatre Club of the Air" tomorrow. . . . Francia White is considering making a European tour. . . . Claudia Morgan set for a guest appearance on Crosby Gaige's "Kitchen Cavalcade" March 29.

Ameche to Head New Coffee Hour Series

Rumors as to what type of program will succeed "Do You Want To Be an Actor?" currently heard from 8 to 9 P. M., E. S. T. on the NBC-Red network may now be set aside. It was exclusively learned last night that the new show will be a variety offering, with Don Ameche in the featured role as em cee and vocalist.

Ameche is now heard on the "First Nighter" program, aired Fridays from 10 to 10:30 P. M., E. S. T. on the NBC-Red. "First Nighter" is sponsored by the Campana Sales Co. from Hollywood. The contract affecting the Ameche switch was signed on the west coast several days ago.

"Do You Want To Be an Actor?," a Warner-Transamerican program, was hurriedly substituted for the "Good Will Court" when the latter offering was virtually barred from the network by the rulings of several bar associations. It will fade in mid-April, at which time it will be succeeded by the new variety show with Ameche in charge.

Chase & Sanborn will continue to sponsor. J. Walter Thompson is the agency.

RADIO EVENTS, INC.
AN INDEPENDENT PRODUCING GROUP SERVING ADVERTISING AGENCIES
535 Fifth Avenue,
New York, N.Y.
From script to production—that "extra" something that's good radio

Warner Sound Patent Move Held Aimed at Television

(*Continued from page 1*)

record and, where the time element in supplying a recording is vital, the method is of high usefulness. It was pointed out, however, that the time element is seldom important in supplying broadcasting stations with electrical transcriptions and that discs, also, can be played back immediately. Thus, the reports of the application of the patents to this purpose were described as "very far fetched," and correspondingly, their value for television use is regarded as "probably" being of greater value. This would be particularly true, it was felt, for recording spot events for televising.

The technicians' views coincide with statements made to MOTION PICTURE DAILY on Tuesday by Catchings, who described the significance of his agreement with Warners as having been "greatly overrated." He said that it was doubtful, even, whether a company would be organized to exploit the Miller patents, as provided in the agreement.

Base Stock Different

The Miller process employs a slightly thicker celluloid base stock than the standard. The rim is coated with a special solution on which the sound track is made by a cutting tool. It is not a photographic sound track and yet it may be used as a negative and as many prints made from it as are required. Technicians are not in agreement as to whether or not it represents any actual improvement in sound recording.

The Phillips Co. has developed the process extensively, but it is confined almost exclusively abroad to motion picture use. The American television and radio possibilities of the patents, however, continue to be the subjects of widespread speculation here, largely in view of Warners' radio interests and Catchings' affiliation with the North American Co. and its national power lines.

Mutual Takes Over 8 Stations April 1

Mutual will celebrate the annexation of the eight stations comprising the Oklahoma network April 1 by broadcasting two dedicatory programs that evening.

The first, from 9:30 to 10 P. M., E. S. T. will emanate in the studios of WOR and will feature Ed Fitzgerald's "Variety" program. During this period the program will switch over to Mutual's Washington station, WOL, from which point Oklahoma Senators Joshua Lee and Elmer Thomas will broadcast felicitations.

From 10:30 to 11 P. M., E. S. T. Henry Weber's concert orchestra will be heard from Chicago.

To Switch Ivory Flakes

The Procter & Gamble program for Ivory Flakes, featuring Captain Tim Healy's news comments, will switch to a new time beginning March 29. Now heard from 9:45 to 10 A. M., E. S. T., on the Blue network, the program, after March 29, will be heard from 10 to 10:15 A. M., E. S. T., five times weekly. Compton Advertising, Inc., is the agency.

Rogers Commends

"I have read the coverage your paper is giving radio as it pertains to the motion picture industry. I think it is a very constructive and educational effort having great value and hope that you will continue such 'heads up' efforts on behalf of this great industry."—*Charles R. Rogers*, executive vice-president in charge of production, Universal Pictures.

NBC Will Add 4 and Drop One Station

NBC will add four new stations as network affiliates and will drop one within the next two months, it was learned yesterday. The additions and subtractions will make a total of 121 NBC network stations.

Effective June 27, WRTD and WMBG, both in Richmond, will join the network. WRTD, 100-watt station owned and operated by the *Richmond Times-Dispatch*, will be added to the Blue, while WMBG, 500 watts, owned by Havens and Martin, Inc., will join the Red.

WRVA, current NBC affiliate in Richmond, will be dropped when the two remaining local stations join up. It is believed that WRVA will become a CBS affiliate thereafter.

WLEW, Erie, Pa., 250 watts by day, 100 watts at night, will become an optional Blue station April 1. The station is owned by Leo J. Omelian.

KANS, Wichita, 100 watts, will become an optional Blue or Red station April 1.

NBC Signs Sweetheart Soap

HOLLYWOOD, March 24.—NBC has signed the Sweetheart Soap program for its Pacific Coast Red network every Friday, beginning April 16, from 11:30 to 11.45 P. S. T. Thomas Conrad Sawyer will be commentator. Negotiations were handled through the Milton Weinberg agency.

Fleischmann's Time Change Set by NBC

The NBC sales department yesterday closed a deal with Standard Brands, Inc., for a new time period for Fleischmann's Yeast. The series will be heard on the NBC-Blue network at 9 P. M., E.S.T., beginning April 9, and weekly thereafter. The programs will be a half-hour each.

The talent assignments have not yet been distributed, but it is believed that the series will feature an all-colored cast. J. Walter Thompson is the agency.

Sponsor "Woman's Magazine"

Beginning April 1, the Sherwin Williams Co. will sponsor the "Woman's Magazine of the Air," Thursdays from 3:45 to 4 P. M., E. S. T., on the NBC-Pacific Coast Red network. T. J. Maloney, Inc., is the agency.

Waring Scores Radio Chains and Agencies

EXCELSIOR SPRINGS, Mo., March 24.—Fred Waring, leader of the Pennsylvanians, cut loose with a barrage of scathing remarks concerning advertising agencies and radio chains while vacationing here today. The Pennsylvanians are en route to Hollywood to make a Warner picture, "Varsity Show."

Asked when he intended to return to radio, Waring angrily declared: "We will not go back on the air until someone—either sponsor, agency or radio chain—assumes the responsibility of guaranteeing protection against copyists and plagiarists.

"I am completely fed up with the idea of bringing innovations and new effects to radio and having them gobbled up promiscuously and being redished to the public in such large quantities that the original is forgotten.

"We held out from radio until 1933, when we received a high enough salary to subsist on radio alone. And we will hold out now until either sponsor, agency or chain will assure us protection at a living wage.

Station Examination Dates Set by F. C. C.

WASHINGTON, March 24.—The F.C.C. today assigned the following applications to examiners for hearings on the dates given:

May 24: Carolinas Radio, Inc., Charlotte, N. C., for a new 880-kilocycle station, 500 watts night power and 1,000 watts day; Voice of Detroit, Inc., Detroit, for a new 1,120-kilocycle station, 500 watts night, 1,000 watts day; KGO, San Francisco, for an increase of power to 50,000 watts.

May 25: Nathan N. Bauer, Miami, for a new 1,420-kilocycle, 100-watt station.

May 26: J. K. Patrick & Co., Athens, Ga., for a new 1,310-kilocycle station, 100 watts night, 250 watts day; John W. Haigis, Greenfield, Mass., for a new 1,210-kilocycle, 250-watt daytime station.

Set New Script Series

"Our Gal Sunday" is the title of a new script series which will replace "Rich Man's Darling" for the American Home Products Corp. on CBS, beginning March 29.

The program will plug Anacin Mondays, Tuesdays and Wednesdays; Old English Floor Wax Thursdays and Fridays. The broadcast period is 12:45 to 1 P. M., E. S. T.

To Televise Color Film

PARIS, March 24.—"The Garden of Allah," color film, will be televised here, and will be the first color picture used in television broadcasting in France. Previous television broadcasting of pictures has been confined to black and white.

Total 52 Million

The hundred leading network advertisers placed a total of $52,971,493 for time on NBC and CBS networks during 1936, a study reveals. Of the total, $31,532,725 was invested with NBC; $21,438,768 with CBS.

FCC Licenses On Television Far in Future

By BERTRAM F. LINZ

WASHINGTON, March 24.—Considerable time will elapse before the F.C.C. permits the commercial introduction of television, it was indicated last night by Irvin Stewart, vice-chairman, in an address at Duke University, made public today by the commission. Cutting of the picture band to a fraction of the width now required must be accomplished before any number of transmitting stations can be accommodated, it was intimated by the commissioner.

"Those television systems which have been best developed up to the present require enormous bands of frequencies," he pointed out. "In connection with an informal hearing held before the commission last year, bands of six megacycles, or 6,000,000 cycles wide, were requested for television transmission. This means that each television channel would take up as much space in the ether as 600 conventional sound broadcast channels or, roughly, six times the entire present broadcast band.

Range Limited to Sight Area

"Each television transmitter would serve an area corresponding roughly to the line of sight from the transmitter, but its interference range would be substantially greater. While television stations could be duplicated on the same frequency at fairly close intervals, a total television band width of tremendous proportions appears to be indicated."

In the field of broadcasting, Stewart said, there are a number of situations which may have serious future implications, among them the development of chains to the point of monopoly, the unrestrained purchase and sale of licenses, newspaper control of stations, advertising and programs.

"Undoubtedly chains have made available to small communities programs which it would have been difficult for them to receive otherwise," he admitted. "But, with three organizations in a position to determine what programs shall be carried on the most powerful broadcast stations all over the country at times when most people are free to listen, it is small wonder that the cry of monopoly has been raised."

The transfer of licenses at prices far in excess of the value of the physical property involved," he said, "will sooner or later offer a tempting field for the middleman."

Wayne King Is Suing KFWB on Recordings

(Continued from page 1)

records made for RCA-Victor Talking Machine Co.

King cites a specific violation of Aug. 15 last. He charges that the playing of his music places him in competition with himself and asserts that his contract with his radio sponsor specified that records of his music were not to be used for broadcast purposes.

King is a member of a national group of orchestra leaders including Paul Whiteman and Guy Lombardo.

Frank White Named Treasurer of CBS

(Continued from page 1)

CBS treasurer. Runyon has been holding down the dual berths of treasurer and vice-president, and is relinquishing the former position to devote his full time to general executive work.

White's previous background includes executive positions with *Stage Magazine* and the Union News Co.

At a meeting of CBS stockholders immediately preceding the board conclave, approval was voted for the increase of the number of authorized shares from 1,500,000 to 3,000,000 and of exchanging each share of the present stock for two shares of the new.

Films Bear Brunt of Increase in Ad Rate

(Continued from page 1)

quoted to show an average of 37 cents per line today, comparing with 35 cents per line in 1934, while amusements are paying 47 cents this year, and paid 40 cents three years ago. The rates quoted are national, and although local rates vary in some degree, they generally follow the same scale.

Distributors, circuits and independent exhibitors are continuously fighting the high amusement rates, and in many cases cut their lineage in order to keep within previous budgets. Linage placed by distributors in national campaigns has increased 50 per cent, it has been estimated.

Theatres in Baltimore, Indianapolis and Albany were cited as an example of cooperative drives on the part of theatres to prevent what are termed unfair increases in amusement advertising rates.

Fox Interm't Taking The 7 Huffman Spots

(Continued from page 1)

Rick Ricketson continuing as division manager. The deal is expected to be closed in time for Fox Intermountain to take the houses on Easter Day or the day following.

The theatres involved in the transfer include the Denver, Paramount, Aladdin and Broadway, which are first run, and the Tabor, Rialto and Bluebird.

Gerald Whitney, who has been city manager, has been named manager of the northern district for Fox Intermountain.

The new Denver company to be formed will be Fox Greater Theatres A ten-year lease will be taken on the Huffman houses.

Senate Accepts Kennedy

WASHINGTON, March 24.—The Senate today passed a resolution approving the eligibility of Joseph P. Kennedy for membership on the Federal Maritime Commission. The resolution holds that provisions of the 1936 Merchant Marine act shall not bar Kennedy because of his holdings in shipping stock.

Riskin, Lederer to Spain

HOLLYWOOD, March 24.—Robert Riskin and Charles Lederer leave here next week for a trip to Spain.

Losses of GB Seen Basis of Maxwell Suit

(Continued from page 1)

from selling their voting shares in M. & B. to C. M. Woolf, with whose General Film Distributors a distributing deal has been made by the Ostrers, and to Lord Portal, with whom Woolf is associated. Such a move would leave Maxwell with the "B" shares, which are in effect valueless, and for which he paid £500,000. It was pointed out in another quarter, however, that if Maxwell succeeds in obtaining damages, for which he has asked, the sales contract with the Ostrers still will remain in force.

Exciting comment also is the situation whereby the 20th Century-Fox interests, which blocked the sale to Maxwell of the "A" or voting Ostrer shares in M. & B., continue to follow that course, while they appear generally allied with Maxwell against the Ostrers on the board of directors. A suggestion has been made that a likelihood exists of an alliance taking form between Maxwell and the 20th Century-Fox interests for dual control of Gaumont British.

Injunction Hearing Adjourned

Meanwhile Justice Clauson today adjourned until April 6 the hearing on the injunction action brought by a group of ordinary shareholders represented by Charles L. Nordon to prevent the directorate from paying the declared dividend on the G. B. preference shares. Justice Clauson declared that on the resumption of hearings he would be able to devote three days to the case. Counsel for G. B. declared that no dividend payment would be made in the interim.

It was pointed out in one informed quarter that the postponement of the action until April 6 and the G. B. commitment to refrain from payment meanwhile, means an actual if not legal default on the preference payment, which is due March 31. It is anticipated that G. B. may call another board meeting before April 6, at which time the directorate may decide on non-payment of the dividend, in the event that the court shall decide against payment.

It was said here that the Nordon action probably was not inspired by Maxwell, but it is understood that the Nordon group is anxious to see Maxwell in the post of chairman of the board of G. B.

"Maytime" $55,000 Grosser at Capitol

(Continued from page 1)

riers" opens there today at two-a-day. "Sea Devils" at the Rialto took in close to $10,000.

"Breezing Home" at the Roxy will finish the week tonight with $24,000. "Top of the Town" opens there tomorrow for a two-week run. "When's Your Birthday?" garnered about $55,000 for the week ending last night.

"Waikiki Wedding" opened to a good day's business yesterday at the Paramount. According to Bob Weitman, manager, 9,000 people had entered the theatre by 1 P. M., 11,000 by 4 P. M., at which time the gross was $4,000.

Two Film Measures In Nebraska Killed

LINCOLN, March 24.—Both bills affecting the film industry before the legislature were killed this morning in a special session of the Revenue Committee. The bills, introduced by Senator Frost, called for a tax of 10 per cent on all theatre admissions and 10 per cent on the gross film rentals.

The Revenue Committee heard Albert Mendenhall, Paramount branch manager in Omaha, who declared that the small theatre operator would be forced out of business by the heavy tax proposed. The committee vote against the bills was unanimous. Senator William F. Haycock, theatre operator of Callaway, Neb., is chairman of the Revenue Committee.

Toeplitz Denies Any Transfer of Assets

(Continued from page 1)

Bette Davis, in the United States with another American star, he said.

J. D. Trop, American representative for Toeplitz Prod., yesterday received two cables from London, one from Ludovico Toeplitz and the second from Corniglion Molinier denying a statement made to MOTION PICTURE DAILY by Eugene Frenke on his arrival from London Monday on the *Queen Mary*.

RKO Will Distribute Wilcox's "Victoria"

(Continued from page 1)

that he is seeking another distribution outlet.

Production of the picture at Denham is seen here as foreshadowing the Wilcox link with Alexander Korda, as indicated in MOTION PICTURE DAILY last week. It is planned to film the conclusion of Queen Victoria's reign, expressed in a pageant, in Technicolor.

Wall Street

Light Gains on Board

	High	Low	Close	Net Change
Columbia, vtc	33⅜	33⅜	33⅜	+ ⅜
Columbia, pfd. ...	42	42	42	+ ⅛
Consolidated	4⅜	4⅜	4⅜	— ⅛
Consolidated, pfd..	15½	15½	15½	.....
Eastman Kodak ..	160½	159	160	.....
Gen. T. Equip. ...	29¾	29¼	29¾	+ ¾
Loew's, Inc.	77	75⅞	76⅞	+ ⅝
Paramount	23¾	23¼	23½	+ ⅛
Paramount 2 pfd..	21¼	20¾	21⅛	.....
Pathe Film	8½	8⅜	8½	.....
RKO	8⅜	8⅛	8⅛	— ¼
20th Century-Fox.	37¼	36⅝	36⅞	.....
20th Century, pfd..	46	46	46	+ ¼
Universal, pfd. ...	85½	85½	85½	.....
Warner Bros.	14⅜	14	14⅜	+ ¼

Curb Rise Lightly

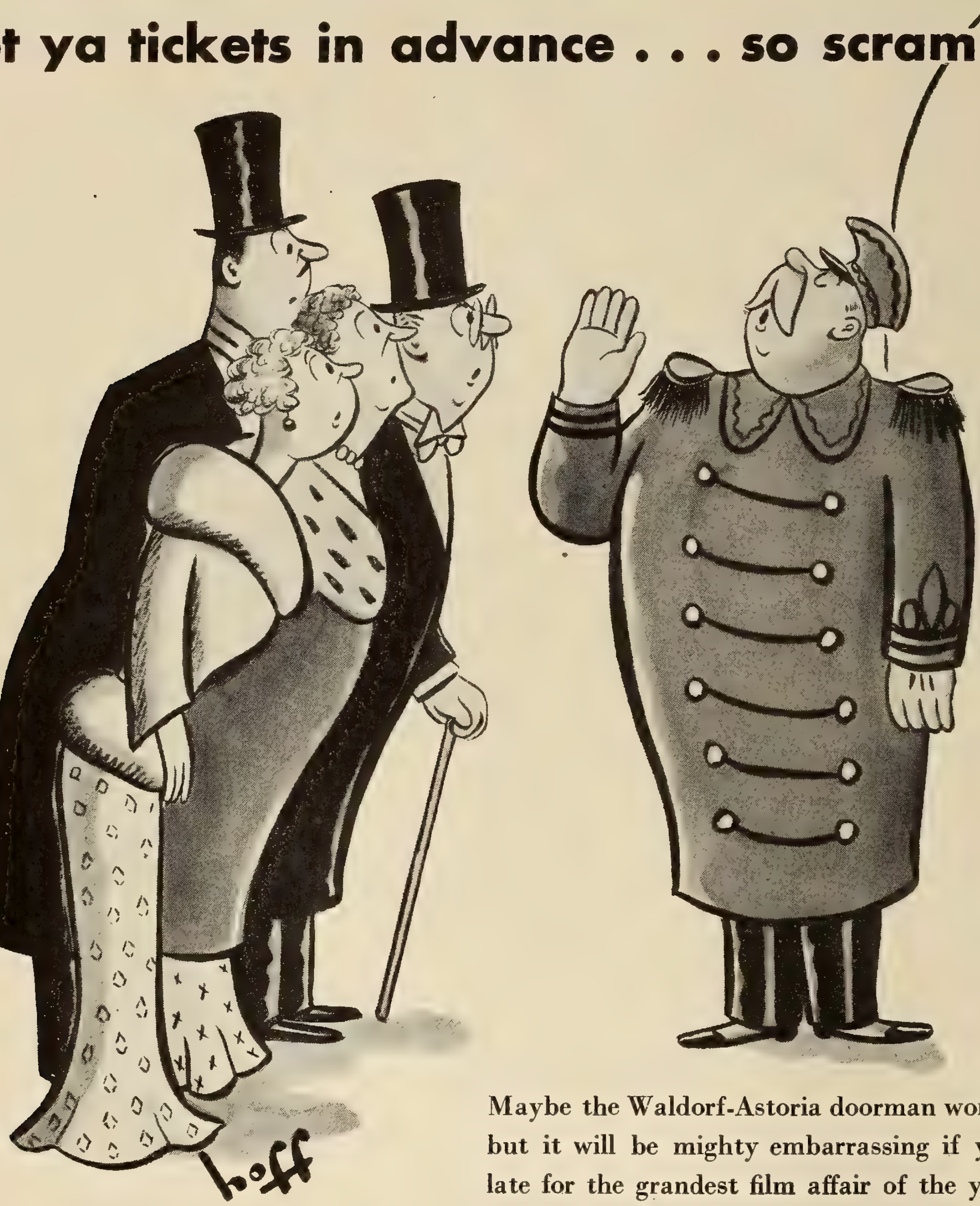
	High	Low	Close	Net Change
Grand National ..	3	2⅞	2⅞	.....
Sonotone	1⅞	1⅞	1⅞	.....
Technicolor	22	21¾	22	+ ⅜
Trans-Lux	4⅝	4⅝	4⅝	+ ⅛

Bonds Up Fractionally

	High	Low	Close	Net Change
Keith B. F. 6s '46	97⅝	97	97⅝	— ¾
Loew's 3½s '46....	98⅝	98¼	98⅝	+ ⅞
Paramount Pict. 6s '55	100	100	100	.....
Warner Bros. 6s '39 wd	95	94¾	94⅞	+ ⅛

(Quotations at close of March 24)

"Don't argue wit me, Buddy, ya shoulda got ya tickets in advance . . . so scram!"



Maybe the Waldorf-Astoria doorman won't put it that way, but it will be mighty embarrassing if you find you're too late for the grandest film affair of the year. It's the Testimonial Dinner given by the Theatre Owners of New York to Adolph Zukor in honor of his 25th Anniversary in the Motion Picture Industry, and if you haven't made your reservations, you'd better make 'em at once. **We'll be seeing you at the Waldorf-Astoria, Monday, March 29th, at 7:30 p.m.** Dress formal (tails or tux). Ladies are invited.

Entertainment by headliners . . . three orchestras for dancing . . . special motion pictures.

Reservations at $10 per person, from William Brandt,
Globe Theatre, Times Square, New York City

Committee in Charge of Arrangements

William Brandt
George Skouras
Joseph Bernhard
Nate Blumberg
Louis Blumenthal
Laurence Bolognino
Leo Brecher
Si Fabian
Arthur Mayer
Charles Moscowitz
Walter Reade
Samuel Rinzler
A. H. Schwartz
Harry Shiffman
W. J. Van Schmus

Entertainment

Louis K. Sidney
Harry Kalcheim
Steve Trilling
Bill Howard

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 41. NO. 71 NEW YORK, FRIDAY, MARCH 26, 1937 TEN CENTS

Mills Urges Ascap Battle On Tax Bills

Annual Meeting Told of Court Fight Plans

A policy of vigorous opposition to legislation aimed at taxation or restriction of Ascap operations, which has been introduced in six states and passed by two others was advocated to members and directors of Ascap at the organization's annual meeting at the Ritz-Carlton last night by E. C. Mills, general manager.

Mills said that the coming legal test of the Montana law, which would prevent Ascap from operating in that state, was expected to prove the bulk of the current legislation to be unconstitutional, in which case it would probably serve as a decisive precedent in invalidating similar legislation in other states. Washington has also enacted a law similar to that of Montana's, and it becomes effective on June 15. Legislation adverse to Ascap has also been projected in Iowa, Wisconsin, Nebraska, Minnesota, Ohio, Indiana and Tennessee.

Gene Buck, president, and other Ascap officers submitted their annual reports to the meeting and current reports were made by directors.

Greeting for G. B's First 2-a-Day Here

A smartly dressed assemblage of film first nighters crowded the New Criterion last night to witness the Broadway premiere of "Silent Barriers," G. B.'s first feature to run two-a-day on New York's main stem. The film, made in Canada, stars Richard Arlen and Lilli Palmer.

The invited audience included several players as well as a goodly representation of film and theatre men, in addition to the press and those who merely came. The usual contingent of New York's "finest" was there to keep the uninvited out and the guests

(Continued on page 11)

Constance Bennett Sues G. B. on Pact

Los Angeles, March 25.—Constance Bennett today filed suit in Superior Court here for $65,000 against Gaumont British Pictures Corp. charging breach of contract. An accounting is demanded.

The complaint, drawn by Barry Brannen, alleges that Miss Bennett

(Continued on page 11)

Home Town Boy

Former residents of Erie, Pa., turned out last night at the Hotel Woodstock to honor Ned E. Depinet of the Erie Depinets.

It was back in 1907 that young Depinet started his film career there and the 30th anniversary of the event was celebrated.

John Benson, president of the Advertising Agencies of America was the principal speaker. Porter Evans was toastmaster, with Ralph Lund as master of ceremonies.

New Operating Deal Is Signed for Roxy

A new nine-month operating agreement at reduced terms has been concluded by the Roxy with Artco Corp., the F. & M. affiliate, Howard S. Cullman, trustee for the house, advised Roxy creditors yesterday at a hearing on the theatre's reorganization plan before Special Master Addison S. Pratt.

Replying to criticism that the operators were over compensated, Cullman said that the new agreement, which runs from April 1 to Dec. 31, would give Artco two per cent of the gross and 15 per cent of the net. Under the terms of the expiring contract, Artco received three per cent

(Continued on page 8)

Stadium-KAO Pact Approved by Court

Federal Judge William Bondy yesterday signed an order approving an agreement between Keith-Albee-Orpheum and Stadium Theatres Corp., RKO subsidiary, under which the latter acquires K-A-O's remaining interest in Orpheum Circuit. Stadium recently purchased the going Orpheum assets for $700,000 cash and subordination of large claims which it held against Orpheum.

Under the agreement approved yesterday, K-A-O would complete the

(Continued on page 8)

Consolidated Staff Strikes at Fort Lee

The Fort Lee laboratories of Consolidated Film Industries were crippled yesterday when approximately two-thirds of the employes went on strike for a 25 per cent wage increase and a 40-hour week. The remaining one-third of the employes remained at their work and were sufficient to prevent delays occurring in

(Continued on page 11)

ABOUT 585 FILMS SET FOR 1937-38

Majors, 3 Independents Planning This Total; No Cut in Shorts

Appoximately 585 features will be announced for production next season by eight major and three leading independent companies. The number is about the same as the total being distributed this season and includes westerns. A preliminary checkup reveals that there will be no appreciable reduction in the number of shorts for 1937-'38.

Columbia will announce four serials to be produced by Louis Weiss. Republic will continue to make four series of chapter two-reelers.

A recapitulation of the companies and the number of features each is expected to have on the new programs follows:

Loew's, 50; 20th Century-Fox, 65; Paramount, 58; United Artists, 36; Warners, 60; RKO, 48; Universal, 42; Columbia, 48; Republic, 69; Monogram, 42; Grand National, 65.

Most of the companies are now winding up current programs and are preparing to get the first of the new product under way at the studios. Some distributors may announce plans for reviving one or two pictures which

(Continued on page 11)

Opposition Flares To Sabath's Probe

Washington, March 25.—Opposition to continuation of the Sabath committee probe of real estate bondholders' protective committees flared upon the floor of the House today when Congressman Church of Illinois charged that a law firm with which Congressman Sabath was connected received $6,400 in fees for serving the House investigating group. Sabath denied that the firm ever received any money.

Church asserted that the Sabath committee had conducted its investigations in a "harassing and abusive" manner and had gone along for several years without achieving any concrete results.

The row between the two members of the Illinois delegation got out of control of the House leaders, who finally secured an adjournment until Monday after a consultation between Majority Leader Rayburn and Speaker Bankhead.

Resume Talks Today On Sales Tax Action

Legal representatives of major distribution companies are scheduled to resume discussions today of action to be taken as a result of the Court of Appeals decision of two weeks ago holding film rentals within New York City to be subject to the two per cent municipal sales tax.

Two earlier meetings failed to agree on applying to the U. S. Supreme Court for a writ of certiorari on appeal from the state court's ruling. There is a possibility that the distributors will seek a rehearing of the case by the Court of Appeals in the belief that the court misinterpreted legal precedents cited by the appellant to demonstrate that films are in interstate commerce and not subject to local taxation.

Dowling to Preside At Dinner to Zukor

Eddie Dowling will be the master of ceremonies at the dinner and entertainment to be given by I. T. O. A. to Adolph Zukor, from which WOR-Mutual, and WHN will broadcast Monday, March 29.

WHN will broadcast the proceedings from 8:45 to 9:15 P. M. Will Hays, Mayor LaGuardia, David Bern-

(Continued on page 8)

M-G-M Sets Coast Sales Meet May 2

Los Angeles, March 25.—The sales convention of M-G-M will be held at the Ambassador here beginning May 2. The delegation here at the present time includes William F. Rodgers, sales manager; Thomas J. Connors, eastern and southern district; Edward M. Saunders, western division, and Howard Dietz, director of advertising and publicity.

Delegates to the coming convention

(Continued on page 11)

Krellberg Explains Belmont Lease Deal

The Belmont on 48th St., which is being picketed in connection with the showing there of the film, "Amphitryon," was leased to David Brill of Globe Film Distributing Co., distributor of the picture here, and is owned by Paradise Pictures, of which Sam

(Continued on page 8)

Radio News Pp 10-11

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MEXICO CITY: Apartado 269; James Lockhart, Representative.
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WARSAW: Sienna 32; R. Sillei, Representative.

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Bernhard Will Aid Constitution Fete

Joseph Bernhard, Warner theatre head, has been named by Governor Earle of Pennsylvania as a member of the executive committee arranging the 15th anniversary celebration of the adoption of the Constitution. The celebration will take place in Philadelphia in September.

Bernhard lunched with Mayor S. Davis Wilson of Philadelphia yesterday to discuss the project.

"U" Board Elects Today

Universal Pictures Co. board of directors will meet today to elect officers of the company for the ensuing year. The reelection of J. Cheever Cowdin and R. H. Cochrane as chairman and president, respectively, is anticipated. One or two changes in the remaining list of officers may occur.

Five Firms Add Space

Five firms in the Film Center have taken additional space. They are Joe Hornstein of Joe Hornstein, Inc.; Morris Kleinerman, Exhibitors Pictures Corp.; Erwin S. Wolfson, Mutual M. P. Distributors; Prudential Film Distributing Corp., and Phil Epstein, American Tobis Corp.

◂ Purely Personal ▸

THOMAS B. COSTAIN, formerly with the *Saturday Evening Post,* will announce his new plans within the next few days. A new national magazine will be edited by Costain, according to report.

•

George Cukor got back from Washington yesterday and plans to leave in a few days for Atlanta on a talent hunt for principals in "Gone With the Wind."

•

Ed Gallner, U.A. exploiteer, has been awarded a leather traveling case for his campaign in the "Come and Get It" contest. Monroe Greenthal offered the prize.

•

Lee Patrick, who recently appeared in "Stage Door," left yesterday for the RKO studios on the *President Lincoln.*

•

Scott Dunlap, Monogram production head, will leave for the coast today after conferring with W. Ray Johnston for several days.

•

J. S. MacLeod and William R. Ferguson flew to the coast last night and plan to be back about the middle of next week.

•

Moe Streimer was tendered a party yesterday at the Tavern by the Monday Knighters in honor of his 33rd wedding anniversary.

•

George Schaefer flew in from the coast yesterday. His plane was several hours late due to bad flying weather.

•

Lou Wechsler, U. A. branch manager in New Haven, was in town yesterday.

•

Al Lichtman got back from Hollywood yesterday. He made stopovers at St. Louis and Chicago.

•

Sol A. Rosenblatt returned yesterday from a 10-day trip to Hollywood by plane.

•

Charles Caballero was in town from New England, where he operates three Harry C. Arthur theatres.

•

Mrs. Ben Goetz has arrived from the coast and her husband will follow in about two weeks.

•

Walter Gould, Arthur W. Kelly's assistant at U.A., sails tomorrow on the *Paris.*

•

William T. Powers and Milton Hossfeld of National Theatres are due back from the coast tomorrow.

•

Buck Jones will head for the coast today, via train.

•

Ada Leonard will leave Chicago today en route to the RKO studios.

•

Eugene Frenke left for Hollywood last night by plane.

•

June Clayworth will leave for the M-G-M studios by plane Sunday.

•

Helen Gahagan left for Dallas yesterday via American Airlines.

•

Ralph Poucher of Consolidated returned from Hollywood yesterday.

J. ROBERT RUBIN will arrive tomorrow from California. Bertram Block, who left the coast with Rubin, is making several stopovers and will not return for another week.

•

Barbara Pepper, RKO actress, was one of the judges at the Kenmore, Brooklyn, talent quest Wednesday night. The *Daily Eagle* is cooperating with the RKO circuit on the quest.

•

W. A. Keyes of the Victory, Dayton, is in town closing deals for roadshow engagements of "The Lost Horizon" and "The Good Earth."

•

Ann D. Ellmer, assistant to Oscar Doob, is home ill. It's the first time she has been away from her desk, other than a vacation, in years.

•

Mrs. C. H. Roach, mother of Hal Roach, is in town for a vacation of two weeks.

•

James Timony, Grand National producer, has arrived from the coast. He is stopping at the Edison.

•

Jules Levy left last night on the *Empress of Australia* for a West Indies cruise.

•

Beatrice Faber, editor of Loew's *Movie-Goer,* has returned from a South American cruise.

•

Frances Roberta Sterrett's novel, "Mary Rose of Mifflin," has been purchased by M-G-M.

•

Ann Marsters, Boston film critic, visited Oscar Doob yesterday.

•

Henri Elman will return to Chicago over the weekend.

Departments Merged In RKO Home Office

The RKO exchange operations department in the home office has been expanded by Ned E. Depinet to include the contract department.

A. A. Schubart, formerly manager of the contract division, will head the consolidated unit. William J. McShea, home office representative, will be his assistant.

Schlesinger to Do 20

Hollywood, March 25.—As a result of conferences between Leon Schlesinger, Warner cartoon producer, and Norman Moray, short subjects head, Schlesinger will produce 20 cartoons for 1937-'38 instead of 18. Sixteen cartoons are currently on his schedule awaiting production.

Garnett for "Stand-In"

Hollywood, March 25.—Walter Wanger has signed Tay Garnett to direct "Stand-In." Leslie Howard has been tentatively selected for the male lead.

F. Wynne-Jones Ill

F. Wynne-Jones, formerly American representative of Ufa, and at one time associated with United Artists, is ill at St. Vincent's Hospital.

Paul Burger Stricken

Hollywood, March 25. — Paul Burger, writer for 20th Century-Fox, is ill at St. Vincent's Hospital here.

Eastman '36 Profit Equals $18,906,371

Eastman Kodak Co. last year showed a net profit of $18,906,371, which compares with a net profit for 1935 of $15,913,251. Earnings for 1936 were reported as the largest since 1930. Sales increased 14 per cent, reaching a total of $119,800,209. The net was after depreciation, U. S. and foreign income taxes, $210,927 surtax on undistributed profits and other deductions.

The profit is equal to $8.23 per share on 2,250,921 shares of no par common stock, after allowing for the six per cent preferred dividend. The 1935 net was equal to $6.90 per share in 1935. Operations and assets of the Spanish subsidiary have been eliminated from the accounts this year, it was stated in the report to stockholders.

John Drinkwater Dead

London, March 25.—John Drinkwater, playwright, poet and author of a biography of Carl Laemmle, died at his home here today. He was 54.

Drinkwater was born in 1882 at Leytonstone, a London suburb. He was educated at the Oxford High School. The writing urge was present early in his life. He organized theatrical groups and wrote historical dramas. His first play was produced in 1911. His last work was an autobiography in two volumes, "Inheritance" and "Discovery." He was married twice.

Protest on "Horizon"

Pittsburgh, March 25.—After protests had been made by Columbia, the Harris Amusement Co. removed from the screen and lobby of the Alvin all matter pertaining to "Lost Horizon."

For months, the Alvin has been billing the picture as a "coming attraction" and continued to do so even after it had been announced as a roadshow offering at the Nixon, where it is now playing.

"Top of Town" Booked

Universal has booked 98 first run situations on "Top of the Town," according to James R. Grainger, general manager of distribution. All deals are on percentage. Of the number, 60 theatres will show the musical during the week of April 16. The picture was previewed at the Roxy last night in advance of a two-week engagement which starts today.

Ban "Spain in Flames"

New Brunswick, N. J., March 25.—Sheriff F. Herman Harding has declared that he would use "every resource" to prevent the showing of the film, "Spain in Flames," in Middlesex County. The New Brunswick City Commission, reversing earlier permission, had refused a permit for showing of the picture.

Record for "Maytime"

Portland, March 25.—"Maytime," opening here at the United Artists, broke the house record for an opening day gross. Indications point to an extended run.

Preview "White Gods"

A preview of "White Gods" was held aboard the *Santa Barbara* of the Grace Line last night just before the ship docked at Guayaquil, Ecuador.

OKAY, AMERICA! ORCHIDS TO 'EM ALL – EVEN BERNIE – FOR A SWELEGANT SHOW! I HOPE I DIDN'T SPOIL "WAKE UP AND LIVE" ANY MORE THAN BERNIE DID! I DON'T KNOW WHO STEALS THE PICTURE BUT I KNOW IT ISN'T BERNIE! ALICE FAYE IS A SWEETHOT – JACK HALEY, PATSY KELLY, NED SPARKS AND WALTER CATLETT ARE HOWLARIOUS – AND THOSE GORDON-REVEL DITTIES MAKE IT CINEMAGNIFICENT! I WOULDN'T RISK MAKING A PICTURE WITH ANYONE BUT DARRYL ZANUCK–I SHOULD HAVE PAID TO BE IN IT!

Yes, gentlemen, it's Walter Winchell, himself, giving you the lowdown on 20th's latest great musical, "**WAKE UP AND LIVE,**" with a flock of top names. *Hold the wire till next week!*

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

"Swing High" Los Angeles' Hit, $24,750

Los Angeles, March 25.—"Swing High, Swing Low" was an outstanding draw at the Paramount, with a stage show headed by Rube Wolf and his orchestra. The $24,750 take was $6,750 above par.

"Lost Horizon" continued its fast pace at the 4 Star by getting $11,000 in its second week $1.50 top.

"Maytime" was in the money with $14,871 at the Chinese in its second week and also at Loew's State where it took $16,596, also in its second week.

Total first run business was $110,167. Average is $107,950.

Estimated takings for the week ending March 24:

"THE GOOD EARTH" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 8th week. **Gross:** $11,500. (Average, $17,000)

"MAYTIME" (M-G-M)
CHINESE—(2,500), 30c-55c, 7 days, 2nd week. **Gross:** $14,871. (Average, $12,500)

"LOST HORIZON" (Col.)
4 STAR—(900), 50c-$1.50, 7 days, 2nd week. **Gross:** $11,000. (Average, $3,250)

"LES MISERABLES" (French)
GRAND INTERNAT'L—(750), 35c-40c, 7 days, 2nd week. **Gross:** $1,400. (Average, $1,200)

"WHEN LOVE IS YOUNG" (Univ.)
"PARK AVENUE LOGGER" (RKO)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $6,700. (Average, $8,000)

"MAYTIME" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 7 days, 2nd week. **Gross:** $16,596. (Average, $14,000)

"WHEN LOVE IS YOUNG" (Univ.)
"PARK AVENUE LOGGER" (RKO)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $6,500. (Average, $8,000)

"SWING HIGH, SWING LOW" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Rube Wolf and his orchestra, F & M. revue. **Gross:** $24,750. (Average, $18,000)

"THE GREAT O'MALLEY" (W. B.)
"HER HUSBAND'S SECRETARY" (F.N.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $7,900. (Average, $14,000)

"THE GREAT O'MALLEY" (W. B.)
"HER HUSBAND'S SECRETARY" (F.N.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days. **Gross:** $8,950. (Average, $12,000)

"Swing High" Best Indianapolis Draw

Indianapolis, March 25.—"Swing High, Swing Low" did smash business of $9,000 at the Circle, $5,000 over the line. It was held.

Also $5,000 upstairs was "Her Husband's Secretary," billed with a stage show headed by Olsen and Johnson at the Lyric. The take was $12,000.

"Wings of the Morning" nosedived for $2,200 at the Apollo and was pulled after six days.

Total first run business was $27,000. Average is $21,000.

Estimated takings:

Week Ending March 18:

"WINGS OF THE MORNING" (20th-Fox)
APOLLO—(1,100), 25c-40c, 6 days. **Gross:** $2,200. (Average, $4,000)

Week Ending March 19:

"SWING HIGH, SWING LOW" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $9,000. (Average, $4,000)

"A FAMILY AFFAIR" (M-G-M)
"PAROLE RACKET" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $3,800. (Average, $6,000)

"HER HUSBAND'S SECRETARY" (F.N.)
LYRIC—(2,000), 25c-40c, 7 days. Stage Olsen and Johnson. **Gross:** $12,000. (Average, $7,000)

"Swing High" Gets $17,000, Buffalo

Buffalo, March 25.—"Swing High, Swing Low," at the Buffalo, was top draw. It grossed $17,000, over the line by $5,000.

"The Great O'Malley" and "Accused" at the Century pulled $8,700, breaking par by $2,900. Another strong dual at the Lafayette, "Join the Marines" and "Two Wise Maids," took $7,000, up by $1,000. Other first run showings fell below average.

Total first run business was $45,200. Average is $38,400.

Estimated takings for the week ending March 20:

"SWING HIGH, SWING LOW" (Para.)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $17,000. (Average, $12,000)

"THE PLOUGH AND THE STARS" (RKO)
"ALONG CAME LOVE" (Para.)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $6,800. (Average, $7,300)

"WHEN'S YOUR BIRTHDAY?" (RKO)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $5,700. (Average, $7,300)

"THE GREAT O'MALLEY" (W.B.)
"ACCUSED" (U.A.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $8,700. (Average, $5,800)

"JOIN THE MARINES" (Republic)
"TWO WISE MAIDS" (Republic)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $7,000. (Average, $6,000)

Spokane Uses SRO Signs on "Lloyds"

Spokane, March 25.—"Lloyds of London" brought out the S.R.O. sign at the State for the first time since last fall when it pulled $5,500 in seven days, $700 above par, and was held over.

"Maid of Salem" and "The Holy Terror" took $5,400, over par by $200, on a dual in seven days at the Fox. "Black Legion," on a dual with "Racing Lady," took $2,500 in four days over the weekend at the Orpheum, about $300 over par.

Total first run business was $14,000. Average is $13,200.

Estimated takings for the week ending March 18:

"LLOYDS OF LONDON" (20th-Fox)
STATE—(1,000), 30c-40c, 7 days. **Gross:** $5,500. (Average, $4,800)

"MAID OF SALEM" (Para.)
"THE HOLY TERROR" (20th-Fox)
FOX—(2,300), 25c-40c, 7 days. **Gross:** $5,400. (Average, $5,200)

"BLACK LEGION" (W.B.)
"RACING LADY" (RKO)
ORPHEUM—(1,200), 20c-30c, 4 days. **Gross:** $2,500. (Average, $2,200)

"WOMAN ALONE" (G.B.)
"MAMA STEPS OUT" (M-G-M)
ORPHEUM—(1,200), 20c-30c, 3 days. **Gross:** $1,000. (Average, $1,000)

"Love News" 2d Week Top In Cleveland

Cleveland, March 25.—"Love Is News," for a second week, held the local spotlight. After a big week at Warners' Hippodrome, it was moved to the Allen where it more than doubled average with a take of $8,200.

Sally Rand, as the stage headliner at the RKO Palace, with "We're On the Jury," garnered $19,500, which was $4,500 better than par.

"Sea Devils" at Warners' Hippodrome made a plus showing, going $250 better than the average $10,000.

The weather was stormy with snow. Alfred Lunt and Lynn Fontanne in "Idiot's Delight" drew capacity business.

Total first run business was $55,450. Average is $51,000.

Estimated takings for the week ending March 19:

"LOVE IS NEWS" (20th-Fox)
ALLEN—(3,300), 30c-35c-42c, 7 days, 2nd week. **Gross:** $8,200. (Average, $4,000)

"SWING HIGH, SWING LOW" (Para.)
LOEW'S STATE—(3,400), 30c-35c42c, 7 days. **Gross:** $14,500. (Average, $15,000)

"OUTCAST" (Para.)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days. **Gross:** $3,000. (Average, $6,000)

"WE'RE ON THE JURY" (RKO)
RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: Sally Rand and "Texas Fair Follies." **Gross:** $19,500. (Average, $15,000)

"SEA DEVILS" (RKO)
WARNER'S HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $10,250. (Average. $10,000)

Rename 'Dead Yesterday'

Hollywood, March 25. — The Great Hospital Mystery" has been selected as the release title of the film formerly known as "Dead Yesterday," which was completed recently by 20th Century-Fox studios.

"Jeeves" with Waring Leads In St. Louis

St. Louis, March 25.—With "Step Lively, Jeeves" on the screen at the Ambassador and Fred Waring and His Pennsylvanians on the stage last week the take soared to $18,000, over normal by $4,000. This ended the stage policy at the house.

"Swing High, Swing Low" and "Don't Tell the Wife" at the Fox proved the best drawing card of the all-film programs with a gross of $15,500, which was $2,500 better than average.

Total first run business was $60,450. Average is $59,000.

Estimated takings for the week ending March 18:

"STEP LIVELY, JEEVES" (20th-Fox)
AMBASSADOR—(3,018), 25c-40c-55c, 7 days. Stage: Fred Waring and His Pennsylvanians. **Gross:** $18,000. (Average, $14,000)

"SWING HIGH, SWING LOW" (Para.)
"DON'T TELL THE WIFE" (RKO)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $15,500. (Average, $13,000)

"A FAMILY AFFAIR" (M-G-M)
"THE MAN WHO COULD WORK MIRACLES" (U. A.)
LOEW'S—(3,162), 25c-35c-55c, 7 days. **Gross:** $10,000. (Average, $14,000)

"OUTCAST" (Para.)
"SHE'S DANGEROUS" (Univ.)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $9,250. (Average, $11,000)

"THE PLAINSMAN" (Para.)
ST. LOUIS—(4,000), 25c-40c, 7 days. **Gross:** $7,700. (Average, $7,000)

Lesser Heads Century

Boston, March 25.—Louis Lesser, formerly with the Bay State Film Co., has been appointed sales head for Century Pictures by Marcel Mackelberg, Boston manager for G. B., who still owns the Century franchise. Physical distribution is being handled through Wholesome Film Service, Inc.

"Swing High" Gets $17,000, Philadelphia

Philadelphia, March 25.—Though the heaviest snow of the winter knocked off Sunday and Monday business, grosses were excellent. "Swing High, Swing Low" took a $17,000 and was held at the Stanley. "Fire Over England" grossed $11,000 at the Aldine and also was held.

The two roadshow pictures held their own, with "Lost Horizon" taking $14,000 for its second week at the Chestnut and "The Good Earth" snaring $12,500 for its fourth week at the Locust.

"Nancy Steele Is Missing," plus Shep Fields and his band, gave the Fox a better-than-average $16,000.

"Romeo and Juliet" failed to click in eight days at the Boyd. It grossed $11,000.

Total first run business was $106,600. Average, exclusive of the roadshow pictures, is $83,160.

Estimated takings for the week ending March 18:

"FIRE OVER ENGLAND" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 7 days. **Gross:** $11,000. (Average, $8,160)

"MAN OF AFFAIRS" (G.B.)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 5 days. **Gross:** $1,700. (Average, 7 days, $2,800)

"ROMEO AND JULIET" (M-G-M)
BOYD—(2,400), 40c-55c, 8 days. **Gross:** $11,000. (Average, 7 days, $14,000)

"LOST HORIZON" (Col.)
CHESTNUT—(1,350), 58c-86c-$1.14-$1.71, 7 days, 2nd week. **Gross:** $14,000.

"FAIR WARNING" (20th-Fox)
EARLE—(2,000), 40c-55c-65c, 7 days. Stage: "Folies Parisienne" unit. **Gross:** $13,000. (Average, $14,000)

"NANCY STEELE IS MISSING" (20th-Fox)
FOX—(3,000), 40c-55c-65c, 7 days. Stage: Shep Fields and band. **Gross:** $16,000. (Average, $14,000)

"READY, WILLING AND ABLE" (W.B.)
(2nd run)
KARLTON—(1,000), 25c-35c-40c, 7 days. **Gross:** $2,700. (Average, $4,000)

"GREEN LIGHT" (F.N.)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 7 days, 2nd week. **Gross:** $2,200. (Average, $4,000)

"THE GOOD EARTH" (M-G-M)
Locust—(1,300), 55c-86c-$1.14-$1.71, 7 days, 4th week. **Gross:** $12,500.

"SWING HIGH, SWING LOW" (Para.)
STANLEY — (3,700), 40c-55c, 7 days. **Gross:** $17,000. (Average, $14,000)

"MIDNIGHT COURT" (W.B.)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,500. (Average, $7,000)

May Use Amateur Acts

Scottsbluff, Neb., March 25.—Acts culled from weekly amateur nights held at the Gering (Neb.) Auditorium may be used on a circuit of Platte Valley theatres in Nebraska and Colorado, according to W. H. Ostenberg of Gibraltar Theatres.

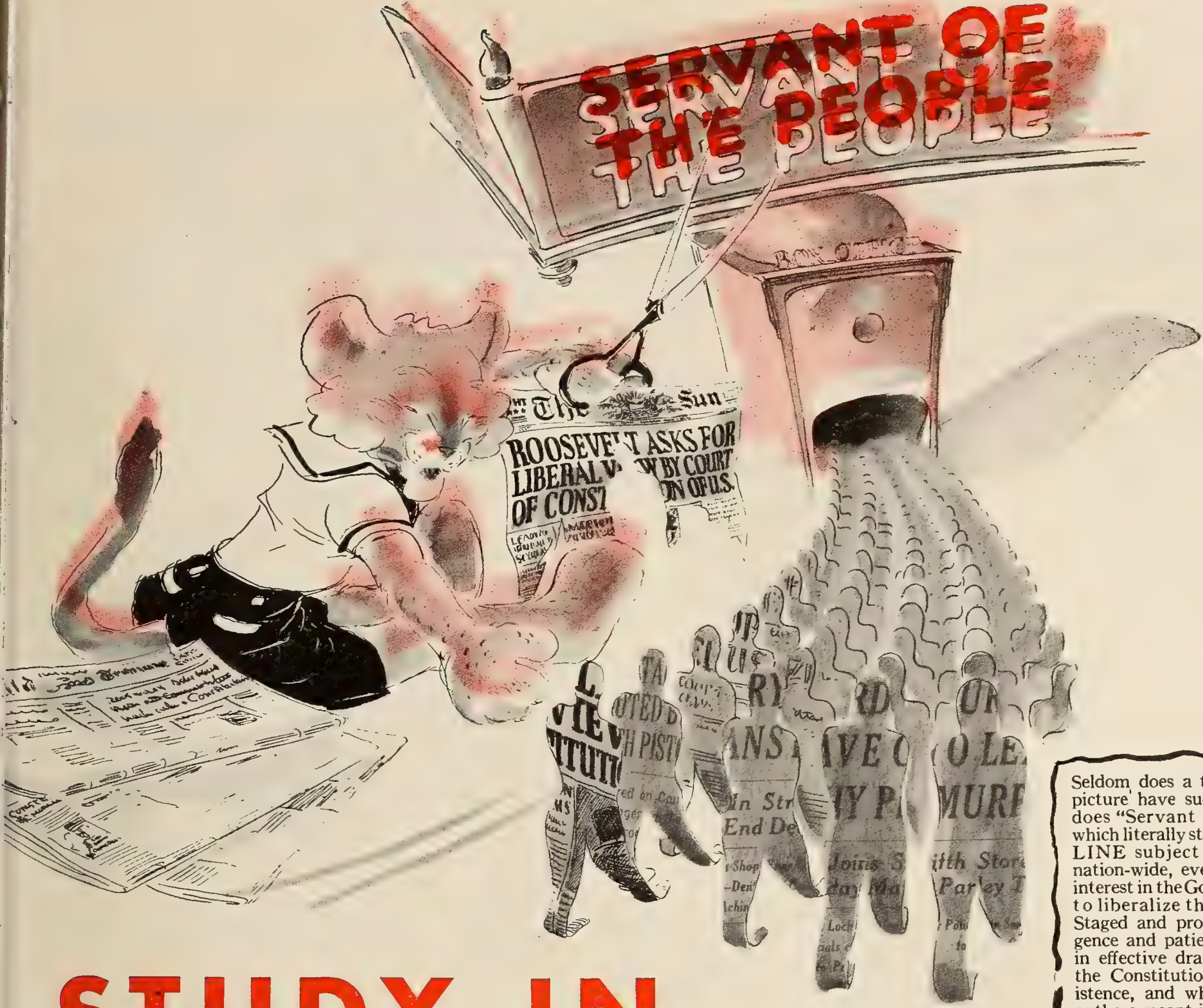
Ostenberg will start the experiment shortly.

Maurice Caplan Better

Detroit, March 25.—Maurice J. Caplan, president of Metropolitan M. P. Co. and former president of the local Variety Club, who has been seriously ill in Harper Hospital, is reported out of danger.

Selznick Signs Sinclair

Hollywood, March 25.—Selznick International Pictures has signed Robert Sinclair, New York stage director, to direct an early production.


SERVANT OF THE PEOPLE
BOX OFFICE
The Sun
ROOSEVELT ASKS FOR LIBERAL V... BY COURT ... OF CONST ... ON OF U.S.

Seldom does a two-reel motion picture have such timeliness as does "Servant of the People", which literally stands as a HEADLINE subject because of the nation-wide, even international, interest in the Government's aims to liberalize the Constitution. Staged and produced with diligence and patient effort, telling in effective dramatic style how the Constitution came into existence, and why, and what its authors meant it to be.

Motion Picture Herald

STUDY IN SHOWMANSHIP!

A subject that has made the nation's *headlines* is bound to make *long lines* at the nation's box-offices! It is already hailed as the GREATEST Short Subject in History!

METRO-GOLDWYN-MAYER'S TWO-REEL SHOWMANSHIP SPECIAL

"SERVANT of the PEOPLE"

The Story of the Constitution of the United States

GIVE IT THE GUN—Book it Early—Bill it Big—Grab that Extra Gross

READY FOR APRIL 9th RELEASE!

"Wings" Hits $19,500, Top Boston Gross

BOSTON, March 25. — "Love Is News," with "Wings of the Morning," hit the high spots at the RKO Memorial with a take of $19,500, above average by $7,500.

"The Last of Mrs. Cheyney," with "Dangerous Number," took $15,000 at Loew's Orpheum, over the line by $3,000. The same program also did well at Loew's State with $13,000. Average is $11,000.

Rainy weather and Lent affected grosses at the other houses.

"Good Earth," roadshowing at the Colonial at $1.65 top, drew $12,000 in its first week.

Total first run business was $112,000. Average is $88,500.

Estimated takings for the week ending March 18:

"MURDER GOES TO COLLEGE" (Para.)
"CRACK-UP" (20th-Fox)
FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $4,500. (Average, $4,500)

"LOVE IS NEWS" (20th-Fox)
"WINGS OF THE MORNING" (20th-Fox)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $19,500. (Average, $12,000)

"LAST OF MRS. CHEYNEY" (M-G-M)
"DANGEROUS NUMBER" (M-G-M)
LOEW'S ORPHEUM—(2,970), 25c-45c-65c, 7 days. **Gross:** $15,000. (Average, $12,000)

"LAST OF MRS. CHEYNEY" (M-G-M)
"DANGEROUS NUMBER" (M-G-M)
LOEW'S STATE—(3,537), 25c-45c-65c, 7 days. **Gross:** $13,000. (Average, $11,000)

"GOOD EARTH" (M-G-M)
COLONIAL—(1,643), 55c-85c-$1.10-$1.65, 7 days. **Gross:** $12,000.

"SWING HIGH, SWING LOW" (Para.)
METROPOLITAN — (4,332), 35c-55c-75c, 7 days. Stage: "Rhapsody in Rhythm" with Grauman's Musical Stairs. **Gross:** $22,000. (Average, $22,000)

"MURDER GOES TO COLLEGE" (Para.)
"CRACK-UP" (20th-Fox)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"NIGHT WAITRESS" (RKO)
RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: "World's Most Beautiful" with Edgar Kennedy. **Gross:** $20,000. (Average, $21,000)

"Swing High" Gets $8,000 in Denver

DENVER, March 25.—"Swing High, Swing Low" turned in the best showing of the week by getting $8,000 at the Denham, $2,000 to the good.

"The Green Light" was strong at the Denver with a take of $10,000. "When's Your Birthday?" and "Criminal Lawyer" were strong on a take of $8,000 at the Orpheum.

Total first run business was $35,000. Average is $27,000.

Estimated takings for the week ending March 18:

"WHEN YOU'RE IN LOVE" (Col.)
ALADDIN—(1,500), 25c-40c-50c, 7 days, folowing a week at the Denver. **Gross:** $3,000. (Average, $3,000)

"ON THE AVENUE" (20th-Fox)
BROADWAY—(1,500), 25c-40c, 7 days, following a week each at the Denver and Aladdin. **Gross:** $3,000. (Average, $2,000)

"SWING HIGH, SWING LOW" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $8,000. (Average, $5,000)

"GREEN LIGHT" (F.N.)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $10,000. (Average, $7,500)

"WHEN'S YOUR BIRTHDAY" (RKO)
"CRIMINAL LAWYER" (RKO)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $8,000. (Average, $6,000)

"GREAT O'MALLEY" (W.B.)
"OFF TO THE RACES" (20th-Fox)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Fifty Roads to Town"

(20th Century-Fox)

HOLLYWOOD, March 25.—Comedy and romance given farce treatment form the substance of this film. Much of it is very amusing. Other portions, which have the atmosphere of a high school amateur theatrical, are not. Consequently, the entertainment is slowed somewhat. However, good dialogue and situations combine to offer general attractiveness and appeal for average audiences.

Featuring Don Ameche and Ann Sothern, the plot follows the mistaken identity formula. In a speeding auto, Ameche is fleeing a divorce mess. Miss Sothern is also in flight—on the way to an elopement. Both come together in an isolated mountain cabin where the boy thinks that the girl is a process serving deputy and she thinks he is a gangster. Intimate but wholesome relations ensue and bring Spencer Charters, an innkeeper; Stepin Fetchit, his handy man; Slim Summervile, a trapper; Paul Hurst, motorcycle policeman, and John Qualen, sheriff, into the film for some hilarious comedy contrast. The appearance of Douglas Fowley, the real gangster, lends a dramatic note to the comedy. As Miss Sothern and Ameche come to love each other real identities are revealed. This is followed by a farce comedy situation which culminates in a roaring gun siege wherein Qualen's posse fires more bullets than ever were aimed at Dillinger. The violent situation is not to be taken seriously.

The film is based on a novel by Louis Nebel which William Conselman and George Marion, Jr., transcribed to the screen. Norman Taurog's direction accentuates comedy, but points for enough love interest to hold the story together.

Production Code Seal No. 3,038. Running time, 80 minutes. "G."

Looking 'Em Over

"Git Along Little Dogies"

(Republic)

Here is western entertainment of the first order. There is community singing in which the audience is invited to participate, romance comedy by Smiley Burnette, who chases butterflies, and a modern, plausible story that is excitingly unfolded.

Autry leads a group of ranchers who are opposed to the drilling of oil wells near streams where they water their cattle. Judith Allen and her father are backing the oil project. Miss Allen and Autry are friendly enemies, romantically inclined. She also operates a radio station. The story meanders through musical interludes, melodrama and finally arrives at its exciting conclusion after Autry uncovers Weldon Heyburn's trickery and oil is struck to the great satisfaction of the cast in general. It is pleasantly diverting throughout.

In its entirety the production has all sorts of musical variety. There is a stock-selling show, a performance by The Cabin Kids and cleverly injected comedy. The principals handle their roles convincingly. Autry sings in the manner his followers appreciate. The support includes Willie Fung, William Farnum, The Maple City Four, Carleton Young and Will and Gladys Ahern, a dancing team. Joseph Kane directed.

Production Code Seal No. 3,141. Running time, 65 minutes. "G."

(Additional Reviews on page 8)

"Seventh Heaven," reviewed by wire from the coast on March 17, opened at the Radio City Music Hall yesterday morning.

"The King and the Chorus Girl," slated to open tomorrow morning at the Strand, was reviewed by wire from Hollywood on Feb. 24.

"History is Made at Night," another picture to open Saturday morning, but at the Rivoli, was reviewed on March 9.

"Waikiki Wedding," now current at the Paramount, was previewed from Hollywood on March 22 by wire.

White to Make Shorts

Lew White, organist, is planning a series of song shorts under the general title, "Your Song Parade," in which radio, stage and screen players will appear. The first will go into work at the Reeves Sound Studios shortly.

Delay Oberon Picture

LONDON, March 25.—Merle Oberon's injuries, sustained in a motor accident here last week will necessitate a delay in the production of "I, Claudius," it was learned today. Doctors said the actress will not be able to work for three or four months.

Short Subjects

"My Artistical Temperature"

(Paramount)

Popeye and Bluto "have at it" in their atelier when Olive Oyl arrives to have her likeness done by the pair. The regular preliminaries are taken care of in short order and the boys soon start battling. The fight is a grand display with hilarious invention. The animation takes in many clever angles, such as molded fists smacking Bluto and countless other humorous twists. It is a first rate Popeye. Production Code Seal No. 01,286. Running time, 7 mins. "G."

"Screen Snapshots No. 7"

(Columbia)

The wandering camera visits the Hollywood location of a circus and the attendant doings by the film folk there. In another sequence it shows Chester Morris training his dogs. Then it takes the audience to a regatta at Long Beach and finally to Fred Stone's nickeodeon party. In its way it is pleasant. Production Code Seal No. 2,908. Running time, 9 mins. "G."

"The Ice Man"

(Van Beuren-Radio)

Inside facts concerning hockey are revealed in this "Sports with Bill Corum" number. The spectacular aspects of the game and many glimpses behind the scenes should serve to hold interest. It is vividly photographed. Production Code Seal No. 01,426. Running time, 10 mins. "G."

"Puttin' Out the Kitten"

(Columbia)

There are some good effects in the animation of this Scrappy cartoon. In its light, entertaining way it has Scrappy suffering from a terrible nightmare after he puts the cat out on a cold, snowy night. Production Code Seal No. 3,005. Running time, 7 mins. "G."

Wall Street

Losses Dominate Board

	High	Low	Close	Net Change
Columbia	33¾	33¼	33¼	— ⅛
Consolidated	4½	4⅜	4½	+ ⅛
Consolidated, pfd..	15½	15⅝	15⅜	— ⅛
Eastman Kodak ..	161	160¾	160¾	+ ¾
Gen. T. Equip....	30½	30	30	+ ¼
Loew's, Inc.	77⅞	77	77	+ ⅛
Paramount	23⅞	23¼	23½	.....
Paramount 1 pfd..	163	163	163	—4¼
Paramount 2 pfd..	20⅞	20¾	20¾	— ⅜
Pathe Film	8½	8⅜	8⅜	— ⅛
RKO	8⅛	7⅞	7⅞	— ¼
20th Century-Fox.	37¼	36⅞	36⅞	.....
20th Century, pfd..	46	46	46	.....
Warner Bros.	14⅜	14⅛	14¼	— ½

Little Curb Movement

	High	Low	Close	Net Change
Grand National ..	3	2⅞	2⅞	.....
Sonotone	1⅞	1¾	1⅞	.....
Technicolor	22	21⅝	21⅝	— ⅜
Trans-Lux	4⅝	4⅝	4⅝	.....

Fractional Bond Changes

	High	Low	Close	Net Change
Keith B. F. 6s '46	97¾	97⅝	97¾	+ ⅛
Loew's 3½s '46....	98⅝	98⅝	98⅝	.....
Paramount Pict. 6s '55	100	100	100	.....
Warner Bros. 6s '39 wd	95	94¾	94¾	— ⅛

(Quotations at close of March 25)

EVERY "AUER" IS PRECIOUS!

—and you'll experience many delicious moments when Mischa (in 6 hilarious disguises) mixes with Sally and Jimmy in the big laugh show of the Hour!

SALLY EILERS
JAMES DUNN
MISCHA AUER

"WE HAVE OUR MOMENTS"

Another good one from the
NEW UNIVERSAL!
CHARLES R. ROGERS Executive Producer

Directed by Alfred L. Werker
EDMUND GRAINGER
Associate Producer

New Operating Deal Is Signed for Roxy

(*Continued from page 1*)

of the gross of the Roxy and 25 per cent of the net. During the past six months the operating company received $60,000, it was stated. Cullman pointed out, however, that the compensation for the past six months was not a fair representation of sums paid the operators for the entire receivership period, during which the Roxy occasionally was in the red. The new agreement is subject to the approval of the Federal court. If the reorganization of the theatre is completed this summer, the new agreement, presumably, would carry Artco over as operator of the house at least until the end of the year despite the fact that the reorganization plan contemplates acquisition of a controlling stock interest in the Roxy by 20th Century-Fox in consideration for $650,000 in cash and a 20-year film franchise.

Leo Brecher, New York theatre operator, testified that he placed a value of $4,000,000 to $5,000,000 on the Roxy as a going concern. This contrasted with realtors' appraisals of approximately $3,500,000 which were made earlier. Roxy stockholders are endeavoring to demonstrate that the theatre company is not insolvent and that the reorganization plan, in consequence, should make provision for the stockholders.

A letter written by the late S. L. (Roxy) Rothafel which expressed disapproval of long term film franchises was introduced in evidence at the hearing, which will be resumed next week.

Stadium-KAO Pact Approved by Court

(*Continued from page 1*)

transfer to Stadium of $386,000 of Orpheum notes which it continues to hold and would also cancel claims against Orpheum aggregating more than $3,000,000.

Bondy Approves Special Master

An order providing for the appointment of a special master by the Federal Court to hear opposition to the RKO plan of reorganization was signed by Federal Judge William Bondy yesterday and indications are that the appointment will be made within the next week.

The assignment of hearings on the plan to a special master is designed to speed up the RKO reorganization by leaving Judge Bondy free to hear and dispose of a large amount of related litigation which has been monopolizing the court's time to the exclusion of hearings on the plan itself.

RKO Claim Reduced

The claim of Cora Gregg for $17,109 against RKO was reduced yesterday to $14,549 by Federal Judge William Bondy and allowed in that amount. A hearing on the claim of the Crescent Advertising Co. against this company was set for April 26 before Judge Bondy.

Roderick to Fairhaven

Boston, March 25.—The Glickman circuit has named Leonard Roderick manager of Keith's in Fairhaven.

Looking 'Em Over

"White Gods"

(*Trekolog Films*)

To exhibitors who specialize in unusual exploitation films, "White Gods" is a natural for plenty of ballyhoo. The dress and mannerisms of the Avishiri Indians in the Oriente region of Ecuador are unique in that they smear their faces and bodies fantastically with paint and slick their hair to resemble grotesque head gear.

It was produced by Andre Roosevelt and Cyril von Baumann on an expedition last year. Walter Blaske acted as guide, with Basil Ruysdael handling the narration. Approximately 26,000 feet of film were shot and later reduced to six reels. According to the producers, these Indians had never seen a white man before and no white man has penetrated the Oriente region.

Roosevelt and Von Baumann have introduced a plot which finds them searching for Martin Greenleaf, an explorer, believed lost and alive in the jungle. The only clue they have to Greenleaf is a pipe found in the Indian camp and bearing the initials of M. G. They do not succeed in finding their man and leave the country after narrow escapes.

Reviewed without a production code seal. Running time, 61 minutes. "G."

"Navy Spy"

(*Condor-Grand National*)

A trite and unconvincing action yarn, this George Hirliman production offers little in story, cast or production, and appears suitable at best for the second spot on a dual bill.

Conrad Nagel works hard to make something of his role of Federal officer tracking the foreign kidnappers of a naval lieutenant with an important secret, but his material is too much for him. Opposite him, in the role of a feminine agent who works with him on the case, is Eleanor Hunt, who contributes nothing to the picture. Judith Allen and Jack Doyle are cast in supporting roles.

The screenplay of Crane Wilbur, who also directed, tells of the disappearance of Doyle, inventor of a secret formula of value to the Navy, which is sought by foreign interests. Other means failing, Doyle is kidnapped, the ruse being betrayal by Miss Allen, dancer with whom he is in love. Nagel is assigned to the case, and despite his stern refusals, Miss Hunt insists on working with him. The climax comes aboard a tramp steamer which is taking Doyle and Miss Allen to sea, as the disguised Nagel and Miss Hunt succeed in rescuing Doyle and effecting the capture of the gang with the aid of a destroyer.

Production Code Seal No. 2,650. Running time, 57 minutes. "G."

"Oh, Susanna!"

(*Republic*)

Western action is secondary to musical sequences in this Nat Levine production. The necessary action is present in a measure and comedy is offered by Smiley Burnette. Gene Autry, Frances Grant, Earle Hodgson, Donald Kirke and Clara Kimball Young are featured. The film should have fair acceptance.

Autry is waylaid on a train by an escaping murderer while on his way to visit friends. The criminal changes clothes and pushes the hero out of a Pullman window. At Autry's destination the culprit poses as the singer, who, meanwhile, is picked up by Smiley Burnette's traveling show. The plot from that point is mainly concerned with Autry's troubles with the law and with tracking down his assailant. This procedure takes him to Miss Grant's dude ranch. While posing as an entertainer he gets a lead on the outlaw and shortly afterwards settles his account. The finish has a rousing chase in the approved fashion, though it is done with automobiles instead of horses. The musical interludes follow the outdoor theme.

Joseph Kane directed.

Production Code Seal No. 2,429. Running time, 60 minutes. "G."

Question Censor Action

Toronto, March 23.—The action of the Ontario censor board in permitting the wives of a number of members of Parliament to attend a midnight screening of "The Good Earth" has been questioned. It is considered improper in some quarters for the censor to invite spectators while the film was in the possession of the Government.

Hockey Hits Theatres

Regina, Sask., March 25.—When hockey and ice carnivals and shows reach their maturity in the United States they will provide tough competition for theatres, if the experiences of Canadian showmen provide a criterion.

Larry Graburn, Metropolitan manager, declares grosses drop 50 per cent on championship hockey nights.

Patterson Wins Stay On "Jungle" Picture

Federal Judge Vincent L. Leibell yesterday granted an injunction to Frederick B. Patterson against the Century Prod., Inc., Samuel Cummins, Empire Laboratories, Inc., Richard Fidler and the Bob-Ed Theatre Corp., restraining further infringement on Patterson's film and directing the defendants to deliver all negatives for destruction. The court also ruled that a special master should be appointed to render an accounting of the profits and damages. An allowance for counsel fees also will be made.

The court ruled that at least 1,000 feet of film from Patterson's picture "Shooting Big Game with a Camera" were "purloined" in the "Jungle Killer," which was produced by Cummins' company, Century Prod. On Feb. 19 last Judge Murray Hulbert also granted an injunction and order for an accounting against the same defendants because the "Jungle Killer" infringed on the picture "Jengo" owned by the Danveport-Quigley Expeditions. Patterson made his film while in Africa in 1927 and has been renting it to religious and educational organizations. The suit had been previously discontinued against Carveth Wells.

Bill Permits Towns to Control Theatres

Albany, March 25.—Under the provisions of a bill introduced in the Assembly by Harry A. Reoux, of Warrensburg and referred to the Internal Affairs Committee, the town law is amended generally among other things to permit towns to regulate film houses, shows, skating rinks and amusement parks.

Krellberg Explains Belmont Lease Deal

(*Continued from page 1*)

Krellberg is president. Motion Picture Daily said yesterday that Al Krellberg is the owner of the house. This was an error. He is the attorney for Paradise.

Sam Krellberg declared yesterday that he has no control over the pictures played in the theatre, that the matter was handled as a straight theatre rental and that he was in Florida at the time the lease was signed.

Dowling to Preside At Dinner to Zukor

(*Continued from page 1*)

stein, vice-president and treasurer of M-G-M, and William Brandt, chairman in charge of the dinner, will speak.

WOR-Mutual will air the affair from 11:30 P. M. to 12 midnight. About 3,000 theatre owners will attend.

Airlines Cut Rates

American Airlines yesterday announced reduction in rates between all principal cities. Charles A. Rheinstrom, vice-president, stated that effective May 1, the fare from New York to the coast will be reduced by $10.05, and from New York to Chicago by $3. There will be an $8 charge for berths between the two coasts. Meals will be continued on a complimentary basis, he said.

Spring is here!

I've got my share of good pictures . . . and National Screen Service to take care of my screen advertising with fresh, peppy, properly timed, up-to-the-minute screen broadcasts, flashing the big news and the best news of my coming attractions. ★ Why shouldn't I feel good! . . . there's always a couple of good lines I can lift right out of the trailer copy to help build my selling campaign. ★ Give National Screen the names of your pictures and your playdates and they do the rest and do it swell. ★ Sure I feel good . . . and so do more than 10,000 showmen who have

→NATIONAL SCREEN SERVICE←

◀ Radio Personals ▶

ANNA JAMISON'S contract on "Hollywood Hotel" has been renewed for another 13 weeks. . . . Announcer George Hicks, and engineers Walter Brown and Marvin Adams leave for Enderburg Island early in April to do NBC's description of the eclipse of the sun June 8 from that tiny dot of land in the Pacific. . . . Pauline Frederick will be the featured guest on the Hammerstein "Music Hall of the Air" series March 30. . . . ."Naughty Marietta" will be the "Beauty Box" offering March 31, starring Jessica Dragonette. . . .

✚

Andre Kostelanetz yesterday signed a contract with the Brunswick Recording Co. . . . Ford Frick and Gertrude Lawrence will be the principal guests on "Showboat" next Thursday. . . . Texas stations KTAT and WRR will join the Mutual network May 1, instead of on April 15, as originally announced. . . . Marion Melton will be heard singing with Irving Aaronson's "Commanders" on WHN beginning next Thursday. . . . And Helen Yorks, WHN soprano, will begin a new series Sunday, from 1:30 to 2 P.M. . . . Lois Bennett will be Frank Munn's guest star this Sunday. . . . "Johnnie Presents" will present Doris Rhodes tomorrow night. . . . Dermott Quinn will be interviewed by Gertrude of Hollywood on WHN Monday afternoon at 2:30 P.M. . . .

✚

Chicago Town Pump

CHICAGO, March 28. — Truman Bradley, CBS-WBBM announcer, has been named one of the 10 best dressed men in Chicago. . . . Lucile Long, contralto on the NBC "Alka-Seltzer National Barn Dance," is vacationing in Florida. . . . The Kaye Brinker-Milton Charles program is making such a hit on WBBM-CBS that two network programs have been cancelled so that the program can be heard Monday, Wednesday and Friday at 6:30 P. M., C. S. T. . . . Don Gordon is the newest announcer to join the CBS staff. He comes to Chicago from Milwaukee. . . . Stan Thompson of WBBM is back at work after having been ill with the flu for a week. . . . Edna Means, monologist, starts a series of broadcasts over WCFL beginning Wednesday at 9 P. M., C. S. T. . . . Dr. Orlando Scott demonstrated a lie detector over the Bowman show at WGN Wednesday. Buddy Doyle was another featured artist on the show.

Foran with Burns and Allen

Warners' earlier objections having been overcome, Dick Foran is now definitely set as the vocalist for the new Burns & Allen series, which will be inaugurated April 12 on the NBC-Red.

LEO SAYS:
WHN is your station for the last-minute United Press news flashes!
WHN
DIAL 1010
AFFILIATED with M-G-M * LOEW'S
WHN

FCC Fixes Dates on Examiners' Hearings

WASHINGTON, March 25.—The F. C. C. has ordered the holding of examiners' hearings on the following applications:

May 19: Watertown Broadcasting Corp. and Black River Valley Broadcasts, Inc., both of Watertown, N. Y., for a new 1,420-kilocycle station, 100 watts night and 250 watts day power; station WCAD, Canton, N. Y., for change of frequency from 1,220 to 1,270 kilocycles; KWTN, Watertown, South Dakota, for change of frequency from 1,340 to 1,220 kilocycles and increase of night power from 250 to 500 watts; station KGDY, Huron, South Dakota, for change of frequency from 1,340 to 1,210 kilocycles.

May 28: Station KCMO, Kansas City, Mo., for change of frequency from 1,370 to 1,450 kilocycles and increase of power from 100 to 1,000 watts; West Virginia Newspaper Publishing Co., Clarksburg, W. Va., for new 1,250-kilocycle, 1,000-watt daytime station; station WBOW, Terre Haute, Ind., for change of frequency from 1,310 to 1,290 kilocycles and increase of power from 500 watts night, 1,000 watts day.

June 1: W. H. Hartman Co., Waterloo, Ia., for new 1,420-kilocycle 100-watt station; Vancouver Radio Corp., Vancouver, Wash., for new 880-kilocycle, 250-watt daytime station; Petersburg Newspaper Corp., Petersburg, Va., for new 1,210-kilocycle, 100 watts night, 250 watts day station.

Discuss Beauty Contest

It has been reported here that the Junior Chamber of Commerce, with headquarters in Washington, has tentatively approved a plan to start a nationwide film talent hunt by conducting beauty contests similar to Atlantic City's annual beauty pageant. The method is to replace the routine now employed for the Hollywood festivals.

The structure calls for contests in various cities under the supervision of the local Chamber of Commerce offices.

Heinz to Have Contest

"Heinz Magazine of the Air," sponsored by H. J. Heinz Co. on CBS, Mondays, Wednesdays and Fridays from 11 to 11:30 A.M., E.S.T., will announce news of a new contest on the April 7 broadcast.

The prizes will total $3,500 in Heinz merchandise, 1,400 prizes in all, for original recipes. The contest will continue until May 22, at which time the winners will be announced. Maxon, Inc. handles the program and conceived the contest.

Wellman on Air Test

HOLLYWOOD, March 25. — William A. Wellman, director for Selznick International, will officiate at radio's first air screen test from the studios of KFI today at 11:45, P.S.T.

The test will be made on the "Hollywood in Person" program, with Margaret Tallichet as the screen subject. Mary Astor and Raymond Massey will appear on the program.

KHJ Clearing Channels

HOLLYWOOD, March 25.—KHJ, Don Lee-Mutual affiliate here, is now clearing channels in an attempt to give Ed Lowry's "Sing Time" program a full coast-to-coast spot.

Changes Subject

Listeners who may have been tuned in on WOR, WMCA, or WINS, yesterday afternoon from 1:15 to 2 P. M., heard a remark never intended for the ears of dial tuners. The remark was made by Lieut. Col. Herman Bueckema, guest speaker at the weekly Advertising Club luncheon.

The officer was not cut off the air. H. B. Le Quatte, president of the Advertising Club, let loose an amazed, unbelieving, and horrified "tsk! tsk!" which abruptly stopped the Army officer. He immediately changed his subject.

New Dramatic Series Planned for Bankers

McCann-Erickson is now preparing a half-hour dramatic series entitled "You May Be Next" for sponsorship by an association of banks. The series will be transcribed.

A test platter was aired for the heads of 40 banks at a meeting last week. The banking representatives were from New York, New Jersey and New England. The platter was approved, and will be further submitted at the state and national banking conventions in May.

The series will consist of shock-type dramas, recounting the evils of keeping valuable papers and documents in the home, instead of depositing them in safe deposit vaults.

Commissioner of Corrections McCormack, of New York, was featured as narrator on the test platter, and will probably act in a similar capacity for the completed series.

To Open WOWO, WGL Studios

FORT WAYNE, March 25.—Formal opening of new studios for WOWO and WGL, Westinghouse affiliates in Fort Wayne, will take place May 1. Several programs have been planned for the day, and nationally known radio artists will be in the city to take part. Efforts are being made to assemble NBC artists who started their careers here.

Westinghouse took over the two Fort Wayne stations a year ago. Both were Columbia affiliates then, but WGL went on the NBC-Red network last November and WOWO will become a member of the basic blue network May 1. Ward W. Dorrell is manager of both.

Shift "Spelling Bee" Time

Beginning May 6, the NBC "Spelling Bee" program will be heard at a new time, Thursdays, 9:30 to 10:30 P.M., E.S.T., succeeding the "Town Meeting of the Air," which leaves the airways for the summer period. The "Spelling Bees" are currently heard Saturdays from 4:30 to 5:30 P.M.

Extend "Parade" Time

Confirming an earlier report here, the half-hour NBC "Hit Parade" series will add 15-minutes to its broadcast period, effective next Wednesday. The series hereafter will be heard from 10 to 10:45 P.M., E.S.T., on the Red network. Lord and Thomas is the agency.

Vallee to Have Two London Broadcasts

Standard Brands, sponsors of the Rudy Vallee program, are sending Vallee to England to make two broadcasts from London, May 6 and 13. Vallee will broadcast from the BBC studios and will feature British musicians and guest artists. The programs will be short-waved to America and re-broadcast by NBC at the usual Vallee time, Thursday, 8 to 9 P. M., E.S.T., on the Red network.

The move, of course, is motivated by the Coronation excitement that will center the eyes and ears of the world on London in May.

WHN Adds Two Accounts

Barney's Clothes, Inc., through the Schillin advertising agency, has added an additional hour each week to the WHN schedule, effective immediately. The new period, Sundays from 11 to 12 midnight, is a recorded dance hour. The contract is for nine months.

Additionally at WHN, Washington State Apples, Inc., through J. Walter Thompson, yesterday contracted for a four-week sponsorship of the Ida Bailey Allen participating program. The periods are Mondays, Wednesdays and Fridays from 10:30 to 11:30 A. M.

Renew Continental Series

Continental Baking Co.'s "Pretty Kitty Kelly" series, heard Mondays through Fridays from 6:45 to 7 P. M., E. S. T. on CBS, has been renewed for 13 weeks, effective April 12.

Beginning April 26, the program will be heard at a new time, from 1:15 to 1:30 P. M., E. S. T. Benton and Bowles is the agency.

Sablon Programs Arranged

Jean Sablon, who recently arrived here from France, will begin a regular series of his own on the NBC-Red network, beginning Monday, from 9:30 to 10 P.M., E.S.T. Norman Cloutier's orchestra will accompany Sablon.

"Morning Almanac" to Start

"Morning Almanac," a new series featuring Phil Cook, Lou White and a variety cast, will begin April 5, and will be heard Mondays through Saturdays from 8 to 9 A.M. on WABC only. It will be a sustainer.

Signed for Coronation

Blevins Davis, Yale University professor and authority on English coronation history, yesterday signed a contract with NBC to act as broadcast commentator for the coronation for that network.

"Farewell to Arms" on Air

Clark Gable, Adolphe Menjou and Josephine Hutchinson will offer a radio version of "Farewell to Arms" on the Lux "Radio Theatre" April 5 over CBS.

Dressman Says—

"We are always interested from day to day in your very fine radio section."—*Elmer H. Dressman*, WCKY, Cincinnati.

Boston Unit Seeks Increase in Power

WASHINGTON, March 25.—The F. C. C. has received an application from WAAB, Boston, for an increase in power from 500 to 1,000 watts.

The commission also has received the following additional applications: WSFA, Montgomery, Ala., for a power increase from 500 to 1,000 watts; KCA, Seattle, for a power increase from 250 watts day and 500 watts night to 1,000 watts; Capitol Broadcasting Co., Inc., Raleigh, N. C., for a new daytime station on 1,210 kilocycles, 250 watts; Metropolitan Radio Service, Inc., Chicago, new station on 1,570 kilocycles, 1,000 watts; Warren B. Worcester, San Diego, new station on 1,400 kilocycles, 250 watts night, 1,000 watts day.

O'Brien One of KIRO Owners

SEATTLE, March 25.—Col. Arthur O'Brien, U. S. Army retired, is a new principal stockholder in KIRO, according to Louis K. Lear, president of the Queen City Broadcasting Co. Colonel O'Brien will represent the station as attorney and contact man.

KIRO, recently announced as the new CBS outlet here, will not take over the Columbia programs before January 1, 1938, it was stated this week. Until that time they will continue to be released by KOL.

Westmores on Coast Network

HOLLYWOOD, March 25.—Two series of beauty hint talks, one by Ern Westmore of 20th Century-Fox and the other by Wally Westmore of Paramount, will be a weekly feature of "Hollywood in Person," the General Mills broadcast from studio stages over the NBC Pacific Coast red network.

Ask Georgia Air Group

ATLANTA, March 25.—A bill, sponsored by President Spivey of the Georgia Senate and three members, has been introduced calling for the creation of a seven-member Georgia radio commission to operate WGST at Georgia Tech and other stations the state might acquire.

Brown and Riegel Advanced

PHILADELPHIA, March 25.—Dee Carlton Brown and G. Frederic Riegel, members of the executive staff of the Geare-Marston advertising agency, have been promoted to vice-presidents. Brown will have charge of production and Riegel will be an account executive.

G. E. Gets Steinberg-Gilman

General Electric Corp. has retained Steinberg-Gilman Prod. to produce a series of foreign language spot announcements. Four languages will be used on three stations as a test program.

Vallee Buys "Points West"

LOS ANGELES, March 25.—Rudy Vallee has purchased the screen rights to the song, "All Points West," It may be filmed by Warners.

Ad Men to Dance April 17

"Monte Carlo" night and dance will be held by the Ass'n of Advertising Men of New York at the Hotel Pennsylvania Roof Saturday evening, April 17. Radio stars will entertain.

Earhart for Kraft

Hollywood, March 25.—Amelia Earhart will broadcast a full account of her recent trip on the Kraft hour next Thursday. John Barrymore and June Travis will also be on the program.

Initial Program Set In Paramount Series

The introductory "Paramount on Parade" broadcast this Sunday at noon on the NBC-Red network will feature visits to two film sets, "Turn Off the Moon," and "Mountain Music," in addition to reenactments of scenes from "Waikiki Wedding," with Bob Burns, Shirley Ross and Martha Raye portraying their screen roles from the picture.

"Paramount On Parade" is being produced by Boris Morros, head of the studio music department, under the supervision of C. J. Dunphy, studio publicity and advertising head.

Three New Accounts at WKRC

CINCINNATI, March 25.—New accounts reported by WKRC include: Oneida, Ltd., 13 quarter-hours of Peggy Tudor, twice weekly, placed through Batten, Barton, Durstine and Osborn, Inc., New York; Chrysler Motors, 12 spot announcements, two each night, placed through Lee Anderson, Detroit, and Calco Chemical Co., 52 one-minute announcements starting May 3, plugging Little Duchess Laundry Blue, placed through Ferry-Hanly Co., New York.

Sign for New WFIL Studios

PHILADELPHIA, March 25.—Contracts have been negotiated for the construction of WFIL's new $200,000 studios on the top floor of the Widener Bldg. Donald Withycomb,, general manager, said the studios will be ready by July 15. Firms whose bids were accepted include Frank G. Stewart Co., general contract; Carrier Corp., air conditioning; Johns - Manville Corp., soundproofing and acoustical treatment. Horace Trumbauer is the architect.

Mutual to Expose Rackets

"It's a Racket," a new dramatic series exposing rackets in business, will be presented over the Mutual network beginning tomorrow night from 8 to 9:15 P. M., E. S. T., and weekly thereafter. The National Better Business Bureau is cooperating with the author and network. Claude Stewart Hammock is handling the scripts.

Jack Parr Joins WCAE

PITTSBURGH, March 25.—Jack Parr, formerly with WKBN in Youngstown, O., has been added to WCAE's announcers staff here. Previous to his association with WKBN, Par was with WIBM in Jackson, Mich., and WIRE, Indianapolis.

Quebec to Get 2nd Chain

MONTREAL, March 25.—A second Canadian Broadcasting Corp. network will be established in the Province of Quebec soon, Dr. Augustin Frigon, assistant manager, states.

With two networks in operation, one will be devoted entirely to English programs and the other to French.

About 585 on New Season's Film Schedule

(*Continued from page* 1)

were outstanding several years ago. United Artists, 20th Century-Fox and Loew's reissued a few pictures this season.

At least five distributors will hold annual sales meetings in Los Angeles within the next few months.

According to present plans, Loew's will hold its convention at the Ambassador, Los Angeles, for a week starting May 2. Twentieth Century-Fox has set its dates for the same hotel beginning May 31. RKO, Universal and Grand National also intend to take their sales forces to the coast.

Paramount probably will decide on two regional sessions. United Artists tentatively plans to gather its men in Chicago the first part of June. Monogram may call in franchise holders for a New York meeting. Warner and Columbia are undecided.

Gradwell L. Sears, vice-president and general sales manager for Warners, and Carl Leserman, his assistant, are now conferring with Jack L. Warner on production details for next season. It is expected that dates and a place for the Warner convention will be set before they leave the coast. S. Charles Einfeld, director of advertising and publicity, also is sitting in on the studio meetings.

Preliminary indications are that each company will announce a greater number of "A" pictures. Paramount already has several included in the first group of next season's 58.

Constance Bennett Sues G. B. on Pact

(*Continued from page* 1)

was contracted for two pictures, "Everything Is Thunder" and "The Hawk"; that she completed the first, but that the second was made without notifying or calling her. The contract called for $5,000 for each picture, plus 10 per cent of the gross receipts from distribution in the United States with a proviso specifying an advance of $30,000 in anticipation of grossage payable at the rate of $3,750 weekly during the pictures' filming. The $65,000 which the actress asks is computed on this basis, with United States grossage estimated at $600,000.

Increase Theatre Ads

Increased advertising by all Broadway theatres will boost the number of theatrical pages in local newspapers today from one to three and four pages. Theatre advertising departments are tipping their budgets in view of Easter Week business, which is expected to jump from 15 to 20 per cent over last year. The ads are expected to be the largest in any given week during the past year.

Pick Crawford's Next

HOLLYWOOD, March 25.—Joan Crawford's next for M-G-M will be "Three Rooms in Heaven." The story is based on Katherine Brush's novel, "Mannequin." Frank Borzage will direct.

M-G-M Sets Coast Sales Meet May 2

(*Continued from page* 1)

will include M-G-M executives and salesmen from 36 domestic exchanges and from 127 foreign offices located in 59 countries. The prime object of choosing this city as the convention site was to permit the sales organization to preview the 1937-'38 product.

W. R. Furgeson, New York manager of exploitation, is expected tomorrow to complete arrangements.

Nicholas M. Schenck will leave Saturday by train for New York.

Greeting for G.B.'s First 2-a-Day Here

(*Continued from page* 1)

in. The theatre lobby was attractively dressed to resemble the Windsor Station in Montreal.

The city was represented by Borough President Samuel Levy. Among the players were Gloria Swanson, Constance Cummings and Mary Boland. Mark Hellinger, Ed Sullivan and Louis Sobel came in, columns and all; and film and other guests included Neil F. Agnew, Herbert B. Swope, Charles Moskowitz, Nate Blumberg, John O'Connor, Louis Nizer, Arthur W. Kelly, Clayton Sheehan, Spyros Skouras, Edwin C. Hill, Colvin Brown, Paul Moss, license commissioner of New York; Sir Gerald Campbell, British consul in this city; Max Fellerman, William and Harry Brandt, Howard S. Cullman and others who ducked in too rapidly to catch the eye or were lost in the inevitable shuffle.

"Silent Barriers" was reviewed in MOTION PICTURE DAILY on Feb. 16 from London under the original title, "The Great Barrier."

Consolidated Staff Strikes at Fort Lee

(*Continued from page* 1)

the delivery of urgent work, such as newsreel prints.

H. J. Yates, Sr., Consolidated president, plans to leave for the coast this week end to install new studio management at Republic, with Nat Levine's resignation taking effect on April 3.

Consolidated Film stockholders met yesterday and reelected five directors whose terms were expiring.

Garrison Acquires Films

Garrison Film Distributors, Inc., has acquired four new features and three shorts. The features are "The Wave" ("Redes"), a Mexican film; "Inspector General" and two French films.

G. N. Gets English Films

Grand National will release two English-made films. The first will be "The Man in the Mirror," produced by Julius Hagen, and the second, "Woman Alone," with Anna Sten and produced by Eugene Frenke.

Gale C. E. A. Treasurer

LONDON, March 16.—Major A. J. Gale of the London and Home Counties Branch of the C. E. A. has been appointed honorary treasurer of the association, in place of the late Thomas Ormiston.

This Week in 214
Key Theatres

The Crowning Achievement of the Prize-Winning* Company

THE KING AND THE CHORUS GIRL

Starring
FERNAND GRAVET
JOAN BLONDELL
EDWARD EVERETT HORTON • Alan Mowbray
Mary Nash • Jane Wyman • Kenny Baker • Luis Alberni
STORY BY GROUCHO MARX and Norman Krasna
Songs by Werner R. Heymann and Ted Koehler
A MERVYN LEROY PRODUCTION

"Certain for b. o. championship from keys to cross-roads!"
—*Motion Picture Daily*

"Has what it takes to spell box office. It will profit plenty!"
—*Variety Daily*

"A wow! Will be most talked about picture of the year!"
—*Hollywood Reporter*

"All the elements exhibitors want! For the de luxe theatres as well as the most humble".
—*Motion Picture Herald*

*WARNER BROS.
Won Nine Simultaneous Academy Awards This Year!

Alert.
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 41. NO. 72 NEW YORK, SATURDAY, MARCH 27, 1937 TEN CENTS

U.A. to Have 30 Features, Says Schaefer

Shorts Lineup Not Set, Executive States

United Artists will release approximately 30 features next season, George J. Schaefer, vice-president and general manager, stated yesterday following his return from the coast. There is nothing to talk about on the short subject lineup at this time, he said.

David O. Selznick is expected to produce eight, Walter Wanger, six; Samuel Goldwyn, eight, and Alexander Korda, from six to eight. Details of the Gordon-Goetz plans have not yet been completed, Schaefer stated.

Dr. A. H. Giannini, chairman and president, is due from the coast in May en route to England to attend the Coronation and to look over the foreign field. He also may visit Italy.

Nothing has been set in regard to the company's convention. Preliminary reports from the coast stated it might be held in Chicago, but Schaefer said nothing has been settled.

Start Para., U.A. Talks with Loew

Negotiations between Loew executives and sales representatives of Paramount and United Artists on new term franchises to replace the 10-year deals which expire this summer have started. Two meetings were held this week and a series of continued conferences will take place next week.

C. C. Moskowitz, Joseph R. Vogel and Eugene Picker of Loew's held meetings Thursday and yesterday with Neil F. Agnew, general sales manager of Paramount; J. J. Unger, eastern and southern division manager, and Milton S. Kusell, New York state district manager. Other sessions are scheduled for next week.

With George J. Schaefer, vice-pres-

(Continued on page 2)

20th-Fox Heads to Attend Paris Meet

Sidney R. Kent, Walter J. Hutchinson, Truman H. Talley and Lowell Thomas will sail for Paris in two weeks to attend the European sales convention of 20th Century-Fox, scheduled to be held in Paris April 28-May 1.

S. S. Crick, Australian head, also will attend. All are expected to attend the Coronation and return here

(Continued on page 2)

C. B. Paine Is Named Aide to R. H. Cochrane

Machnovitch Succeeding Him as Treasurer

Charles B. Paine, treasurer of Universal for many years, yesterday was appointed assistant to R. H. Cochrane at a meeting of the company's board of directors at which all other officers were reelected.

Samuel Machnovitch, a former official of Standard Capital Co., was elected treasurer succeeding Paine. The reelected officers are Cochrane, president; J. Cheever Cowdin, chairman; Charles R. Rogers, executive vice-president; Willard S. McKay, vice-president and secretary; Eugene F. Walsh, assistant treasurer; Helen E. Hughes, assistant secretary, and Edward Muhl, assistant secretary.

Universal yesterday reported a consolidated net loss after all charges and taxes of $403,966 for the first quarter of its fiscal year, ended Jan. 30.

Following yesterday's board meeting

(Continued on page 3)

Casey Here to Begin Studio Labor Talks

Pat Casey, studio labor representative arrived from the coast yesterday to prepare for the annual negotiations with the studio internationals, which will open here on April 5. Consideration of wage increases and changes in hours and working conditions for the five studio unions embraced by the five-year basic agreement are on the agenda.

An application from the Screen Actors' Guild for inclusion in the basic agreement probably will be presented to the meeting by the heads of the five internationals, to whom the first application must be made. The applications then are either tabled

(Continued on page 3)

Wisconsin Assembly Kills Game Ban Bill

MADISON, WISC., March 26.—The Franzkowiak bill to ban Bank Night and similar games was killed by the state Assembly, 69 to 16. Amendments to prohibit drawings in taverns and to forbid theatres to hold over prizes in order to increase their value were rejected without a roll call.

Exhibitors had opposed passage of the Franzkowiak bill on the grounds that it was discriminatory because it was indicated that it would be enforced only against theatres.

The state Senate has passed and

(Continued on page 3)

All's Bright Now

Hollywood, March 26.—Everything is going to be all right as far as weather is concerned and there are to be no more production delays, according to the California Institute of Technology.

A freak hail, snow, rain and wind storm early this week caused the technology experts to state that the "unusual" weather which has lasted all winter is ended.

Stress Propaganda In German Product

BERLIN, March 26.—The political value of screen product will henceforth be the chief criterion by which Nazi films are to be judged, it was indicated in a revised system of grading pictures made known here by Dr. Joseph Goebbels, Minister of Progaganda. Pictures "fulfilling with distinction the National Socialist idea of films" will be graded as "politically and artistically especially valuable."

Five lesser classifications are: "Politically and artistically valuable, politically valuable, artistically valuable, culturally valuable and instructive to the people." The attitude of the Nazi regime relative to the use of the screen as outright propaganda for the Hitler Government is clearly indicated in a statement from the Reich Film Chamber, which declared:

"The film of present-day Germany must carry in it the ideology of present-day Germany, only this ideology must never be allowed to become obtrusive bias. Bias which is detected

(Continued on page 2)

Set First Colored Cast on Radio Show

For the first time in radio network history, a sponsored series featuring an all-colored cast has been scheduled for the airways, with Standard Brands sponsoring for Fleischmann.

The series will feature the band of Duke Ellington and the entire Cotton Club revue, according to a reliable report. The Cotton Club show stars Ethel Waters, the Nicholas Brothers and George Dewey Washington, in addition to Ellington.

Time for the new program has already been contracted for at NBC. The initial offering will be aired April 9 from 9 to 9:30 P.M., E.S.T., on the Blue network. J. Walter Thompson is the agency.

More Radio—Page 4

Expect Majors To End Fight On Sales Tax

Decision Seen Following MPPDA Meeting

Indications are that major distributors will accept the ruling of the Court of Appeals holding film rentals collected within New York City subject to the two per cent municipal sales tax, and will begin turning over the collections to the city.

Legal representatives of the distributors met yesterday at M.P.P.D.A. headquarters for the third time since the state's highest court upheld the city's sales tax assessment against the local United Artists exchange in what had been accepted by other distributors as a test case. Although attorneys attending yesterday's meeting declined to comment on the action taken, it was learned that the bulk of the sentiment voiced at the meeting was opposed to contesting the tax further either by applying for a rehearing by the Court of Appeals or petitioning a writ of certiorari from the U. S. Supreme Court. It was understood in advance of the meeting that these were the only alternatives considered.

It is believed that the opinion of the meeting was guided largely by the fact that the Court of Appeals' decision was unanimous and, therefore,

(Continued on page 2)

Educational Stock Plan Goes to SEC

By BERTRAM F. LINZ

WASHINGTON, March 26.—Plans for the raising of more than $3,500,000 were set before the Securities and Exchange Commission today with the filing by Educational Pictures of a registration statement to cover $1,215,000 in preferred stock and 499,000 shares of common, from which $2,300,000 is to be secured.

While the issue exceeds $3,500,000, only the preferred stock is to be publicly offered, being an issue of 150,000

(Continued on page 3)

Jack Miller Again Talks Theatre Sale

CHICAGO, March 26.—Jack Miller, who recently entered the trucking business and shortly thereafter planned to sell his interest in the Simansky-Miller circuit only later to change his mind, may sell out after all. It is understood deals have been discussed both with B. & K. and Essaness.

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Personnel Changes Made by Ricketson

DENVER, March 26.—Rick Ricketson, division manager for Fox Intermountain, has made several management changes, following the sales of two Fox houses in Salt Lake City and the resignation of a manager.

John Taylor of Salt Lake City has been moved to Sheridan, Wyo., as city manager, replacing William Fowers, who has gone to Sterling, Col. Lee Crawford, from Sterling, is now managing the Hiawatha in Denver. Clarence Gelder, city manager at Delta, Col., resigned to join the W. A. Simons Amusement Co. in Montana. Don Dungan, who has been at La Junta, Col., has taken over the Delta job, and has been replaced in La Junta by Lou Williams, from the Mayan in Denver. Roy Notheis, who has managed the Webber for nearly 18 years, has been promoted to manage the Mayan, succeeding Williams.

Roush Para. Shorts Head

Leslie Roush has been named to succeed Fred Waller in charge of Paramount shorts production in the east, following Waller's resignation. The appointment was made by Lou Diamond, head of Paramount's short subject department. Roush has been with the company for 10 years.

◂ *Purely Personal* ▸

ADOLPH ZUKOR, who delayed his departure from Florida to join other Paramount officials on Stanton Griffis' yacht in Florida waters, is now scheduled to leave there tonight in time to arrive in New York tomorrow. He will probably be accompanied north by Y. FRANK FREEMAN, AUSTIN KEOUGH, BARNEY BALABAN and CHRIS DUNPHY.

•

BEN ROGERS, JOE KALISKI, JOHN SCULLY and HERB GIVEN, G. B. branch managers from nearby cities, have returned to their offices following the opening of "Silent Barriers." REG WILSON, central district manager, will remain around town for a few days.

•

HERMAN RIFKIN and his son, JULIAN, arrived from Boston yesterday. RIFKIN plans to stay over for the ADOLPH ZUKOR testimonial dinner to be held at the Waldorf Monday night.

•

J. P. O'LOGHLIN, Canadian district manager, has been appointed leader for the fifth S. R. Kent sales drive, which will get under way next summer.

•

WILLIAM MELNIKER, head of Loew's foreign theatre department, is getting over a bad case of laryngitis which kept him home for a few days.

•

SAM BURGER of Loew's foreign department arrived in Lima, Peru, yesterday, en route to New York. He is due here in a few weeks.

•

CARLOS J. BAVETTA, in charge of 20th Century-Fox activities in Brazil, leaves today for his headquarters after spending several months here.

•

JOE MCCONVILLE and LOUIS ASTOR, Columbia sales executives, have returned from vacations in Miami.

•

JUDY CANOVA, signed by Paramount for "Artists and Models," will leave for the coast on Monday.

•

GEORGE SKOURAS is due to return from Golden Beach, Fla., about the middle of next month.

•

PAUL LUKAS and JOSEPH BERNHARD sail today on the *Paris*.

Start Para., U. A. Talks with Loew

(*Continued from page 1*)

ident and general manager of United Artists, back from the coast, Loew executives expect to resume product talks with him next week. Two meetings were held with Schaefer before he left for Hollywood and the third is expected to take place early next week.

No mention has been made of the period the franchises will run at the conferences; it is expected the Paramount and United Artists deals, when consummated, will be for three to five years.

20th-Fox Heads to Attend Paris Meet

(*Continued from page 1*)

for the international sales convention which is slated to start May 31 at the Ambassador Hotel, Los Angeles.

John D. Clark, general sales manager, plans to show at least six of next season's pictures to the force at the Ambassador.

Looking 'Em Over

"Top of the Town"

(*Universal*)

A melange of comedy, song and dance and a light romantic story threaded upon which the antics of the cast are strung make for generally entertaining fare of the popular variety in this musical show from Universal, of which Lou Brock was associate producer.

On occasion the scheme of the picture becomes a bit involved and its elements become a trifle jumbled in their apparent effort to show themselves, but for the most part the film is well paced, spotted with numerous laugh-provoking moments, especially as developed by Hugh Herbert, Gregory Ratoff and Henry Armetta, while the extremely active cast otherwise includes George Murphy, band leader; Doris Nolan as the girl with millions and ideas about night club entertainment; Gertrude Niesen as the blues singing star, and Mischa Auer, as a pseudo tragic Hamlet.

The screenplay of Brown Holmes and Charles Grayson from Lou Brock's original story tells of the ambition of Murphy to become the maestro of the new Moonbeam Room of the somewhat fantastically modern 100-story Borden Building, virtually owned by Miss Nolan. She returns from abroad with ideas about elevating night club entertainment, and through Ratoff, Murphy's manager, gets a job in the latter's show. It looks like a step toward the coveted contract, but her uncles fail to become enthusiastic about the girl in show business. He gets rid of her by making her job impossible, then by playing on her sympathies.

He gets the contract, but she takes charge of the club, insisting on a higher type of show. When the customers begin to walk out at the opening, Murphy jumps in with the jamboree number, the spectacle highlight of the film, which concludes with admission from her that he is the showman, as well as her future husband. Ralph Murphy directed capably.

Production Code Seal No. 2,809. Running time, 86 minutes. "G."

Expect Majors To End Fight On Sales Tax

(*Continued from page 1*)

discouraging to a move for a rehearing, and also that the Federal angles of the case were not sufficiently prominent to brighten the prospects for a Supreme Court review of the case.

Nothing has been paid by the distributors since the enactment of the sales tax at the beginning of 1935. The tax was collected from exhibitors last year and held in escrow. The full amount due to the city to date, with penalties and interest, is estimated at approximately $2,000,000. As soon as the exact amounts due from each company are determined, the full payments will probably be made by distributors and efforts will be made to collect the 1935 levy from exhibitors. The total tax for the local industry will approximate $750,000 annually hereafter.

Stress Propaganda In German Product

(*Continued from page 1*)

always fails of its purpose." Indicative of the effort to strengthen relations with Japan and Italy was the warm press reception accorded to recent premieres, "The Daughter of a Samurai," and "Condottieri," made here in cooperation with Japan and Italy, respectively.

The industry here continues to insist that home product can make money in this market only if the number released is reduced. It has been said that the 200 features offered on the German market this season was more than the market could profitably absorb. Of the new films released or scheduled 147 are German and about 55 foreign, of which American firms offer 28 to 30, but not all of American origin.

Jewish Holidays Start

Sundown yesterday inaugurated Passover, the high Jewish holidays which are observed by strict dietary laws. The holidays will end a week from tonight.

Para. B'way Reports Loss

Paramount Broadway Corp., realty company controlling the Paramount Bldg., yesterday reported a net loss for 1936, after amortization of bond discount, of $326,992.

Postpone "Elephant Boy"

The New York premiere of "Elephant Boy," which was scheduled for Monday at the Rialto, has been postponed until next Thursday.

Street Closed Friday

The Stock Exchange and the Curb and Bond markets suspended trading activities yesterday in observance of Good Friday.

"Howdy Stranger" Off

"Howdy Stranger," stage play which opened Jan. 14 at the Longacre, will not reopen Monday as planned.

C. B. Paine Is Named Aide to R. H. Cochrane

(Continued from page 1)

Cowdin and Machnovitch left by plane for the coast where they will remain through next week on production conferences.

HOLLYWOOD, March 26.—A new Universal trademark will be used on the company's films beginning with "Top of the Town." The new design replaces the plane circling the globe which preceded the main title heretofore.

Challenge Earle on "Spain Flames" Ban

HARRISBURG, March 26.—Governor Earle has been notified by the American Civil Liberties Union that it may carry to court its fight to have "Spain in Flames" shown in Pennsylvania. The state board of censors barred the film as Communist propaganda and its decision was upheld by the Governor after viewing the picture.

The North American Committee for Spanish Democracy, backed by the Civil Liberties Union, has arranged for a showing of the picture next Tuesday night at the Ethical Culture Auditorium in Philadelphia before 250 witnesses. The committee picked 200 and asked the Governor to name the remaining 50 in order to determine whether the picture is "propaganda."

Governor Earle agreed to send out letters to 50 prospective witnesses and ask them to inform him what they thought of the picture after the showing. The executive's letter says:

"As you may know, I concurred in the decision of the Pennsylvania State Board of Censors which barred from Pennsylvania the picture, "Spain in Flames." The picture to me was a reminder of the days before the World War when every foreign cause deluged our people with propaganda to enlist our sympathies in their conflict. We want to keep our adventurous, courageous youth in America and not encourage them to enlist in and sacrifice themselves on European battlefields. For this reason I took the action I did. Please see this picture and on the enclosed return postcard let me know whether or not you agree with the stand that I have taken."

RKO Closes Balkan Deal

RKO has closed a deal with Lietfilmas, at Kaunas, Lithuania, for the 1936-37 product. The deal includes Latvia and Esthonia. The company has opened a second Polish branch, at Katowice, second largest city in the country. The other is at Warsaw. Paul Henning has been named publicity director of the RKO Austrian branch at Vienna, replacing Hans Gold, resigned.

U.A. Signs for Mexican Rights

Mexican releasing rights for seven one-reel and two-reel shorts produced by J. H. Hoffberg have been acquired by United Artists. The films are: "Danube," "Spanish Interlude," "Africa Squawks," "World's Champion," "It's a Bird," "International Varieties No. 1" and "Symphony of the Seasons."

Educational Stock Plan Goes to SEC

(Continued from page 1)

shares of 60-cent dividend $5 par cumulative convertible.

The common stock is all reserved, 150,000 shares for the conversion of the $5 preferred; 89,730 shares for exchange on the basis of five shares for one of preferred; 5,000 shares as part payment for acquisition of the capital stock of Skibo Prod., Inc., and the balance in satisfaction of warrants to be issued to stockholders, the underwriter, Herrick, Heinzelmann and Ripley, and E. W. Hammons, president.

The proceeds from the sale of the preferred will be used to pay indebtedness and for part payment of the stock of Skibo Prod., as well as for Educational's production costs. The underwriter has agreed to purchase the preferred stock at $8.10 per share, but the public offering price has not been revealed. The underwriter also is to have the right to purchase through warrants 64,000 shares of common at prices ranging from $10.50 to $20 per share.

Hammons indicated at the time the recapitalization plan was presented to stockholders of the company that a part of the new financing would be applied to 16mm. production activities in the event the market for that product improved.

New Haven Allied to Talk Insurance Deal

BOSTON, March 26.—The Lloyd's-Allied insurance tieup will be given an important spot in the discussion program of the eastern regional Allied meeting at the Hotel Garde in New Haven April 5. Arthur K. Howard, business manager for Allied in New England and originator of the Lloyd's deal, will address the group on the subject.

National and local legislation, deferred buying, theatre-producer divorcements, and other subjects in which Allied is interested will be discussed.

Casey Here to Begin Studio Labor Talks

(Continued from page 1)

by the international heads or proposed by them for consideration by the meeting.

Unions included in the basic agreement are the I.A.T.S.E., I.B.E.W., A. F. of M., Carpenters and Joiners, and Teamsters and Chauffeurs. Major company heads or their representatives also participate in the sessions.

Rites for C. J. Thien

ST. LOUIS, March 26.—Funeral services for Conrad J. Thien, owner and operator of the Palm, were held yesterday at the Blessed Sacrament Church. Thien died Monday from a stroke.

Thien came to St. Louis as an exhibitor 27 years ago. Four sons, Victor, George C., Edward and Joseph, survive.

Markey Gets New Pact

HOLLYWOOD, March 26.—Darryl F. Zanuck has given new long term contracts to Gene Markey, associate producer at 20th Century-Fox, Alice Faye and Claire Trevor.

Art Has a Problem

Winnipeg, March 26.—Any art sin-ee-mah seen by the high brows hereabouts will be in theatres and will be obtained through the regular exchanges.

The Manitoba Brawnch of the National Film Society of Canada got all set for a bit of film culture when it discovered there was a law limiting the handling of film to the regular exchanges.

Wisconsin Assembly Kills Game Ban Bill

(Continued from page 1)

forwarded to the Assembly the Cashman bill, calling for a 25 per cent tax on the gross receipts of music brokers from copyrighted music. Original composers are exempted from the tax. The measure also assesses investigators of copyrighted music a $25 annual license fee.

Public establishments, including theatres, would be prohibited from discriminating against any person because of race, color or creed under the provisions of the Rubin bill, introduced in the Assembly. The measure contains a clause for double penalty in cases of violation.

New Tax Bill in Kansas

KANSAS CITY, March 26.—A two per cent "compensating tax" is provided in a Senate bill in Kansas, on the privilege "of using within this state any article of tangible property value." It is another of several varieties of sales tax which the Kansas legislature has brought out of the hat for consideration.

Missouri would tax the gross receipts from professional games of all sorts under terms of a bill introduced this week and already recommended by the House Taxation and Revenue Committee.

California Has Contract Bill

SACRAMENTO, March 26.—State Assembly Bill No. 1,116, which seeks to reduce to three years the contracting maximum for personal services, is said to have the backing of the Screen Actors' Guild and its labor affiliates. Hearings are scheduled for next week.

Assemblymen sympathetic to labor are reported planning to amend the bill to forbid the inclusion of optional provisions in contracts on the ground that this is a ruse employed to keep salaries down.

Iowa Ticket Levy Defeated

DES MOINES, March 26.—An attempt has been made in the Iowa House to add an amendment to the amusement section of the sales tax bill that would permit a levy of a one-cent tax on theatre tickets of from 10 to 15 cents. The amendment lost by four votes.

Gracie Fields to Return

HOLLYWOOD, March 26.—Gracie Fields, who has been here for the past three weeks conferring with 20th Century-Fox officials, will leave soon for England to attend the Coronation. She returns after the royal ceremonies to start work on her first American musical.

Eureka Prepares Its Appeal on "Ecstacy"

Eureka Prod. filed its record on appeal in U. S. District Court yesterday preparatory to a hearing in the May term of the U. S. Supreme Court. Eureka, producer of "Ecstacy," is suing Gov. Herbert H. Lehman; John J. Bennett, Jr., Frank P. Graves and Erwin Esmond for an injunction to restrain them from interfering with the exhibition of "Ecstacy" in New York State.

They contend that censorship of foreign films by New York state is unconstitutional because Congress has exclusive jurisdiction over foreign trade. The Circuit Court of Appeals recently affirmed the judgment in favor of the defendants.

Delay Fox Examination

ATLANTIC CITY, March 26.—The resumption of the William Fox bankruptcy examinations here, which was scheduled for next Wednesday, has been postponed, with a tentative date set at April 20. The postponement was revealed by Federal Referee Robert E. Steedle, who has been conducting the proceedings under the Bankruptcy Act. He explained that continued delay in decisions on Federal Court matters which involve Fox and affect the scope of the questioning here made the postponement necessary.

Meyers Sues 20th-Fox

SEATTLE, March 26.—Suit was filed here today against 20th Century-Fox by Lieutenant Governor Victor Aloysius Meyers for $250,000 damages, based on a line allegedly spoken by Fred Allen in "Thanks a Million." The line of dialogue was: "Up in Washington they elected a jazz band leader to lieutenant governor, and if the people will vote for a jazz band leader they'll vote for anybody."

Lieutenant Governor Meyers is a former orchestra leader.

Reserves Roxy Decision

Federal Judge Francis G. Caffey reserved decision yesterday on the application of Samuel Kramer, counsel for the Class A stockholders' protective committee of the Roxy for permission to solicit power of attorney from stockholders. Kramer asked permission to do this at the expense of the trustee of the Roxy, but Howard S. Cullman, trustee, objected on the ground that expense should be paid by the committee.

Settle Bank Night Suits

BOSTON, March 26.—Two suits brought by Affiliated Enterprises, Inc., for alleged delinquent royalty payments against Richard Rubin and George Markell, Massachusetts exhibitors, have been settled out of court for the full amount of the back payments due, according to R. E. Heffner, Bank Night distributor.

Joins National Screen

KANSAS CITY, March 26.—Morton Truog, local Warner booker, has resigned effective April 1, to join National Screen Service here as salesman. Howard Gould also has joined National Screen as a salesman.

Howard for "Stand-In"

HOLLYWOOD, March 26. — Leslie Howard will have the role of the banker in "Stand-In," *Saturday Evening Post* story to be produced by Walter Wanger.

Radio Personals

TITO GUIZAR has been booked to appear at the Detroit-Michigan Exposition during the week of April 2 . . . Durelle Alexander has affixed her signature to a two-year CBS Artists Bureau management contract . . . Virginia Bruce was yesterday presented with the Award of Merit of the Modern Musicians Society. The award was made on the basis of her singing in the Universal picture, "When Love Is Young" . . . Tobe, continental fashion expert, will broadcast a style talk on Mutual the night before the Coronation . . .

* * *

Announcers to replace Tiny Ruffner on the Benton & Bowles programs have been set. Andrew Stanton will handle the commercial talks on "Pretty Kitty Kelly"; Howard Claney will perform similarly on the "Captain Diamond" airings . . . Dussolini Giannini wil be featured soloist on the Ford Symphony Hour April 4 . . . Vincent Travers, French Casino maestro, has purchased a half interest in a summer theatre at Lake Skobarghe, Conn. . . . Sam Hammer, formerly of WHN and now with General Electric, is the father of an eight-pound, 11 ounce boy, Douglas Ira.

* * *

Philadelphia Town Pump

PHILADELPHIA, March 26. — Pat Stanton, WDAS general manager and announcer, marks his ninth year before the microphone without missing a single program except during regular vacations. . . . Ray Turner scripting a "Happiness Hotel" series for WHAT. . . . Jim O'Neil, character actor, turns to radio, and is heard over WCAU. . . . Norris West, who announces the Philadelphia Orchestra radio series, is expected to accompany the orchestra on its concert tour next month with weekly broadcasts from cities en route. . . . Bon Bon, former member of the Three Keys and vocalist with the KYW Top-Hatters over the NBC-Red, is making records for the new Mills firm. . . . Benny Goodman has been engaged for the Ivy Ball at the University of Pennsylvania.

Paper Sponsors News Program

PHILADELPHIA, March 26.—Taking advantage of a line for time deal with WIP, the *Philadelphia Record*, morning paper, is assuming sponsorship of the "Philadelphia Parade of Events," a weekly half-hour series dramatizing highlights in the local news. The program is produced by Ed Wallace and has been heard sustaining over WIP during the past two months. The first sponsorship is scheduled to be heard tomorrow.

WCKY Adds New Accounts

CINCINNATI, March 26.—WCKY has placed the following new national accounts: Procter & Gamble, 20 one-minute spot announcements, through Pedlar & Ryan; General Foods, 52 one-minute spots, through Benton & Bowles; Longines-Wittnauer Watch Co., 300 one-minute spots, through Arthur Rosenberg; Climax Cleaner, 13 spot announcements, through Krichbaum Co.

Changes in Time Are Near For Eight NBC Air Shows

Time changes affecting eight sponsored NBC shows will be inaugurated during the next few weeks. A total of 12 programs have made time changes since March 1. Three of the 12 have changed networks as well.

The eight future changes scheduled are:

General Motors concerts, to be heard over the Blue from 8 to 9 P.M. beginning April 4. The series is now heard Sundays from 10 to 11 on the Red.

Gladys Swarthout, to be heard Sundays on the Red from 10 to 10:30 P.M. beginning April 4; now heard Wednesdays on the Red from 10:30 to 11 P.M. National Ice Advertising sponsors.

"Husbands and Wives," to be heard Tuesdays on the Blue from 8 to 8:30 P.M. beginning April 6; now heard Tuesdays on the Blue from 9:30 to 10 P.M. Sponsored by Pond's Cream.

"Universal Rhythm," to be heard Saturdays on the Red from 7 to 7:30 P.M., beginning April 10; now heard Fridays on the Blue from 9 to 9:30 P.M. Sponsored by Ford dealers.

Fibber McGee and Molly, to be heard Mondays on the Red from 9 to 9:30 P.M. beginning April 12; now heard Mondays on the Red from 8 to 8:30 P.M. Sponsored by S. C. Johnson & Son.

"Hour of Charm," to be heard Mondays on the Red from 9:30 to 10 P.M. beginning April 26; now heard Mondays on the Red from 4 to 4:30 P.M. Sponsored by General Electric Co.

Adventures of Dari Dan, to be heard Mondays, Wednesdays and Fridays on the Red from 5:15 to 5:30 P.M. beginning April 26; now heard on the same afternoons as above on the Red, from 5 to 5:15 P.M. Sponsored by Bowery's, Inc.

Henry Busse's orchestra, to be heard Wednesdays on the Red from 4:15 to 4:30 P.M. beginning April 28; now heard on the same day and network as above, from 4 to 4:15 P.M.

All times listed above are E. S. T. up to and including April 25; others are E. D. S. T.

"Praiseworthy"

"Radio is so important a part of the amusement business and in many ways related to the motion picture industry that I think your effort to keep us well informed is praiseworthy and should, in a short time, enhance greatly the value of your paper"—*Joe Vogel*, executive, Loew's, Inc.

New Mutual Series To Start March 30

A new Mutual program will begin March 30, from 7:45 to 8 P. M., E.S.T., and will feature Kay St. Germaine, supported by the "Dixie Demons," an instrumental quartette.

The program will be sponsored by the Air Conditioning and Refrigerating Institute. The shows will originate in the studios of WGN, Chicago, and will be carried over WOR, New York; CKLW, Detroit-Windsor; WCAE, Pittsburgh; and WGAR, Cleveland. The contract is for 26 weeks.

NBC Signs Howard Marshall

Howard Marshall, British commentator and journalist, has been signed by NBC to present a series of news broadcasts on the Blue network, beginning April 18 from 3:30 to 3:45 P.M., E.S.T., and weekly thereafter. Coronation details and history will be highlighted.

Also on the Coronation, the Mutual network will present a weekly series, "Origin of the Coronation Service," beginning this Tuesday at 9 P.M., E.S.T. The programs will be fed to Mutual by the CBS, from Toronto.

Shift Mutual Program

"Poe's Tales," Mutual sustainer, will move to a new time, effective this week, due to its popularity with listeners. Beginning Monday, the program moves into the 9 P.M. spot now occupied by "For Men Only." The latter program fades permanently.

Lease in Crosby Building

The entire top floor of Bing Crosby's building in Hollywood, now under construction, has been leased by Rockwell-O'Keefe.

Prepare New Series To Combat Rackets

Burt McMurtrie and Geraldine Garrick of the WMCA staff have written and produced a new series, "Warning Signals," based on rackets in business and aimed at wiping them out. The series will be presented Tuesdays at 9 P.M., beginning April 1.

The program, however, will have a preview airing Tuesday at the above time. This is the first time that a radio series has been introduced with a preview, it is believed. The series will be heard over the full Inter-City network.

To Air Children's Show

PITTSBURGH, March 26.—The weekly children's show Saturday mornings at the Enright, which has been under the supervision of the Federation of Women's Clubs for three years, will go commercial over station WWSW next week under the joint sponsorship of the Haller Baking Co. and the Meadowgold Dairy.

For an hour and a half, the children will be shown pictures, as usual, but the customary songfest and amateur show will henceforth be broadcast for a half hour at 11:30 A. M., E.S.T.

"Maytime" Scenes to Be Aired

"Hollywood Hotel" will offer reenactments of scenes from "Maytime" April 2. Jeanette MacDonald, cofeatured in the film, will be starred in the radio production. Hunt Stromberg, who produced the picture, will also be on the program.

WICC Takes "Stoopnagle"

BRIDGEPORT, March 26. — WICC joins NBC to carry the Stoopnagle and Budd program starting April 4.

FCC Dates Hearings First Week in April

WASHINGTON, March 26.—The F.C.C. has set its calendar of hearings for the coming week as follows:

March 29, before an examiner: applications of Juan Piza, San Juan, P. R., for a new 1,500-kilocycle station, 100 watts night and 250 watts day power; Robert R. McCulla, Oak Park, Ill., for a new 1,500-kilocycle, 100-watt daytime station; West Texas Broadcasting Co., Wichita Falls, Tex., for a new 1,380-kilocycle, 1,000-watt station; Wichita Broadcasting Co., Wichita Falls, Tex., for a new 620-kilocycle station, 250 watts night, 1,000 watts day power; Faith Broadcasting Co., Inc., Wichita Falls, Tex., for change of frequency from 1,310 to 1,500 kilocycles.

March 31, before an examiner: application of William Ottoway, Port Huron, Mich., for a new 1,370-kilocycle, 250-watt daytime station; WCAZ, Carthage, Ill., for increase of power from 100 to 250 watts.

April 1, before an examiner: application of the Pacific Acceptance Corp., San Diego, for a new 1,200-kilocycle station, 100 watts daytime power. Before the broadcast division: argument on the applications of John S. Allen and G. W. Covington, Jr., Montgomery, Ala., for a new 1,210-kilocycle, 100-watt daytime station; Clarence C. Dill, Washington, D. C., for a new 1,390-kilocycle, 1,000-watt station.

Will Consider Albany Plea

April 2, before an examiner: applications of Charles Porter and Edward T. Eversole, Festus, Mo., for a new 1,420-kilocycle, 100-watt daytime station; WABY, Albany, N. Y., for increase of power from 100 to 250 watts; WSOC, Charlotte, for change of frequency from 1,210 to 600 kilocycles and increase of power from 100 watts night, 250 watts day, to 250 watts night and 1,000 watts day.

April 3, before an examiner: applications of KDON, Del Monte, Cal., for change of frequency from 1,210 to 1,400 kilocycles and increase of power from 100 to 250 watts night, and 1,000 watts day; Salinas Newspapers Inc., Salinas, Cal., for a new 1,390-kilocycle, 250-watt daytime station.

Rothenstein Fined In Injunction Case

Federal Judge John C. Knox yesterday fined Al Rothenstein $2,000 for criminal and civil contempt of court for violation of an injunction granted to RCA, General Electric, A. T. & T. and the Vreeland Electric Co., in their suit to restrain him from manufacturing radio receiving sets without a license.

Rothenstein admitted that he violated the injunction but said it was because a request for a license was refused. Judge Knox imposed a $250 fine for the criminal contempt and $1,750 for damages and expenses incurred by the plaintiffs. The sets manufactured by Rothenstein were so marked as to indicate that license had actually been obtained, it was charged.

To Broadcast Legislature

HOLLYWOOD, March 26.—Fox Case, CBS executive, has gone to Sacramento to arrange a new series of broadcasts with the State Legislature.

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and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
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VOL. 41. NO. 73 NEW YORK, MONDAY, MARCH 29, 1937 TEN CENTS

U.A. to Widen Its Selling of Foreign Films

Closes for Six Indian Films, British Short

Acquisition of foreign pictures for distribution in countries speaking the language is now being furthered by United Artists as a result of successful experiments along these lines.

Arthur W. Kelly has just closed two deals which will bring six Indian-made pictures and one British short subject under the company's foreign distribution end. The six features to be made in India will be handled by U. A. in the Far East and the West Indies. The English-made short, "Coronation Preview," was produced by Henry Matson in London. It will be distributed in the Far East and all countries except the United States.

Recently, the company signed for one Javanese film with Balinese girls for distribution in Java only. Kelly also has acquired a number of French films. Walter Gould about six months ago completed arrangements for the distribution of six Spanish films to be made in Mexico. One has been fin-

(*Continued on page 7*)

Siegel to Keep Post At Republic Studio

Moe Siegel will continue as executive head of the Republic studio following the departure of Nat Levine at the end of this week, states H. J. Yates.

Yates said that the unit production system would continue in effect at Republic and commented that the system had been working "very successfully" for some time now and that there was no reason for making a change. He said that an additional producer to replace Levine's unit would be selected as soon as the right man could be found. Yates will leave for the coast early in April to confer with Republic producers on the 1937-38 schedule.

Legion Approves All Of 13 New Pictures

All of the 13 new pictures reviewed and classified by the National Legion of Decency for the current week were approved either for general patronage or children. Seven were approved for general audiences, and six for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage — "The Cherokee

(*Continued on page 7*)

Lent Cuts Key City Takes To a Total of $1,626,240

Lent slowed key city grosses during the first three weeks of March, but totals, in spite of this, were above the low points reached in late January and early February, and the number of first run theatres in operation showed a gain to 171.

Grosses in the 29 key cities reporting to MOTION PICTURE DAILY reached $1,626,240 for the week ending March 19-20. This was $47,759 below the previous week, but that week's total of $1,673,999 was surprisingly strong in view of the fact that the first week of March showed only $1,596,679.

At the end of February there were 168 first run theatres open in the 29 keys.

(*Comparative tabulation on page* 8.)

Production Shows Gain; 38 in Work

HOLLYWOOD, March 26.—A total of 38 features were in work last week, comparing with 37 in the previous week. Nine features were finished as against eight in the earlier period, and eight were started, comparing with 10. The 22 in preparation topped by two the previous total, and 56 were being edited, as against 53 before. One less short was completed, one more started, one was in work, equaling the previous figure, four were in preparation against last week's five, and the editing total was the same as the earlier week, 17.

Starting this week were Radio's "Tomorrow's Headlines," "Missus America" and "There Goes My Girl"; Hal Roach's "Topper," Paramount's "Angel," Republic's "Dangerous Holiday," 20th Century-Fox's "Escape From Love," Warner's Ever Since Eve" and Columbia's "Shooting Showdown."

Warner's total of seven features

(*Continued on page 7*)

Loew's 16-Week Net Figured at New High

Loew's earnings for the 16-week period ended about March 13 were the second largest for any similar period in the company's history and are estimated at $3 a share on the 1,512,985 shares of common outstanding, the *Wall Street Journal* said on Saturday.

The estimate would give Loew's a net income for the first half of the company's current year equal to more than $5 a share on the common, as earnings for the 12 weeks ended last Nov. 19 amounted to $2.14 a share. This compares with a net of $5,033,038, or $3.05 a share, earned on 1,497,595 shares during the same period of the preceding year. Third quarter earnings, based on the films scheduled for release, are estimated at more than $2 a share.

Yates Denies Film Tieup from Strike

No delay in the delivery of prints by Consolidated Film's Fort Lee plant has occurred or is expected as a resule of the employes' strike which started last Thursday, H. J. Yates, Consolidated head, asserts.

Reports that prints of six features and two newsreels had been held up as a result of suspension of work at the plant, which were published in metropolitan newspapers on Saturday, were emphatically denied by Yates who pointed out that Consolidated does not even handle the print work for Loew's "The Good Earth," one of the pictures named in the published reports. The other pictures named, which included two Universal features and two issues of the newsreel, one RKO feature and two Republic features, were delivered on schedule, Yates said.

His statement was substantiated by a check of the distribution companies whose pictures were mentioned. Each

(*Continued on page 7*)

Censor Advice Stirs Courtland Smith Ire

COLUMBUS, March 28.—When Roy Reichelderfer, supervisor of the Ohio state board of education, rejected "Spain in Flames" and added the gratuitous suggestion to newsreels that narrators' remarks be kept "neutral," he probably wasn't prepared for this:

"The Constitution guarantees freedom of speech," began a wire which Reichelderfer received from Courtland Smith of Pathe News. "You have gone far beyond any authority when you presume to tell us what we may or may not say on any subject. You have no right to give such advice, or any advice. We certainly don't intend to consider your ideas of what may or may not be neutral.

"Censor pictures as you please,"

(*Continued on page 7*)

Developments in Radio on Pages 6 and 7

Little Hope For Singles Is Seen Here

Question of Clearance, Admissions Involved

Little hope is seen by exhibitors for a widespread return to single features in the Greater New York territory. One or two of the independents have decided to experiment with the plan, but according to sources close to the circuits involved there is no intention to extend the policy.

Skouras Theatres inaugurated the lone feature booking for the opening of the Manhassett, Manhassett, L. I., several months ago with Century Circuit. The latter circuit built the theatre, Skouras bought an interest and took over operation. The circuit is continuing the single feature arrangement at the Scarsdale, Scarsdale, and Bronxville, Bronxville, since these houses were taken over from Nick Paley and Jack Rosenthal.

The Brandt circuit has one theatre in Brooklyn on this policy.

Shorter protection periods and a wide differential in prices between runs are necessary before any wholesale movement for a return to single features can get under way, exhibitors hold. However, where exhibitors have no competition in their towns the elimination of dual features can be accomplished. But, exhibitors add, the quality of product must be improved if one

(*Continued on page 7*)

Expect Record Crowd At Dinner for Zukor

Virtually all the principal executives of the industry in New York will attend the testimonial dinner to Adolph Zukor at the Waldorf-Astoria tonight, which is sponsored by the I.T.O.A. William Brandt, chairman of the arrangements committee, has arranged an elaborate entertainment program following the dinner, and dancing will be part of the show.

The affair will be broadcast over

(*Continued on page 7*)

Managers Reported Forming CIO Union

Local theatre managers are reported forming a union as a unit of the C.I.O. Several meetings have been held at the Hotel Lincoln, but nothing definite has come out of them.

Circuit operators and independent exhibitors are showing no interest in the reported plans of the union, it was stated over the weekend.

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Name First Division In Contract Action

First Division Exchanges, Inc., is named as defendant in a $5,000 breach of contract suit filed in N. Y. Supreme Court by Lina Pictures Corp., which will appeal to Justice Ernest E. L. Hammer today to strike out the defendant's answer to the suit and to grant a summary judgment.

The complaint states that on Sept. 11, 1933, Principal Distributing Corp. and First Division signed an agreement whereby the defendant was to lease and have sole distribution rights for one year on short subjects produced by Principal. At the expiration of the year the subjects were to be returned to Principal or the defendant was to furnish an accounting. On April 30, last, Lina Pictures took over Principal's contract on assignment.

Hays Annual Meet Today

A preliminary session of the annual meeting of the board of M. P. P. D. A. will be held today, as required by the corporation charter of the organization. An early adjournment will be taken, however, until Friday, when the principal business session will be held. The annual reports of Will H. Hays and other officers of the organization will be submitted at Friday's meeting.

Insiders' Outlook

By RED KANN

Garnet, Calif., March 28

BUSINESS is so good these days of dimmed and dimming depression memories that probably nobody will pay much attention to the warnings which emanated from Washington in the last few days. The President, in broadcasting his recent "fireside chat" on the Supreme Court among other observations, said this: "The dangers of 1929 are again becoming possible, not this week or month, perhaps, but within a year or two." Secretaries Roper and Wallace took up the theme subsequently. Roper: "We must not, however, let over optimism cloud vision and obscure danger signals. More than a year ago I began sounding cautions against unguarded business booms." Wallace: "All of us [in the administration] are afraid of a repetition of the 1929 boom. We don't like this flash-in-the-pan thing and wherever we are in government we are in favor of stability" . . .

▼

If the honorable secretaries don't mind, we should like to recall that months ago in this very space a note of such warning was touched off. It was apparent then, as it is now, that whatever the lessons of 1929 they were receding too rapidly into the background. Business is good and theatre grosses prosperous. Exhibitors, notoriously reluctant to sound off on their takes and always looking over their shoulders to make quite certain no distributor or his representative is within earshot, admit it. The Paramount partners, assembled in Miami, made no secret of a condition they could not very well deny anyway. But much was heard about the dangers of inflation and an occasional, if not more frequent, note of caution struck . . .

▼

We would be an extremely surprised observer if anybody paid attention to this morning's comment. Short memories are apt to be pleasant memories especially when the present finds the sun shining brightly and the cabanas at the Roney so pleasant. It is true, of course, that costs are rising. They are always rising in the Hollywood toward which we are pointing our nose, it seems. Nobody does much about holding them at bay and out on the Gold Coast we shall be told blandly that it has to be. The labor drive will add to theatre operating overhead, and the cost of living, where it has not already, will compel employers to do something about fatter salary checks for the rank and file of employes. These latter circumstances appear unavoidable, but conservatism as it applies to headlong expansion cannot be amiss . . .

▼

Operating increases had the Paramount men worried. It was only with a general reluctance the majority sentiment at the Miami meetings determined admissions must go forward. Even now, some of the partners do not like the idea, not because they are averse to the added revenue, but because they are fearful they cannot get it from the public. Yet, to the answer of "How else?", no adequate reply was forthcoming. It was realized a general stepping up would not be easy, neither could it be effected by the partners alone. In many situations, the other national circuits operate in competition, but on admission levels which are equalized for all concerned. If these other circuits do not see their way clear—and this seems remote—to hike prices, the Paramount men may find themselves to some extent stymied . . .

▼

It goes further. Where the partners have no control over subsequent runs, increases in the the former's houses without a comparable jump in the neighborhoods would result in a price differential which might turn the flood of business from the first and second runs to the subsequents. With virtually no stage shows luring the public into the first runs first, the entertainment quotient, all on film now, is identical in all types of theatres. It is surprising to observe how many of the public are wise to the fact that, for example, an attraction closing at the Capitol in New York on Thursday can be seen at Loew's State down Broadway the following morning at less money. While in most cities, the protection period between close of run at the first run and the start of the same attraction at the next theatre in line does give the former some headway, the public generally knows that, by waiting, it will see the same emoting at a lower admission . . .

▼ ▼

An inside story of the Paramount conclaves probably hits the printed page for the first time now. Several months back, E. V. Richards, who years ago could have occupied several top spots in New York had he wanted to forsake his home city of New Orleans, hit upon an idea to give aura and dash to double features which he thought they do not now possess. This was it: He spoke to Paramount about the release once a month, and more frequently if the idea caught on, of a prepared show composed of an "A" feature, as well as a "B", and several shorts, the entire show held together by a thematic music score. The plan, which smacks reminiscently of the Roxy unit shows in the days of Frank Hall and Hallmark which is a lot of days ago, was predicated on program building. "Rich" realized that, in a double feature market, the two features and the shorts, if any, rarely made much sense, that dramatic and, therefore, entertainment, cohesion was lacking . . .

▼

He further calculated proper planning would find a ready welcome from the public, since apparently double features are here to stay until they wash themselves out of exhibition. The idea was discussed with Paramount and the studio and was to be announced with fanfare and trumpet at last week's meetings. The story handed out to the press was to stress "a new day" in entertainment and the impression was the yarn would hit with a smack and two bangs. However, it did not happen, as of course, is known. It failed to happen because Adolph Zukor informed the scheme was not workable. The directors of the proposed "A" pictures objected to definite linking with the "B"; the shorts, it is said, presented problems of their own and so it went down the line. Richards, however, believes the idea is workable. Which means one of these days it may yet happen. . . .

M-G-M Special Will Start West April 29

Office managers and head bookers of M-G-M will attend the annual sales convention, in addition to branch managers, division managers, district managers and salesmen. The meetings will open May 2 at the Ambassador, Los Angeles.

A special convention train will leave New York on April 29, and leave the coast, returning east, on May 7. This will be the first sales session to be held in California in 10 years.

Kuykendall Going Abroad

WASHINGTON, March 28.—Ed Kuykendall, M. P. T. O. A. president, may address the summer meeting of the C. E. A. in England in the course of a three-month European trip on which he plans to start in June. The British exhibitor organization has queried Kuykendall on his willingness to address its annual meeting and, it is understood, will extend a formal invitation soon.

Kuykendall plans to visit England, France, Germany and Italy.

SURPRISE!

"REPUBLIC CRACKS TH
WITH A PICTURE WHIC
FIND FAVOR WITH ANY
OF AUDIENCE AND WHICH
STAND UP AGAINST ANY
OF OPPOSITION" Daily Variety

Alison SKIPWORTH *Polly* MORAN

"TWO WISE MAIDS"

with HOPE MANNING · DONALD COOK
JACKIE SEARL · LILA LEE · LUIS ALBERNI

WE TOLD YOU SO ON FEB. 13th

CALL it a SLEEPER, if you will. By any other name, it's still the surprise sensation of the season.

Audiences of Loew's entire circuit of sixty Metropolitan houses are giving the girls a hand daily. And *what a hand!* Full week or preferred playing time in all instances.

Publix Great States, Fox Westcoast, Skouras, Century, Publix-Kincey, Interstate, Fox Midwest, Butterfield, Robb & Rowley, Jefferson Amusement Co., are a few of the other circuits that have this one gobbled up.

We told you so a month ago. Still time to get in under the wire. Strong stuff for the week-end. And the surprises have only started!

Alison
SKIPWORTH · *Polly* **MORAN**

in

"TWO WISE MAIDS"

with **HOPE MANNING · DONALD COOK · MARCIA MAE JONES · JACKIE SEARL · LILA LEE · LUIS ALBERNI**

Directed by **PHIL ROSEN** · Produced by **NAT LEVINE**

A **REPUBLIC** PICTURE

Australia Matinees Face Copyright Tax

MELBOURNE, March 8. (*By Air Mail Via London*)—Reports persist that the Australian Performing Rights Ass'n proposes to make levies for matinee performances on theatres paying copyright under the six-nights-a-week scale. Such a move will be hotly contested by exhibitors.

Also exciting trade discussion is the suggestion that the A.P.R.A. may take the view that only those theatres and associations which were an actual party to the proceedings are entitled to benefit under the reductions recently instituted by the arbitrator. This would cost managements which were not directly connected with the discussions substantial sums, since it would mean a continuance at the higher rate.

The Exhibitors' Ass'n of N.S.W. has advised exhibitors not to meet any demands for levies on matinees. The association states that if the A.P.R.A. makes such demands it will be making an erroneous interpretation of the arbitrator's decision.

S. W. Edwards, secretary of the A.P.R.A., has sailed for New Zealand where performing right fees are receiving some spirited attention from theatre owners. In its annual report, the N. Z. Exhibitors' Ass'n "anticipates" that the A.P.R.A. will make a reduction in the present rate of one penny on the pound on gross receipts, and frame its charges in accordance with those established in the Australian arbitration case.

Swedish Production Cost Seen Too High

By RAGNAR ALLBERG

STOCKHOLM, March 16.—The cost of production has risen considerably in Sweden during the past year. Even average pictures cost about 200,000 crowns, and all indications are that costs will go even higher. Star salaries are going up proportionately, running as high as 40,000 to 50,000 crowns per picture. The figures are not high in comparison with British or American star salaries, but are considered too high for this market.

Box-office receipts during 1936 for the entire country, with its population of about 6,500,000, amounted to 38,000,000 crowns, of which about 12,000,000 went to the producers. Production costs totaled 6,000,000 crowns.

May Use Hagen Plant On Quota Production

LONDON, March 18.—Acquisition of the J. H. Studios at Elstree, recently used by the Julius Hagen enterprise, by interests associated with Joseph Bamberger, is believed to indicate the development of the plant as a center of production of quota pictures on economical lines.

With a £100,000 capitalization, the new company is backed by Lord Grimthorpe, Eustace Watkins, automobile magnate, A. H. Maxwell, C. A. O. Berner and W. B. Anderson.

Shift Hanson Manager

TORONTO, March 28.—Hanson Theatres Corp. has appointed Cecil Smith, manager of the Granada at Orillia, to the management of the Granada at St. Thomas, Ont., in succession to Lloyd M. Mills.

Overseas Previews

"Pepe Le Moko"

(Paris Film Prod.)

PARIS, March 17.—This outstanding French picture, which has been highly praised by all critics, may be considered one of the finest achievements of the French studios for 1936. It was directed by Julien Duvivier, a leading French director.

It is the story of a French gangster, Pepe le Moko, who, pursued by international police, takes refuge in the old Arabian district of Algiers, where it is practically impossible to arrest him because of the hundreds of narrow and tangled streets, and because of the many people of the underworld with whom Pepe is connected. The only way to catch him is to make him leave the "Casbah" and go down into the European quarter of Algiers. This happens when Pepe meets a French girl who is sightseeing in Casbah, and with whom he falls in love. Pepe is at last arrested and kills himself, while, ignoring the tragedy she has caused, the girl sails back to France.

The story has been turned into an excellent film with fast action, good dialogue, scenes with original ideas, and outstanding technical work.

Jean Gabin as Pepe and Lucas Gridoux as an Arabian detective are the best of the cast. In the other parts Mireille Ballin, Charpin, Line Noro and Saturnin Fabre are good. The film should attract foreign as well as French patronage.

Running time, 100 minutes. "A." AUTRE

"The Street Singer"

(British National-A.B.P.)

LONDON, March 18.—First of the British National pictures to be distributed by Associated British Pictures, this is a really entertaining and well made musical comedy, with a pleasing vein of fantasy. It should find acceptance in the States.

Directed by Jean de Marguenat, who made "La Robe Rouge," it has something of the whimsicality in atmosphere of the Rene Clair films, with the addition of established English language values in Arthur Tracy and others, and some crackerjack playing by the pianists Rawicz and Landauer. The vocal numbers are all good, Tracy being at his best. Arthur Riscoe and Margaret Lockwood also are well cast and do their work admirably.

The high spot in originality is a house-top birthday party, with a stage star, temporarily posing as a down-and-out, as the guest of a bohemian party. The story, of the star's walk-out and "discovery" in his new character, is a good one.

Out of the rut, cleverly done, the film is always amusing.

Running time, 80 minutes. "G."

"Jump For Glory"

(Criterion-U.A)

LONDON, March 18.—Douglas Fairbanks, Jr. follows in his father's footsteps, in his "cat burglar" role in this picture, with a spectacular balcony leap which plays an important part in the story. It is otherwise a somewhat rambling affair, not too convincingly set, but with sufficient popular appeal to get by with most audiences.

Fairbanks is one of the type of screen crook who, with the States too warm for him, transfers his activities to England. In London he falls for Glory Fane, golddigger, who marries an old flame to protect Fairbanks from the latter. When the husband is killed Fairbanks does the balcony jump to fix the guilt on himself. Events point to suicide and the ending is more or less as expected.

Valerie Hobson as the girl and Alan Hale as the villain are the chief supports. British court procedure is accurately and interestingly shown in a somewhat scrappy production.

Running time, 75 minutes. "G." ALLAN

N. Z. Exhibitors Meet

WELLINGTON, N. Z., March 6. (*By Air Mail Via London*)—The eleventh annual conference of the Exhibitors' Ass'n of New Zealand held here attracted delegates from all parts of the Dominion. Chief topics on the agenda were existing and future legislation for the protection and control of the industry, theatre licensing and labor conditions within the industry. W. Burton was elected president for the next year.

Demand Wage Increase

TORONTO, March 28.—There are signs of trouble on the local projection front for 60 independent theatre owners. Following a meeting of the I. A. T. S. E. local at the Labor Temple, announcement was made by W. P. Covert, International vice-president, that a wage increase from $1.20 to $1.40 per hour would be demanded when agreements with independent exhibitors are to be renewed.

Theatres Must Pay Fees in Argentina

By N. BRUSKI

BUENOS AIRES, March 14.—A significant decision has been rendered by Dr. Tomas Pitt, a justice of the peace, who declared that exhibitors are liable for the payment of the so-called "small right" or the assessment by a composer for the public rendition of his work in sound pictures. The decision, if it is approved by higher courts, is seen as finally clarifying a situation which has been troublesome to the industry for some time.

The Pitt decision was rather by indirection, since in an action brought against Warners, who distributed the film which was the cause of action by a composer. The court held that Warners was not liable for the payment of the composer's fee for rendition, and it was therefore assumed that the exhibitor would be liable. This fee is apart from that paid by the producer for the right of inclusion of a composition in a picture.

* * *

The majority of the distributors here have finally set their release schedules, just prior to the opening of the new season, which starts here in March. All major American and British distributors have set their schedules, leaving virtually only Radiolux, which recently completed arrangements to handle Grand National product here.

Canada to Release Vimy Ridge Picture

OTTAWA, March 28.—The official Canadian Government film of the pilgrimage last year to Vimy Ridge, battlefield of France, for the unveiling of the Canadian war memorial by the then King Edward, will be released after all, it is officially announced, although the picture has been delayed a considerable time. It had previously been reported that the film would not be seen by the general public because of the possibility of embarrassment, in a political sense, to the present incumbent of the British throne.

The announcement of the release of the film under the title of "Salute to Valour" contains the following statement: "The film contains a record of the last personal contact between the former King and the Canadian veterans who were his comrades in arms during the great war."

Dutch Indies Import Of Films Up in 1936

By PHILIP DE SCHAAP

AMSTERDAM, March 17.—During 1936 a total of 1,312,692 meters of film were imported into the Dutch Indies, of which 1,280,136 meters were sound film and 32,556 meters silent. These figures compare with a total import of 1,128,627 meters imported during 1935. The United States accounted for the greater part of the total import during both years, the percentage reaching 67. The total of German imports has decreased.

* * *

A gold plaque has been awarded to Loet C. Barnstijn's Filmproductie for the production of "Merijentje Gijzen's Juegd," judged the best film produced in Holland in 1936.

EXTRA!

THE NEW UNIVERSAL'S

TOP OF THE TOWN LEAPS TO THE TOP OF THE WORLD!

PACKING THE **ROXY** AS IT WAS NEVER PACKED BEFORE!

FCC Permits Gain in Power On 3 Stations

By CLARENCE LINZ

Washington, March 28.—The F. C. C. yesterday authorized WBBZ, Ponca City, Okla.; KSJS, Salina, Kan., and WNBF, Binghamton, N. Y., to increase their day power to 250 watts, and granted a license to KFRO, Longview, Tex., for the construction of a 1,370-kilocycle, 250-watt daytime station.

At its weekly meeting, the commission ordered hearings on applications, as follows: Gallatin Radio Forum, Bozeman, Mont., 1,420 kilocycles, 250 watts daytime; Leon M. Eisfeld, Burlington, Ia., 1,310 kilocycles, 100 watts; Glen E. Webster, Decatur, Ill., 1,290 kilocycles, 250 watts; Harold L. Cross, Lansing, Mich., 580 kilocycles, 500 watts night, 1,000 watts day; Robert E. Clements, Huntington Park, Ga., 1,160 kilocycles, 250 watts daytime; John S. Bryan, Petersburg, Va., 1,210 kilocycles, 100 watts night, 250 watts day; Gerald A. Travis, Laporte, Ind., 1,500-kilocycle station, 100 watts night, 250 watts day; L. L. Coryell and Son, Lincoln, Neb., 1,450-kilocycle station, 250 watts night, 1,000 watts day; Citizens' Broadcasting Corp., Schenectady, 1,240-kilocycle station, 1,000 watts night, 5,000 watts day; Standard Life Insurance Co. of the South, Jackson, Miss., 1,420-kilocycle station, 100 watts night, 250 watts day; B. H. Hopson, Birmingham, 1,310-kilocycle station, 100 watts night, 250 watts day; Birmingham News Co., Birmingham, 590-kilocycle, 1,000-watt station; Southern Broadcasting Corp., New Orleans, 1,200-kilocycle station, 100 watts night, 250 watts day; Arlington Radio Service, Arlington, Va., 1,510-kilocycle, 250-watt station; Phillip Jackson, Brunswick, Ga., 1,420-kilocycle, 100-watt station; Enterprise Co., Beaumont, Tex., 1,400-kilocycle, 500-watt station, and WGL, Fort Wayne, for increase of day power to 250 watts; WMMN, Fairmont, W. Va., for increase of power to 1,000 watts night, 5,000 watts day; WWL, New Orleans, for increase of power to 50,000 watts.

Refusals Listed

The commission either denied or dismissed applications for new stations by C. P. Sudweeks, Spokane; Howard A. Miller, Galesburg, Ill.; Staunton Broadcasting Co., Staunton, Va.; Peryatel Bros. and Richard K. Beauchamp, Raton, N. M., and Galesburg Printing and Publishing Co., Galesburg, Ill., as well as applications from KUOA, Siloam Springs, Ark., for 620 kilocycles, 500 watts night, 1,000 watts day; KGBX, Springfield, Mo., 1,230 kilocycles, 1,000 watts; KVOO, Tulsa, 1,140 kilocycles, 50,000 watts; WBNY, Buffalo, 1,270 kilocycles, 100 watts night, 250 watts day, and WHK, Cleveland, 1,390 kilocycles, 1,000 watts night, 5,000 watts day.

Examiners' reports recommending approval of applications have been received during the past 10 days as follows: H. W. Wilson and Ben Farmer, Wilson, N. C., for a 1,310-kilocycle, 100 watts daytime station; Redlands Broadcasting Ass'n., Lufkin, Tex., for 1,310-kilocycle, 100 watts daytime station, and WELI, New Haven, for change of frequency to 930 kilocycles and change of power to 250 watts night, 500 watts day. Denial of applications was received with respect to the Falls City Broadcasting Corp., Falls City, Neb.; Lawrence K. Miller, Pittsfield, Mass.; H. O. Davis, Mobile; Harold Thomas, Pittsfield; Radio Enterprises, Lufkin, Tex., and Virgil V. Evans, Gastonia, N. C., for new stations.

◀ *Radio Personals* ▶

ALOIS HAVRILLA has won the announcing assignment on the forthcoming NBC Cycle Trades of America program. . . . Nino Martini will sing "au revoir" on the Chesterfield program April 7. Martini will leave for an extended concert immediately thereafter, to be succeeded on the program by Lily Pons. . . . Phil Regan has been set for a guest spot on Ed Wynn's program May 1. . . . Morton Bowe has relinquished his position in the "Cavaliers" quartet to devote his full time to his five current commercials. . . . NBC will carry the opening baseball games from Washington April 19, and from the Yankee Stadium April 20. . . . Rubinoff's band leaves today for a concert at Bristol, Conn.

✚

Lily Pons will inaugurate the General Motors spring series April 4. . . . Katherine Locke and Jules Garfield of the "Having a Wonderful Time" cast, and Ryan and Lee will be guest headliners on the Vallee program Thursday night. . . . Woman's National Exposition of Arts and Industries will present Kate Smith the organization's annual award for outstanding radio service on her "Bandwagon" program April 1. . . . John Barrymore, June Travis, Charley Grimm and Amelia Earhart will appear on Bing Crosby's show April 1.

✚

Hollywood Town Pump

Hollywood, March 28.—Ken Murray will throw a cocktail party for the press backstage following his initial Campbell Soup broadcast from the coast over CBS March 31. . . . Hedda Hopper talks about Easter fashions on the Lux show tomorrow. . . . Noel Corbett has been transferred from NBC's San Francisco publicity department to the local office under Hal Boch. Simultaneously Boch promoted Frances Scully to the fan magazine desk.

Re-Sign Weems Orchestra

Armin-Varady, Inc., through Baggaley-Horton & Hoyt, has re-signed Ted Weems's orchestra for another 13-week period, effective as of April 11. The series is heard Sundays from 12:30 to 1 P. M., E.S.T., on the Mutual network. The stations are WOR, WGN, WLW, CKLW, WAAB, WGR, WGAR, WCAE, WBAL and WMCA.

Set New Transcription

Dr. Ellis Sales Corp., through Walker & Downing, begins sponsorship of a new electrically transcribed program on WOR today at 1:35 P. M. The program will be heard Mondays, Wednesdays and Fridays.

In Accord

"Radio is here, is going to be here in spite of us or on account of us. You can't stop progress. If that is true, it certainly behooves the motion picture industry to utilize this valuable industry as much as possible. So in the last analysis, the value of radio depends on what we make of it and certainly we can make no better use of it than cooperating with them to the fullest, if, in turn, we can receive the direct benefits that are available. I believe that you have been carrying on through your paper on this theory, so naturally I am in accord with what you are doing."—*M. A. Lightman,* president, Malco Theatres, Inc., Memphis.

Exhibitor's Station Plan Blocked by FCC

Falls City, Neb., March 28.—Adverse ruling by Examiner Ralph L. Walker of the F. C. C. on his application for a permit blocks the plans of Oscar Johnson, owner of three theatres here, to become the first Nebraska exhibitor to operate a radio station.

Although Johnson did not ask for time at night, Walker said that the station operating on a daytime only schedule would not have sufficient advertising revenue or program material to render desirable service. If given time at night, Walker said, the station would interfere with a St. Joseph, Mo., station.

Johnson planned to house studios in one of his theatres. For backing in his request he had a petition signed by Falls City residents.

Start New Omaha Station

Omaha, March 28.—Construction has started on KOIL's new building in South Omaha, which will house the new 5,000-volt high fidelity RCA transmitter. General Manager John Henry of Central States Broadcasting has said the work will be completed within 90 days. The building will be completely air conditioned both summer and winter to guard against the dust, which is rapidly becoming an all-season hazard in the midwest. The studios will remain in Omaha.

"Women's Magazine" to P. & G.

"Women's Magazine of the Air," NBC Pacific coast feature, has been signed by Procter and Gamble in behalf of Crisco. P. and G. will assume sponsorship April 5. Compton Advertising, Inc., is the agency.

The program is heard on the Pacific Red, Mondays through Fridays from 3:30 to 3:45 P. M., P. S. T. Beginning April 26, the program will be set back one hour, from 2:30 to 2:45 P. M., P. S. T.

Newsreel Starts Third Year

Des Moines, March 28.—The Newsreel of the Air, heard daily at 8:45 A.M. over KRNT and sponsored by the Sears Roebuck Co., started its third year on the air last week. Arthur J. Smith is announcer and Wayne Ackley is commentator.

Rubinoff Revue Cast Who's Who of Radio

The completed guest talent list for the forthcoming "Rubinoff Musical Moments Revue," transcribed series for the Chevrolet Motor Co. which bows in on 401 stations beginning April 4, reads like a "Who's Who" of radio. The list is as follows:

Irene Beasley, W. S. Perry, Ralph Kirberry, Patti Chapin, Gogo DeLys, Fray & Braggiotti, Phil Duey, Shirley Howard, Reed Kennedy, Virginia Verrill, Ruth Garhardt, Ray Heatherton, Jerry Cooper, Honey Dean, Mary Eastman, Buddy Clark, Mortin Bowe, Connie Gates, Edward Nell, Willie Morris, Terri Franconi, Benay Venuta, Art Jarrett, Arlene Jackson, Robert Simons.

Patti Pickins, Tess Gardella, Reed Kennedy, Johnny Hauser, Helene Daniles, Jerry Cooper, Barry McKinley, Louis Bennett, Shirley Howard, Donald Novis, Mary Small, Virginia Verrill, Arden & Arden, Ray Heatherton, Clark Dennis.

Each transcription will have two artists—a masculine and feminine vocalist—in addition to Rubinoff. The "Songsmiths Quartette" will perform on each platter.

Seeks Examination In Suit on Program

Knickerbocker Broadcasting Co., Inc., defendant in a $10,000 damage suit brought in the N. Y. Supreme Court by Damskov, Inc., manufacturers of a reducing formula, will ask Justice Timothy A. Leary today for an order requiring Dorothea Damskov, president of the plaintiff corporation, to submit to an examination before trial.

Damskov alleges that Knickerbocker violated an agreement of Feb. 20, 1935, whereby it was to grant the plaintiff three programs a week over WMCA. On May 17, 1935, Knickerbocker refused to continue on the ground that it was out of line with the rules of the F. C. C.

Move Program to Hollywood

Hollywood, March 28.—The Owl Drug Co. has brought its "Treasure Island" program from San Francisco to Hollywood for three broadcasts. The first was held yesterday and the other two will be on April 4 and April 10. The commercial is not for Owl, but a plug for the World's Fair scheduled for 1939 in San Francisco. The program goes out over NBC's Pacific Coast red. Cliff Engle is the commentator.

Levitt Offers Prizes

Levitt & Sons, sponsors of the Sunday "Strathmore Serenades" on WOR, will offer listeners prizes of $250, $100 and $50 for best letters on new home features. The contest, beginning immediately, will close May 1; winners will be announced on May 16.

Household Finance on WABC

Household Finance Corp. has signed for an early morning news program on WABC only, featuring Jean Paul King as commentator.

Beginning April 5, the program will be heard Mondays through Fridays from 7:45 to 8 A. M., E. S. T. Batten, Barton, Durstine and Osborn is the agency.

Mutual Series Takes Silent Screen Stars

Stars of the silent screen days will be featured in a new Mutual network series, beginning April 3. Former film greats whose voice will be heard include Clara Kimball Young, Maurice Costello, William Farnum, Lionell Atwell, William Desmond, Joseph De Grasse, Minta Durfee Arbuckle, Rosemarie Thebe, Wilford Lucas, Leo D. Cordova, Dorothy Farley and May McIvar.

The program will emanate from the studios of KHJ in Los Angeles. The programs will alternate each Saturday with the Chicago Symphony broadcasts until April 24, after which it will be heard weekly. The time is 9:30 to 10 P. M., E. S. T.

The initial "drama" will be "Curfew Shall Not Ring Tonight." Subsequent offerings will be "The Villain Still Pursued Her," "East Lynn," "Ten Nights in a Barroom," "Workings Girls' Wrongs," "The Millionaire's Revenge," "Sidewalks of New York" and "Nellie, the Beautiful Cloak Model."

According to report, the series is being offered to sponsors for $1,500 per broadcast, exclusive of the time.

Producer Gets Part

HOLLYWOOD, March 28.—As a gesture of appreciation to the producer of "Twin Stars," featuring Helen Broderick and Victor Moore, next Friday Marvin Young, who produces the show, will be starred in a comedy skit. Young is so busy with his regular duties that NBC is arranging for a stand-in to substitute in the producer spot while Young is on the air.

Weidenhammer to WOR

NEW HAVEN, March 28.—Carlton Weidenhammer, WICC studio supervisor for the past four years, has become affiliated with WOR as staff announcer, effective April 4. He has been replaced in New Haven by Malcolm Parker, program director of WELI. Charlie Wright, WELI announcer, has been promoted to Parker's position.

Ben Bernie Is Renewed

Ben Bernie and "all the lads" have been renewed for an additional 13-week period by the American Can Co., sponsors of the Bernie Tuesday, 9 to 9:30 P. M., NBC-Blue network period. The renewal will take effect April 27. Fuller and Smith and Ross is the agency.

Issue Iowa Barn Dance Book

DES MOINES, March 28.—The second annual Iowa Barn Dance and Frolic souvenir picture book is off the press. The book contains 30 pages of pictures and descriptive information about the Frolic performers, and station WHO. The station is offering the book to Barn Dance listeners.

Dismiss Station Plea

SPRINGFIELD, O., March 28.—Application of Springfield Newspapers, Inc., for a new station to be operated on 1,120 kilocycles, with 250 watts, has been dismissed by the F. C. C. at the applicant's request.

Mutual Reverses Lines

Definite reversal of lines, permitting simultaneous, two-way program switches, will be effected May 15 on the Mutual network.

Tries Bicycling

When is bicycling legal?

Harry H. Buxbaum, sales head of the local 20th Century-Fox, has the answer.

With only 50 prints of "On the Avenue" on hand and 80 bookings this week from practically every important independent circuit, Buxbaum solved the problem by giving official sanction to the circuits to switch prints around from one house to another.

Yates Denies Film Tieup from Strike

(*Continued from page* 1)

said that to the best of their knowledge their print work was being completed according to schedule. Universal denied that the Friday release of the newsreel had been delayed.

Yates said that laboratory officials had not even been approached by representatives of the striking employes with either a request for negotiation of demands or a program of alleged grievances. He said that only about 25 per cent, or about 70 of the plant's 400 employes had walked out, as contrasted with published reports that 225 of a total of 300 employes were on strike.

Stating that only the routine of the plant had been interfered with, Yates said that the strikers included only the least important classes of employes, such as "fillers" and shipping room workers, and that none of the plant's technicians or engineers was involved. Schedules had been maintained, he said, by a voluntary increase in working hours adopted by the employes who remained at work.

He said that inasmuch as the strikers had not identified themselves or presented their demands to officials of the company, no negotiations were contemplated and the places vacated by the strikers would be filled as rapidly as possible.

Legion Approves All Of 13 New Pictures

(*Continued from page* 1)

Strip," "Familienparade" (German), "Git Along Little Dogies," "Silent Barriers," "Too Many Wives," "Waikiki Wedding," "23½ Hours Leave." Class A-2, Unobjectionable for Adults—"Bill Cracks Down," "History Is Made at Night," "Mountain Justice," "Personal Property," "Seventh Heaven," "White Bondage."

Para. Promotes Sharpe

William Sharpe, formerly ad sales manager for Paramount in St. Louis, has been promoted to supervisor with 19 eastern exchanges under his supervision. He succeeds Weldon Waters, who goes to the sales department. Charles Schleffler, assistant to Sharpe, is now in charge of ad sales in St. Louis. Sharpe is now making his headquarters at the company's home office.

Ad Salesmen to Attend

Thirty-one ad sales managers, and possibly seven Canadian ad sales heads, will attend the 20th Century-Fox annual sales meeting to be held at the Ambassador, Los Angeles, starting May 31.

Little Hope For Singles Is Seen Here

(*Continued from page* 1)

of the two pictures is to be lopped off the program.

An increase of five and 10 cents between first and second runs is not enough, theatremen declare. If, and when, major and large unaffiliated circuits boost admissions substantially and cut protection periods, there will be a chance of reviving single bookings, but not sooner, independents say.

Before sailing for France Saturday on the *Paris,* Joseph Bernhard, general manager of the Warner circuit, decried dual bills. He said "the dual feature can never advance the industry —it can only retard it."

Bernhard will meet Harry M. Warner and Sam E. Morris in Paris and all three will return about May 1.

"Quantity never takes the place of quality in entertainment," he added. "When I return from abroad I'll give serious attention to constructive proposals for eliminating double features.

"In the beginning, the double feature may be a shot in the arm for some theatres, but it eventually loses its power to improve box-office. And then theatre grosses fall back to the single feature level. You can make it a rule that quantity never takes the place of quality in entertainment.

Warners Always Reluctant

"The Warner circuit has never been the first to start double features in any territory and has always been the last to use them in any competitive situation. In Chicago, it was not until several months after the big circuits adopted double features that the Warner theatres followed suit.

"The studios blame this double feature condition on the exhibitors, and the exhibitors blame it on the studios. Meanwhile, we know there is a large body of public opinion which finds double features distasteful. The volume of telephone calls coming in to double feature houses and asking what time the main feature goes on, shows that the public understands that the second feature is no bargain.

"The only sure protection of this great industry is constant upward progress in the quality and class of entertainment. We can't slide back to the days of the medicine show, and bargain merchandising, without injuring our prestige with the public, and in the long run, our profits.

"It seems to me that one of the steps toward abolishing this evil might be to create a new film form between the feature and the short. Say, for instance, a class of three or four-reel features, using popular poems, famous short stories and historical characters."

Expect Record Crowd At Dinner for Zukor

(*Continued from page* 1)

the Mutual network for one hour beginning at 11:15 P. M. The attendance is expected to include numerous important figures in political and social circles, as well as the Paramount theatre partners. There is every indication that it will be the film year's outstanding social event.

U.A. to Widen Its Selling of Foreign Films

(*Continued from page* 1)

ished and the second is nearing completion. These subjects will be released by U. A. in the Argentine and all Spanish speaking countries.

Under consideration now are pictures being made in the Philippines and in China.

In addition, U. A.'s exchanges outside of the United States will handle all of the features being made by James A. FitzPatrick in London. The company is partially financing the productions.

"Woman Alone," recently produced by Eugene Frenke, is another film that will be handled by the company in all countries but the United States. Grand National has it for this country. Harry Thomas has the FitzPatrick features.

Gould sailed Saturday on the *Paris* on a two-month trip on the Continent. He may look into foreign production with a view to acquiring more pictures for the European market. Kelly recently returned from a six-month trip around the world.

Production Shows Gain; 38 in Work

(*Continued from page* 1)

shooting headed the list, with M-G-M, Paramount and 20th Century-Fox tied with five each; Republic and Radio had four each, Universal had three and Columbia, Goldwyn, Roach, Selznick and Wanger one each. Paramount had eight in preparation, Columbia, four; Radio, three; 20th Century-Fox and Republic, two each, and M-G-M, Goldwyn and Warners, one each. In the editing category Warners had 16, 20th Century-Fox, nine; Columbia and Paramount, eight each; M-G-M and Universal, four each; Roach, two, and Republic and Selznick, one each.

Of the finished features, Paramount and Universal were tied with two each and Warners, 20th Century-Fox, Radio, Republic and M-G-M had one each.

Of the shorts Columbia, Radio and Roach had one each; Columbia and Warners each started one; Warners had one in work; Radio two and Columbia and Roach one each in preparation, and M-G-M seven, Columbia four, Radio three, Roach two and Warners one, in the editing stage.

Censor Advice Stirs Courtland Smith Ire

(*Continued from page* 1)

Smith's message concluded, "but never again try to tell us what we may or may not say in newsreels."

Smith said yesterday that he had nothing to add to the message quoted above.

Consolidated-M-G-M Sign

Consolidated has signed a deal for M-G-M's 1936-37 product after weeks of negotiations. Several pictures already have been dated.

Purely Personal

JERRY COOPER of the 20th Century-Fox department on the coast flew back to Hollywood with TYRONE POWER, JR., over the week end. Via American Airlines.

•

FRED McCONNELL left the coast over the weekend and will visit Columbia exchanges while en route here. He is expected in New York in about two weeks.

•

HARRY WARREN and AL DUBIN, Warner song writers, arrive today from the coast for a vacation.

•

ROY H. HAINES, eastern sales head for Warners, spent the weekend in Atlantic City.

•

GRADWELL L. SEARS and CARL LESERMAN are due back from the coast on April 5.

•

JACK BOWEN, local Loew exchange manager, left Saturday for Bermuda and a vacation.

•

. . . Denver

BEN PERLMAN, formerly manager of the National Display office here, left for New York following the closing of the Denver branch.

C. G. DOTY now handling publicity for J. H. Cooper Enterprises in Lincoln. Formerly city manager in Santa Fe for Gibraltar Enterprises.

RICK RICKETSON back in town following a business trip to the coast and Salt Lake City.

BERYL WALLRICH, State cashier, and MARTIN AUSTIN, ad sales clerk in the Warner exchange, were married recently.

JOHN TAYLOR now city manager in Sheridan, Wyo., for Fox Intermountain, following the sale of the Orpheum and Studio in Salt Lake City. He succeeds WILLIAM FOWERS, who goes to Sterling, Col.

Denies Roxy Stock Plea

Federal Judge Francis G. Caffey on Saturday denied a petition by Samuel Kramer, attorney for the Class A stockholders protective committee of the Roxy, for leave to solicit powers of attorney from stockholders at the expense of the Roxy trustee. Judge Caffey held that the solicitation could be made only at the expense of the stockholders.

Rites for Mrs. Sirica

WATERBURY, March 28.—Funeral services were held yesterday for Mrs. Lena Sirica, operator of the Lido for the past 20 years. Mrs. Sirica, aged 58, died of heart failure.

Zabel Joins Sterling

SEATTLE, March 28.—Arthur Zabel, son of Ed Zabel, exhibitor at Olympia, Wash., has been named assistant to William Forman, executive of Sterling Theatres here.

Evergreen Takes Houses

PORTLAND, March 28.—Evergreen State has taken over the D. & R. Theatres at Aberdeen, Wash., and the Weir at Hoquiam.

Lent Cuts Key City Takes To a Total of $1,626,240

Comparative grosses for the latest available periods:

	Week Ending March 19-20		Week Ending March 12-13	
	No. Theatres	Gross	No. Theatres	Gross
Boston	8	$113,000	7	$110,800
Buffalo	5	45,200	5	44,600
Chicago	9	137,700	8	146,200
Cincinnati	8	52,950	8	58,450
Cleveland	5	55,450	5	55,250
Denver	6	35,000	6	34,450
Detroit	7	92,700	6	87,600
Houston	4	28,900	4	28,150
Indianapolis	4	27,000	4	24,800
Kansas City	5	38,200	5	36,400
Lincoln	5	10,700	5	9,400
Los Angeles	9	106,540	8	96,499
Louisville	7	23,800	6	25,100
Milwaukee	5	25,900	5	25,800
Minneapolis	5	22,000	5	23,500
Montreal	5	42,500	5	39,500
New Haven	4	18,500	4	19,700
New York	10	233,800	10	278,100
Oklahoma City	3	11,000	3	22,300
Omaha	3	19,600	3	12,600
Philadelphia	10	104,900	10	117,500
Pittsburgh	4	51,000	5	35,500
Portland	5	29,200	4	24,700
Providence	5	33,800	5	38,400
San Francisco	9	98,100	9	105,500
St. Louis	5	60,450	5	57,000
St. Paul	4	11,800	4	14,900
Seattle	7	38,650	7	34,700
Washington	5	57,900	7	67,600
	171	$1,626,240	168	$1,673,999

Key city grosses from September to the week ending March 19-20:

	No. Theatres	Gross
Sept. 4- 5	163	1,747,748
Sept. 11-12	173	2,090,144
Sept. 18-19	176	1,806,350
Sept. 25-26	177	1,744,332
Oct. 2- 3	177	1,705,308
Oct. 9-10	175	1,625,287
Oct. 16-17	174	1,780,168
Oct. 23-24	175	1,690,044
Oct. 30-31	177	1,625,216
Nov. 6- 7	178	1,629,560
Nov. 13-14	180	1,711,209
Nov. 20-21	180	1,654,312
Nov. 27-28	176	1,568,247
Dec. 4- 5	176	1,946,078
Dec. 11-12	172	1,613,087
Dec. 18-19	176	1,568,151
Dec. 25-26	173	1,316,371
Jan. 1- 2	178	2,037,040
Jan. 8- 9	175	2,262,950
Jan. 15-16	174	1,674,774
Jan. 22-23	170	1,793,041
Jan. 29-30	151	1,554,610
Feb. 5- 6	154	1,598,645
Feb. 12-13	166	1,621,731
Feb. 19-20	169	1,621,495
Feb. 26-27	168	1,849,622
Mar. 5- 6	169	1,596,679
Mar. 12-13	168	1,673,999
Mar. 19-20	171	1,626,240

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Club Quarters Opened

DENVER, March 28.—The new club rooms of the Rocky Mountain Screen Club in the Cosmopolitan Hotel were opened here with approximately 500 in attendance. Mayor Ben Stapleton of Denver was honor guest.

G. N. Changes Title

"Trailing Trouble" is the release title for the Grand National film formerly known as "Alias Blackie Burke."

RKO Refuses Union Plea

Major Leslie Thompson of RKO has informed officials of Local 802 of the American Federation of Musicians that he would not consider the union's demand for the restoration of musicians in houses of the circuit locally. The union recently decided to withdraw pickets from numerous theatres, and to concentrate on one circuit, RKO. The conference with Major Thompson was supposed to precede possible concentrated picketing action by the union, in the event the RKO answer was unsatisfactory.

"Maytime" Is Second Week Frisco Lead

SAN FRANCISCO, March 28.—"Maytime" led the town again in its second week at the Paramount. The $17,500 take was $4,500 above normal.

"Park Avenue Logger," with a vaudeville bill, was the only other attraction to make a showing. It grossed $18,200, up by $2,200, at the Golden Gate. "The Good Earth" held up to $9,000 in its fourth week at the St. Francis and "Lost Horizon" garnered $9,800 in its third week at the Geary.

Total first run business was $89,080. Average is $86,000.

Estimated takings:

Week Ending March 23:

"MODERN MOTHERHOOD" (Roadshow)
EMBASSY—(1,400), 15c-30c-35c-40c, 7 days. **Gross:** $4,000. (Average, $4,500)

"LOST HORIZON" (Col.)
GEARY—(1,400), 55c-88c-$1.10-$1.65, 7 days, 3rd week. **Gross:** $9,800. (Average, $10,000)

"PARK AVENUE LOGGER" (RKO)
GOLDEN GATE—(2,850), 15c-30c-35c-40c-55c, 7 days. Stage, vaudeville. **Gross:** $18,200. (Average, $16,000)

Week Ending March 24:

"SWING HIGH, SWING LOW" (Para.)
"TIME OUT FOR ROMANCE" (20th-Fox)
FOX—(5,000), 15c-30c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $15,400. (Average, $16,000)

"WOMAN OF GLAMOUR" (Col.)
"PAROLE RACKET" (Col.)
ORPHEUM—(2,440), 15c-30c-35c-40c, 7 days. **Gross:** $9,200. (Average, $9,500)

"MAYTIME" (M-G-M)
PARAMOUNT—(2,740), 15c-30c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $17,500. (Average, $13,000)

"GOOD EARTH" (M-G-M)
ST. FRANCIS—(1,400), 55c-88c-$1.10-$1.65, 7 days, 4th week. **Gross:** $9,000. (Average, $10,000)

Week Ending March 26:

"TALES OF VIENNA WOODS"
(Vienna Films)
CLAY—(400), 15c-35c, 7 days, 2nd week. **Gross:** $1,380. (Average, $1,000)

"NO MAN OF HER OWN" (Para.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days. **Gross:** $4,600. (Average, $6,000)

Wall Street

Small Gains on Board

	High	Low	Close	Net Change
Consolidated, pfd.	15½	15¼	15½	+ ⅛
Eastman Kodak	162	162	162	+1¼
General Theatre Equipment	29¾	29¾	29¾	— ¼
Loew's, Inc.	77⅞	77	77⅞	+ ⅞
Paramount	23½	23⅛	23⅜	— ⅛
Paramount 2 pfd.	20¾	20¾	20¾	.....
Pathe Film	8½	8⅜	8⅜	.....
RKO	8⅛	8⅛	8⅛	+ ¼
20th Century-Fox	37	36⅞	37	+ ⅛
Universal, pfd.	86	86	86	+ ½
Warner Bros.	14⅜	14¼	14¼	.....

Curb Holds Levels

	High	Low	Close	Net Change
Grand National	2⅞	2⅞	2⅞	.....
Technicolor	21⅝	21½	21⅝	.....
Trans Lux	4⅝	4½	4⅝	.....

Bonds Move Lightly

	High	Low	Close	Net Change
Loew's	95⅝	95⅝	95⅝	.....
Paramount Broadway 3s '55	73¾	73¼	73¼	—1¼
Paramount Pictures 6s '55	100¼	100	100¼	— ¼
Warner Bros. 6s '39 wd.	95	95	95	+ ¼

(Quotations at close of March 27.)

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MOTION PICTURE DAILY

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and
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VOL. 41. NO. 74 NEW YORK, TUESDAY, MARCH 30, 1937 TEN CENTS

Schenck Sees Duals Problem More of Issue

Attitude of Public Will Decide, He Says

CHICAGO, March 29.—Nicholas M. Schenck, en route to New York from the coast, told MOTION PICTURE DAILY that he would not be surprised if the dual feature situation becomes more of an issue than ever before during the coming months. He added that the dropping of twin bills depended on the public's absolute refusal to attend theatres showing double features.

Schenck was highly enthusiastic over his trip to Hollywood, adding "everything is coming along fine with prospects for good pictures and big business the best in years."

"Captains Courageous," he said, has been taken off the regular release schedule and will be roadshown. The release date for the roadshows will be announced as soon as arrangements are completed. He stated he expected the picture to be shown in theatres

(*Continued on page* 8)

Win Elimination of Austria Kontingent

VIENNA, March 29.—Effective immediately, the recent increase in the Austrian kontingent fee of 25 per cent has been ordered lowered by 10 per cent, and at the middle of April the remaining 15 per cent increase over the original rate will be eliminated.

The decree, which means eventual abandonment of the kontingent fee increase, came as a result of weeks of negotiations with the Austrian Government by the American minister in Vienna and Harold Smith, Paris representative of the M.P.P.D.A.

American firms had indicated that they were seriously considering abandoning

(*Continued on page* 8)

PSB Is Suing RCA; Alleges Infringement

WILMINGTON, March 29.—Philadelphia Storage Battery Co., parent organization of Philco Radio & Television Corp., today filed a bill of complaint against RCA Mfg. Co., in U. S. District Court here charging infringement of a patent on non-microphonic radio apparatus.

P. S. B. asks the court for relief, including temporary and permanent

(*Continued on page* 7)

More Radio—Page 7

Coast Labor, CIO Meeting On Thursday

Trade-Wide Unionization Seen as Purpose

LOS ANGELES, March 29.—A meeting of all studio and theatrical workers has been called here by the C.I.O. for Thursday midnight at Lindley Hall. Today's development is the first official move having for its purpose the solidification of all crafts from theatre ushers up to studio technicians. This purpose was set forth in pamphlets which were distributed today.

The first official meeting will be sponsored by the Empire Projectionists' Union and associated committees. C.I.O. leaders will speak and are expected to outline future organizational activities.

Sit-Down Strike in Detroit Hits Para.

DETROIT, March 29.—Inspectresses and other "back room" employes at the local Paramount exchange went on a sit-down strike this morning. A spokesman said they had been promised a wage increase but had not received it last Saturday, at 5 P. M. The strikers declared they had dug in for the night. No statement could be obtained from H. John Howard, the branch manager.

Drivers for Cinema Service Co. and Exhibitors' Service Co., handling deliveries of film in the city, staged a

(*Continued on page* 2)

EASTER GROSSES SHOW BIG PICKUP

Broadway Spots Filled; Other Cities Report Heavy Business

Theatres throughout the country did a smash business over the Easter weekend, according to home office circuit executives. In all instances the grosses for Sunday topped Saturday business, it was stated.

On Broadway long lines were a familiar sight over the two-day weekend. Several theatres reported above average takes for Good Friday. The Music Hall, where "Seventh Heaven" is current, did more business last Friday than "On the Avenue" and "Lloyds of London" did the first Fridays of their opening weeks.

For the first four days of "Seventh Heaven," the Music Hall ended with $60,000 with indications the week's gross will tally about $100,000. "When's Your Birthday?" finished Holy Week with approximately $42,000.

"Top of the Town" took in about $30,000 in three days at the Roxy. Sunday's business was $1,000 better than the same day for "Three Smart Girls."

The Rivoli garnered approximately $15,000 for Saturday and Sunday on "History Is Made at Night." The second day's take beat the opening day by $2,000, according to U. A. Reports to the home office from the Aldine, Philadelphia, and Strand, Atlantic City, indicated the picture would show record grosses. Other situations reporting good takes included

(*Continued on page* 8)

Munroe Coming Here On Australian Deal

Charles E. Monroe, managing director of Hoyts and joint managing director with Stuart Doyle in Greater Union Theatres, Australia, will sail tomorrow from Sydney on the *Mariposa* for conferences with Sidney R. Kent and Walter J. Hutchinson on a 20-year renewal of the partnership arrangement between Hoyts and General Union Theatres.

Monroe will arrive on the west coast in a month, spend a week in Hollywood visiting 20th Century-Fox studios and then come to New York for the executive meetings. He will return to the coast with the home office contingent and attend the annual sales conclaves which will get under way May 31 at the Ambassador, Los Angeles.

The five-year deal with General Union which expires the end of the year is expected to be renewed following Monroe's return to Sydney.

Warner Heads Leave After Product Talks

HOLLYWOOD, March 29.—Gradwell L. Sears, general sales manager; Carl Leserman, assistant to Sears; S. Charles Enfeld, director of advertising and publicity, and Norman H. Moray, in charge of Vitaphone sales, left over the weekend for New York following production conferences here

(*Continued on page* 8)

Filmdom Pays Zukor Honor; He Takes It in His Stride

By J. M. JERAULD

Tributes, dinners, public gatherings of various kinds have been commonplace to Adolph Zukor since the inauguration of his silver jubilee some months ago, but it remained for New York to pay him honor in its own peculiar way last night—its informal way, a mixture of joshing, of seriousness, of laudation cushioned with blase nonchalance that concealed something close to the heart.

It took nearly 1,000 persons to do it at the Waldorf-Astoria.

Zukor took it in his stride. Instead of the usual parade of celebrities to the dais after the diners had been seated the guests of honor emerged from behind curtains with no bright lights upon them and dinner was served—on schedule, strange to say. When the flood lights were turned on, the "Star Spangled Banner" already had been sung. The guests of honor were seated, but there had been no opportunity for the usual applause. They were: Joseph Bernhard, Charles C. Pettijohn, Pat Casey, William Mallard, George J. Schaefer, License Commissioner Paul Moss, Harry Brandt, Consul General Gaetano Vecchietti of Italy, Milton Weisman,

(*Continued on page* 6)

Final Meeting for Tax Decision Is Set

A final meeting of distribution company attorneys to determine future procedure in connection with the Court of Appeals decision holding New York City film rentals subject to the two per cent municipal sales tax will be held tomorrow or Thursday at M. P. P. D. A. headquarters.

Indications are that the meeting will declare in favor of accepting the decision and against pressing the legal fight further by applying for either a rehearing by the Court of Appeals or a writ of certiorari from the U. S. Supreme Court. The majority of the sentiment at the three earlier meetings of the attorneys has been of this nature, due largely to the fact that the Court of Appeals decision was unanimous.

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MPPDA Meet Friday

The annual meeting of the board of M.P.P.D.A. was adjourned yesterday until Friday, following a routine session which was called to comply with the organization's charter requirements. The business session on Friday will receive the annual reports of Will H. Hays and other officers and department heads of the organization.

Steiner Quits Tobis

Joseph Steiner, general sales manager of American Tobis Corp., has resigned, effective April 9. He will continue in his post until W. E. Van Beveren, managing director, returns from Europe.

Talbot-Cramer Wed

HOLLYWOOD, March 29.—Lyle Talbot and Marguerite E. Cramer were married here yesterday at the home of Municipal Judge E. R. Brand.

Flash Preview

"Navy Blues"—Good performances, direction, story and dialogue make this very acceptable entertainment for neighborhood spots.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Sit-Down Strike in Detroit Hits Para.

(*Continued from page* 1)

strike Saturday at noon. It was settled in a short time when the companies signed a union agreement.

Workers in other exchanges are reported to be fully organized. A representative committee, together with union organizers, visited local exchanges during the weekend and presented demands for wage increases, working hours, etc., and have given the exchanges until Thursday to sign up. A general strike is threatened at that time if an agreement is not made.

Consolidated Situation Same

The strike of Fort Lee employes of Consolidated Film Industries continued through its fifth day yesterday without any change in the situation developing.

H. J. Yates, Consolidated president, reported that the Jersey laboratory's work schedules were being maintained but said that no hiring of new workers to replace the strikers would be done, as previously contemplated, pending a possible conference with representatives of the strikers later in the week. Yates was visited yesterday by John A. Moffitt of the U. S. Dep't of Labor, whom he described as an "investigator" who was familiarizing himself with the situation. Indications are that Moffitt may move to obtain a meeting between Consolidated officials and the strikers' representatives soon in an effort to settle the strike. Yates said that Moffitt had requested a second meeting with him for two or three days from now."

Yates declared that no formal representations had been made to company officials yet by the strikers.

No Progress in Cleveland

CLEVELAND, March 29.—The lining up of local shippers, inspectors and poster clerks into a union has progressed no further than the formative stage, it is authoritatively learned. Although it has been three weeks since the group signed to join the Packers' and Wrappers' Union of the A. F. L. no demands have been presented to exchange operators to date.

It is learned, however, that the original plan for an advance of wages has been reduced to a straight boost of $5 a week for all affected. Also, there will be no demand for double time on Sunday, as originally planned.

Milwaukee Union Elects

MILWAUKEE, March 29.—The United Show Workers of America, an incorporated independent union of employes of theatres, ballrooms and parks, at an organization meeting here elected Floyd M. Hardy, president; Ned Spines, vice-president; E. P. Weisner, secretary, and M. D. Goldstein, treasurer.

The board of directors includes the officers and John H. Roepke, Joe Bello and David Winnecour. All are from Milwaukee.

Name Officers in New Haven

NEW HAVEN, March 29.—With its charter now set, the local A. F. of L. exchange employes' union has elected temporary officers. Organizers will concentrate on membership this week, John F. Gatelee, president of the Massachusetts Federation of Labor declared, and another meeting will be held Friday.

Mike Appeared

Spokane, March 29.—So the audience wouldn't miss the brief appearance of Mike Pecarovich, Gonzaga University football coach, in "Waikiki Wedding," Manager Al Baker flashed on the Fox screen slides reading: "One minute to go and Mike steps into the picture." Then a little later: "Get set. Watch close."

Mike bonged a ship's gong and said: "All visitors ashore, please."

Cullman Prophesies $300,000 Earnings

Howard S. Cullman, trustee of the Roxy, testified yesterday that he expects the Roxy earnings to be $300,000 for 1937 and $500,000 for 1938. Cullman was the principal witness yesterday in the hearing before Special Master Addison S. Pratt on the proposed plan of reorganization for the Roxy. Pictures obtained from 20th Century-Fox have been a material factor in the increased earnings recently, Cullman reported, and said that it would be "most fortunate" if a long term franchise could be obtained.

Afternoon prices should remain the same as at present, according to Cullman, but evening prices should be raised. Of 50 bids for the Roxy property received during the past year only two were considered, one from Loew's and the other from Warners', he said. Cullman revealed at one time during the receivership virtually all major companies boycotted the Roxy. The time when this occurred was not disclosed. Twentieth Century-Fox has spent a minimum of $6,200 for advertising and promotion on pictures shown at the Roxy, with $15,000 as the top on "Girls' Dormitory." Cullman testified that he has had difficulty getting pictures for the next five months but hopes to get several from 20th Century-Fox. He said that the Roxy earnings would rise if the theatre were removed from reorganization and a long term film franchise obtained. An appraisal of the Roxy as a going concern by the late Louis M. Sagal of New Haven was placed in evidence. Sagal appraised the property at $4,900,000.

Scully Names Aides On Will Rogers Fund

William A. Scully, local director for the Will Rogers Memorial Fund, yesterday held a meeting with local exhibitors and exchange managers and named committees to assist him in raising funds.

The New Jersey chapter consists of David Levy, Edward Bell, David Snaper, John Benas and Leon Rosenblatt.

New York State: Bob Goldblatt and Herman Sussman.

New York City: Bob Wolff, Robert Fannon, Joe Katsh and Arthur Rapf.

Brooklyn: Joe Lee, Sam Rinzler, Jack Hatten and Harry Brandt.

Long Island: Leo Abrams, Joe Seider and Sol Meyerson.

Camera Union Moves

The International Photographers union, Local 644 of the I.A.T.S.E., has moved to 30 Rockefeller Plaza.

Foresee Passage Of Sale Tax in Kansas

KANSAS CITY, March 29.—The Kansas Legislature is expected to pass a sales tax bill this week. It will cease consideration of all bills Tuesday at noon, and will adjourn Friday.

In Missouri the House has passed the bill increasing the sales tax from one to two per cent. Revenue, estimated at $24,000,000, would go for social security. The bill changes the method of payment from cardboard to zinc tokens. In spite of $1-a-day salaries since March 17, Missouri legislators are not expected to adjourn before May 1.

Tax Is Effective April 1

CHEYENNE, March 29.—Wyoming's permanent sales tax goes into effect April 1. The tax is one cent for admission of 24 cents or less, and two cents on 25 cents or more. Hitherto exhibitors have been permitted to allow one patron to purchase tickets for an entire party and pay a two per cent tax on the entire amount only.

Adjourn Lina Argument

Argument on a motion by Lina Pictures Corp. for a summary judgment in its $5,000 suit against First Division Exchanges, Inc. yesterday was adjourned to April 9. The motion was to have been argued in N. Y. Supreme Court yesterday before Justice Ernest E. L. Hammer. Lina, which took over on assignment a contract executed between First Division and Principal Distributing Corp. on Sept. 11, 1933, alleges that the defendants upon expiration of the contract which ran for one year failed to return certain short subjects for which First Division had obtained distribution rights from Principal.

Writer Sues Vitaphone

Sanford Green, a lyric writer, now in Hollywood, has sued the Vitaphone corp. for $5,250, charging breach of a contract whereby he was to get $150 a week for one year from last Nov. 14. He charges that Vitaphone unlawfully cancelled the contract when it still had 35 weeks to run. Counsel for the plaintiff will appear before Justice Timothy A. Leary in N. Y. Supreme Court today and ask that the bill of particulars demanded by Vitaphone be vacated, as such a bill is unnecessary to frame a defense.

File Answers in Suit

RCA Mfg. Co. and Southern Music Publishing Co. filed an answer yesterday in the suit brought by Perry Bradford as administrator of the estate of Eddie Stafford. The suit asks for an injunction and $15,000 damages for alleged infringement of Stafford's song,' 'He's in the Jailhouse Now." The answer alleges that Stafford had assigned all his rights to the song to Southern Music in 1930 and that the plaintiff has delayed too long in bringing his suit.

KAO Annual Meet Set

The annual meeting of stockholders of Keith-Albee-Orpheum to elect directors of the company has been set for April 14. Preferred stockholders are entitled to elect a majority of directors and common stockholders elect the balance. Action on an extension of the circuit's bonus plan for theatre managers may also be taken at the meeting.

WARNER BROS.'

THREE IS A CROWD

For the Next Weeks!

Now!

..THE KING

AN
TH

Then This!

..MA

And After That

..

THE KING AND THE CHORUS GIRL Starring
FERNAND GRAVET and **JOAN BLONDELL**
EDW. EVERETT HORTON • Alan Mowbray • Mary Nash • Jane Wyman
Kenny Baker • Luis Alberni • STORY BY GROUCHO MARX and
Norman Krasna • Songs by Heymann and Koehler
A MERVYN LEROY PRODUCTION

CHORUS GIRL

BETTE DAVIS in **MARKED WOMAN** with
HUMPHREY BOGART • LOLA LANE • ISABEL JEWELL
EDUARDO CIANNELLI • JANE BRYAN • ROSALIND MARQUIS • MAYO
METHOT • Allen Jenkins • John Litel • Ben Welden • Henry O'Neill
Directed by LLOYD BACON • Songs by Harry Warren & Al Dubin
A First National Picture

KED WOMAN

CALL IT A DAY
from the International Stage Success, with
OLIVIA DE HAVILLAND • IAN HUNTER • ANITA LOUISE
ALICE BRADY • ROLAND YOUNG • FRIEDA INESCORT • Peggy Wood
Walter Woolf King • Bonita Granville • Beryl Mercer • Directed by
ARCHIE MAYO • A Cosmopolitan Production

CALL IT A DAY

FitzPatrick Talks Loew Release Deal

James A. FitzPatrick is now negotiating a new releasing deal with Loew's for 12 Travelogues planned for next season.

The short subject producer returned over the weekend from a three-month trip to the coast, Peru, Chile, Ecuador and the Argentine, where he photographed scenes for his new series. He is now completing the last three subjects on the current lineup. Tomorrow he will record "Siam," the tenth travelogue on the 1936-37 schedule. On April 14 FitzPatrick will sail on the *Normandie* for England to produce his third independent feature.

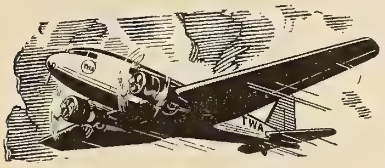
Harry H. Thomas is releasing the FitzPatrick features in this country and U. A. in all other countries.

Machnovitch From Univ.

Samuel Machnovitch, who was elected treasurer of Universal Pictures Co. last week, was erroneously identified in MOTION PICTURE DAILY as a former official of Standard Capital Co. Machnovitch has been associated with Universal since prior to Carl Laemmle's withdrawal from the company and was not an officer of Standard Capital at any time.

Would Limit GB Trading

LONDON, March 21.—Stock Exchange dealers have made application to the Exchange Committee not to allow dealings in G. B. preference shares on an "ex-dividend" basis until the dividend is paid on March 31 or until a decision is reached in the action which the committee of ordinary shareholders has brought to restrain payment of the dividend.



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GENERAL AIR EXPRESS

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Hit Parade"

(Republic)

SAN DIEGO, March 29.—Nat Levine, producer, has spared no expense in this production, which should enable exhibitors to attract plenty of patron attention with such names as Phil Regan, Frances Langford, Eddy Duchin, Al Pearce, Pick and Pat, George Givot, Molasses 'n' January, Carl Hoff, the Voice of Experience, Roy Smeck and others.

A preview audience here last night gave the film a good reception. It is fast-moving, with plenty of catchy tunes, good voices and sufficient comedy, most of the latter element supplied by Cowboy Max Terhune.

The story, an original by Bradford Ropes, with the screenplay by Ropes and Samuel Ornitz, concerns Regan's search for a radio star to outshine Louise Henry, who has thrown him over for her attorney, Monroe Owsley. The plot is chiefly a vehicle for the purpose of presenting well known stars of the air. Most of the action is set in Station WKN. After Regan's rebuff, he picks up Terhune, they seek a new star, and find Miss Langford singing in a beer hall. The rest of the story has to do with Miss Langford's fight to replace Miss Henry on the hour sponsored by the wealthy Ed Brophy. In a well-motivated climax, Miss Langford is identified as an escaped convict. Famous stars stage a testimonial program in her honor and she returns just in time to receive the governor's pardon and a kiss from Regan.

Other players deserving mention are Pert Kelton, J. Farrell MacDonald, Sammy White, Ed Thorgersen, Tic Toc Girls and Inez Courtney.

Production Code Seal No. 3,125. Running time, 85 minutes. "G."

Variety Club

Columbus

COLUMBUS, March 29.—Tent No. 2 was host to the queen of the Oregon Winter Sports Carnival and her company making a tour of the United States.

REV. JERRY CORBETT, club chaplain, is ill at the Holy Cross Sanitarium, at Holy Cross, N. M.

M. R. ("DUKE") CLARK, chief barker, and GEORGE TRAUTMAN, assistant chief barker, have been named as clowns to attend the national convention in Omaha.

GEORGE ANTIGNOST, owner of the Greystone Ballroom, has been elected to resident membership, as has JACK MCALLESTER, scout for the Boston Red Socks.

Pittsburgh

PITTSBURGH, March 29.—After May 1, the Variety Club will give up its present building and take rooms once more in the William Penn Hotel, where the Tent No. 1 was quartered for several years after organizing.

JOHN H. HARRIS, JAMES G. BALMER, JOHN MALONEY, and Drs. I. R. WEISS and M. R. GOLDMAN will represent the local group at the national convention of Variety Clubs in Omaha next month.

Condor Adds 12 Shorts

HOLLYWOOD, March 29. — Twelve musical shorts have been added to the 1937-'38 schedule of Condor, it has been decided at conferences presided over by Frank M. Snell. The program includes production for RKO and Grand National as well as foreign versions for M-G-M.

Chicago Board to Elect

CHICAGO, March 29.—Election of new president of the Chicago Film Board of Trade to succeed Allen Usher, who resigned after being made district manager for Paramount, will be held the first week in April, it is learned.

Filmdom Pays Zukor Honor; He Takes It in His Stride

(*Continued from page 1*)

Lee Shubert, David Bernstein, John Golden, Jack Cohn, Stanton Griffis, Daniel Frohman, William A. Brady, W. J. Van Schmus, Tom Connors, William F. Rodgers, J. R. Vogel, Will H. Hays and others—principal figures in the panorama of Zukor's career in all the days since he began in the fur business on 14th St. and struggled up to the dizzy heights of eminence in the "fillums."

Brandt introduced Weisman as the toastmaster, and Weisman wasted no words in presenting Brady, the man who used to call Zukor "Dolph" in the penny-in-the-slot peep show days and tried to figure out with him why no attraction intrigued the public for more than six weeks.

Brady told about the time when Thomas A. Edison invested $6,000 in a film which was supposed to "show a bum named Corbett." In 1906, he went on, Zukor had advanced to the idea of having a Pullman car with moving scenery, but it wouldn't stand up, so he developed the idea of "The Great Train Robbery."

Brady Reminiscent

Zukor leaned back and smiled, and looked at Hays. Hays patted him on the shoulder. It seemed like a long time ago to the youngsters—yesterday to some of the others. Then "Dolph" began to talk about Sarah Bernhardt in pictures, and Brady said: "I tried to talk him out of it, even though it did seem like a good idea."

"Nobody will ever know what this little man has gone through with his dreams," Brady concluded. Many of those present had vivid mental pictures of the past five years and applauded.

Brady leaned on his cane and walked slowly back to his seat.

Hays was introduced.

"Of the past 25 years Brady can speak with authority," Hays began; "I can only talk of the past 15 years. Tonight I want to join in paying tribute to a man who could dream, a man who could make his dreams turn into realities. May he live long—very long; may he always and forever be in our hearts."

Guests Share Hays Sentiments

It was one of those electric sparks Hays has a faculty of touching off when the occasion demands. The applause was spontaneous and prolonged.

Zukor sat back and smiled that enigmatic, boyish, shy smile that baffles his competitors and charms his friends and associates.

Stanton Griffis, Wall Street chairman of the Paramount executive committee, was called upon. His graceful tribute moved Weisman to say: "Maybe these Wall Street fellows have something on the ball after all."

The diners applauded. They may have, at that.

The consul general of Italy was then introduced. He spoke in behalf of "His Majesty, the King of Italy and Emperor of Ethiopia," and presented Zukor a cross hung on a red ribbon signifying his membership in the Order of the Crown of Italy.

Zukor stood while the consul general tied a red ribbon around his collar and kissed him on both cheeks. He blushed. When he sat down Hays pushed the red ribbon down, so it would hang under his collar. Zukor seemed relieved.

Then Weisman called upon him. His emotions are like those of his stars of the screen—near the surface. His eyelids were watery as he expressed his appreciation for the Italian honor and for the warmth of the reception which had been accorded him.

At 10:45 a film was shown—a kidding film in which Zukor's arrival in this country was satirized with cuts from Lindbergh's reception. He enjoyed it. The lights were no longer upon him. He could laugh with the rest of the assemblage. He relaxed as Duke Ellington was introduced by Jay C. Flippen and the entertainment began. He became Adolph Zukor himself again—just one of the crowd who understands and enjoys the emotions of the crowd, just one of those rare individuals who keeps so close to his fellow men that he is a master at supplying the kind of entertainment crowds like—in short, a genius.

Any attempt to list the names of the guests present would be an attempt to condense a list of celebrities of the film world into a page. It can't be done. The Waldorf-Astoria has never had more celebrities in one room.

New Product Features Air Themes, Casts

HOLLYWOOD, March 29.—Radio personalities and broadcasting studio backgrounds are conspicuous features of films now in production. Radio has one of the largest groups of top-line broadcasting talent. While the studio has no back stage radio story in preparation, Milton Berle, Parkyarkarkus, Joe Penner, Judge Hugo Straight and Harriet Hilliard will be featured in "New Faces of 1937," which contains many radio angles in dialogue and situation.

Twentieth Century-Fox has a back stage radio musical, "Sing and Be Happy," and, although it will not introduce any new players recruited from radio, it will include in its cast Leah Ray and Tony Martin, both of the air. Don Ameche, now playing straight dramatic roles at the studio, is an erstwhile radio celebrity.

Universal has in preparation "Behind The Mike," a broadcasting studio yarn, but as yet has not set a cast for it. Jim Lundigan, announcer from Syracuse, has not as yet been given an acting assignment, but is understood to be under consideration for the first radio subject by the company.

Paramount's "Big Broadcast of 1938" is still in the formative stage, but is expected to include such air favorites as Burns & Allen, Jack Benny, Bing Crosby, Bob Burns and Martha Raye, although none has been definitely cast for the film as yet.

Warner's radio offering will be titled "Mr. Dodds Takes the Air" and will feature Kenny Baker, of the Jack Benny hours, in his screen debut. No other air figures have been cast thus far.

Frances Langford, prominent on the air, heads the cast in Republic's "The Hit Parade."

Crampton Takes New Post at Esty Agency

J. Savington Crampton, assistant account executive at the local office of J. Walter Thompson, is leaving that agency to accept an executive post with the William Esty agency, it was learned yesterday. Crampton formally resigned last Friday and will assume his new duties early in April.

For the past six years Crampton has been assistant account executive on the Lux account, handling testimonials for the product. Two months ago he was placed in charge of the agency writing staff, switching posts with Bob Colwell.

Cal Swanson, J. Walter Thompson talent buyer in Hollywood on the Lux account, will succeed Crampton in the New York office. Swanson was formerly in charge of radio publicity for the agency.

Crampton will share production duties with Sam Moore on the Camel program in Hollywood after transferring to the Esty agency.

Before joining J. Walter Thompson, Crampton headed the Paris bureau of the Associated Press for four years, later transferring to the New York headquarters of the news organization, where he was cable editor. Previously he was news and later foreign editor for Fox Movietone News.

◀ *Radio Personals* ▶

ERIC MASCHWITZ, BBC program director, arrives today on the *Ile de France* . . . H. V. Kaltenborn has been booked for personal appearances at Youngstown April 2 and at Sioux City April 14 by the CBS artists bureau . . . Pearl Buck will guest appear on "Treasures Next Door" on CBS April 5 . . . George Vandel, formerly of the production and continuity departments at WHN and WMCA, has joined the radio department at Batten, Barton, Durstine and Osborn . . . Bob Kenney, of Minneapolis, in town arranging auditions for his discovery, Amanda Snow . . . Clyde Barrie set for dates in Newark in May . . . .Jack Costello, NBC announcer, will wed Mary Sullivan in June . . . Marion Martin, signed to replace Gypsy Rose Lee in the "Follies," will tell all about it on Jack Eigen's "Broadway Newsreel" on WMCA . . . Gertrude Berg set for guest appearances on "Do You Want To Be an Actor" April 4.

Lord Godfrey Elton NBC Luncheon Guest

Lenox R. Lohr, NBC president, yesterday tendered a luncheon to Lord Godfrey Elton, British Broadcasting Corp. executive, who arrived here recently to begin a lecture tour at leading colleges and universities. The luncheon was in honor of Lord Elton's 45th birthday.

Among those who attended were NBC executives R. M. Brophy, Clay Morgan, Wayne Randall, A. L. Ashby, O. B. Hanson, Roy C. Witmer, John F. Royal and Mark J. Woods. Gladstone Murray, general manager of the Canadian Broadcasting Corp. also was present.

WINS To Offer WMBO Salute

WINS will offer a salute to WMBO, a member station in the New York State chain, on the occasion of the latter's fifth anniversary today. Official greetings will be sent over the air to Frederick L. Keesee, manager of WMBO in Auburn.

Interested

"Have followed with interest the development of your radio page and wish to congratulate you on the comprehensive way in which you cover the spot news breaks of the radio field"—*Frank Burke,* Consolidated Radio Artists. Inc.

PSB Is Suing RCA; Alleges Infringement

(Continued from page 1)

injunctions against RCA, an accounting of profits made by the defendant through its alleged infringement of the patent and triple damages.

The patent involved in the action was assigned to P. S. B. by William R. Grimditch of Glenside, Pa., on Jan. 31, 1933. The plaintiff company declares that it owns the rights to the patent for 17 years from that date.

Chancery Court decisions are still pending in the suit filed in 1935 by P. S. B. against RCA in which the former sought to restrain the latter from terminating a license agreement which authorizes P. S. B. to use basic radio patents controlled by RCA.

Reveal Details of Contest by Pontiac

Pontiac Motor Co., sponsors of the Kathryn Cravens "News Through a Woman's Eyes" program on CBS, has announced details of a contest involving prizes of five automobiles and $2,850 for essays on "Why I Think the 1937 Pontiac Is America's Finest Low Priced Car." The contest will close May 31.

There will be 10 prizes of $100; 20 of $50, 25 of $20, 35 of $10. To enter the contest listeners will have to secure endorsed entry blanks from Pontiac dealers.

Breen to Record for Victor

HOLLYWOOD, March 29. — Bobby Breen will record exclusively for RCA Victor records in accordance with contracts which were signed here today. Recording will be done here.

New Shows on the Air

"Paramount on Parade"

Frankly dedicated to theatre owners and operators who show Paramount films, "Paramount on Parade" rolled across the NBC-Red network at 12 noon Sunday, and in its initial venture into a new field Paramount gave strong evidence that the studios are acting at last to do something about the promiscuous appearances of film players on the air during hours that are in open conflict with the box-office cash registers.

The program indicates, if the signs are read rightly, that the future studio and player participation in radio will be a controlled one, with the studios presenting their own players on their own programs during hours that are not harmful to the box-office.

As for the program itself, "Paramount on Parade" was distinctly a "class" production, far more elaborate than any show found on the air at this early hour. Whoever handled the production details did an especially distinguished job, for the film lot jargon was so intelligently worked into the script that it required very little imagination to picture one's self as being right on the lot.

Lynn Overman and Mary Carlisle were the "guides" who took the listeners behind the Hollywood scenes.

On the "Mountain Music" set Rufe Davis gave an excellent imitation of a one-man band going to town on "Mama Don't Allow No Music Played in Here." Shirley Ross and Bob Burns, "Waikiki Wedding" performers, offered songs and a monologue, respectively, from the picture. Heard also were the Albee Sisters.

The Paramount orchestra under the baton of Victor Young and Boris Morros was tops.

BANNER

CBS and A.&P. In Conflict on Chain Tax Bill

PHILADELPHIA, March 29.—Relations between CBS and the A. & P. Co. became strained when the chain refused to allow discussion of a proposed chain store tax in Pennsylvania during the A. & P. "Bandwagon" program Thursday night.

O. C. Adams, head of the southern division of A. & P., arranged for Eleanor Davis, representing consumers' organizations, and G. A. Boger, president of the Lehigh Valley Cooperative Farmers, to deliver talks in opposition to the bill. It was planned to have the addresses carried by WCAU, Philadelphia; WHP, Harrisburg, and WJAS, Pittsburgh, during the second half of the Kate Smith show while the remaining stations on the network would carry the regularly-scheduled program. The preparations were made without consulting either CBS or the Pennsylvania stations.

In full-page advertisements in newspapers throughout Pennsylvania, the chain stores disclosed that CBS had refused to permit the company to devote a part of its regularly scheduled hour to speeches criticizing the bill from the point of view of the farmer and the consumer. Advertisements carried a summary of the banned speeches.

Station President Clarifies

Dr. Leon Levy, president of WCAU, explained that both his station and CBS "sell time to advertisers solely for the advertising of their goods and services" and "refuses to sell time for the discussion of controversial issues or propaganda to influence legislation."

In reply to Francis B. Biddle, counsel for the A. & P. and the American Stores, who declared that Governor Earle would have welcomed an opportunity "to have the people of Pennsylvania informed on this subject, Dr. Levy promptly offered to allow free time to the speakers, providing their opponents are offered the same opportunity. His offer was accepted, and a discussion by both sides was arranged for Saturday night, only to be cancelled a few hours before the scheduled time. No explanations were given.

Delay Knickerbocker Case

An argument on the application of the Knickerbocker Broadcasting Co., Inc. for an order which would permit it to examine before trial Dorothea Damskov, president of Damskov, Inc., was adjourned yesterday before Justice Timothy A. Leary in N. Y. Supreme Court until April 5. Damskov, Inc., has sued Knickerbocker for $10,000 on the charge that the operators of WMCA violated a broadcasting agreement.

Paramount Sets Sunday Cast

HOLLYWOOD, March 29.—The tentative lineup for the Sunday NBC broadcast of "Paramount Parade" includes Dorothy Lamour, the Yacht Club Boys, Romo Vincent, Lynn Overman, Mary Carlisle, Victor Young and his orchestra and a scene from Paramount's "Make Way for Tomorrow," with Leo McCarey directing.

Easter Takes Jump Sharply In All Houses

(*Continued from page* 1)

the United Artists, San Francisco, Evansville, Ind., Atlanta, Dayton, Kansas City, Louisville, Rochester, Wilmington, Canton and Seattle. The picture is slated to open in 80 additional cities this weekend.

"Nancy Steele Is Missing" finished a third week at the Rivoli with $9,000.

The first two days of "King and the Chrous Girl" at the Strand was good for $13,000. The last eight days of "Ready, Willing and Able" ended at $8,100.

Approximately $15,300 was chalked up for the eighth week of "The Good Earth" at the Astor. "Lost Horizon" is expected to end a fourth week at the Globe with close to $16,000. "Silent Barriers" will most likely finish at $10,000 tomorrow night at the Criterion. The picture will continue for another three weeks.

Paramount executives yesterday reported unusual business for "Waikiki Wedding" after checking 35 out-of-town engagements over the weekend. In some spots, like Newark, it was stated, the first three days grossed as much as an average week's take. At the Paramount on Broadway, the picture tallied $47,000 in the first four days and it is figured the seven-day gross will approximate $70,000. The gross for Saturday was $11,000; for Sunday, $12,000. Eddy Duchin and his band are on the stage and are being held over with the picture.

With "Maytime" current in most of its theatres, Loew's reported a substantial increase in business over previous Easter weekends. In the first four days of the second week, the picture took in about $45,000 at the Capitol.

Mollison in Deal to Fly Coronation Reel

London, March 21.—James Mollison has signed to fly Coronation newsreel prints to New York. He will start in the early evening of Coronation day, May 12, and contracts to make the trip in 30 hours. A condition is that head winds shall be less than 35 miles per hour.

If the *Hindenburg* is held back for prints, it should reach New York 30 hours after Mollison. If it sails without prints, Mollison's copies should be in New York five or six days before those sent by other means.

The Tavern
MEETING PLACE
of the INDUSTRY
●
MAKE THIS YOUR
LUNCHEON—
DINNER—SUPPER CLUB
158 W. 48th St. Toots Shor

Purely Personal

William T. Powers and Milton Hossfeld of National Theatres have returned from the coast after closing of all 20th Century-Fox features, news and shorts. They found their offices newly decorated.

●

Nicholas M. Schenck and Leopold Friedman are due back from the coast today. Si Seadler, William R. Ferguson and J. S. MacLeod returned from Hollywood over the weekend.

●

Leslie Whalen of 20th Century-Fox will sail Saturday on the *Conte di Savoia* to attend the foreign convention to be held in Paris the latter part of next month.

●

E. J. Smith, general sales manager for Imperial, leaves today for Detroit and Chicago and on his return will stop at Cincinnati and Pittsburgh.

●

Sam Rosen and Al Reid of the Si Fabian circuit have returned from vacations, Rosen from Miami and Reid from a southern cruise.

●

Sidney R. Kent, back from a vacation at Boca Raton, Fla., will sail April 7 with Walter J. Hutchinson on the *Queen Mary*.

●

Charles Stern returned over the weekend from a vacation at Miami and Havana. Harry Gold is still basking in Miami.

●

Robert Mochrie, southern district manager for U. A., is now making his headquarters at the company's Atlanta exchange.

●

Leo J. McCarthy of Republic has returned to the studios after a short visit here.

●

Arthur Gottlieb, head of DuArt Labs., is back from Hollywood.

●

Sylvia Sidney is in town.

Dr. Konstantin Kostich, who recently returned from a tour of Brazil and the West Indies, will screen films he took in these countries today at the Pickwick Arms Hotel. The globe trotter will sail shortly for Scandinavia, Central Europe and the Balkans.

●

Arthur Loew, Loew's foreign head, was luncheon host yesterday at the Astor to 50 members of the foreign department staff, in honor of the biggest week's total of foreign business in the history of the company.

●

Jimmy Lunceford, orchestra leader who recently returned from a seven-week engagement in Scandinavian countries, has been booked by Harold F. Oxley to open shortly in Baltimore, Washington and Philadelphia.

●

Morris Goodman, vice-president in charge of foreign sales for Republic, will sail on the *Queen Mary* April 7 for a tour of the company's European branches. He will be gone about two and a half months.

●

Vernon H. Adams, field publicity man for the RKO sales promotion department, has been transferred from the midwest to the southern district

●

Kathleen Barash has been signed by Advance Pictures to handle publicity and collaborate on stories.

●

Jake Lubin of Loew's yesterday underwent a foot operation at the Hospital for Joint Diseases.

●

Percy and Mrs. Phillipson sail tomorrow on the *Aquitania* on their return to England.

●

Charles Reagan, western division sales head for Paramount, is vacationing at Honolulu.

●

Arthur Lee of G. B. took a plane to Buffalo last evening.

Warner Heads Leave After Product Talks

(*Continued from page* 1)

with Jack L. Warner, vice-president in charge of production, and Hal Wallis, production executive.

"There is no doubt that Hollywood is turning out the best pictures in film history. The future looks more promising than at any time since 1929," Sears declared.

Cancel Belmont Lease

S. S. Krellberg, president of Paradise Pictures, which owns the Belmont on 48th St., revealed yesterday that he has canceled the lease on the house held by Globe Film Distributing Co., of which David Brill is the head, and who has been operating the house for the past week, showing "Amphitryon." Krellberg explained the cancellation as resulting from a "desire to obviate a good deal of unnecessary friction between conflicting elements in the city." He described the cancellation as "at considerable financial sacrifice." It will take effect tomorrow. The film has been boycotted by Jewish groups, who claim it to be of German origin.

Win Elimination of Austria Kontingent

(*Continued from page* 1)

the Austrian market if the increase was not reduced or eliminated entirely. The distributors contended at that time that under existing regulations the offices cannot operate profitably, and a 25 per cent increase would leave no alternative but to withdraw from the market.

The ruling with respect to the increase went into effect on Feb. 7 last and affected only American pictures. German films are imported into Austria tax free and the French Government has a private agreement with Austria banning kontingent fees.

Para. Signs Flagstad

Hollywood, March 29.—Kirsten Flagstad has been signed by Paramount for "The Big Broadcast of 1938." Her sequences and those of the New York Philharmonic Orchestra, which is also to be used in the picture, will be filmed at the Astoria Eastern Service Studios. The sets to be used for these sequences will be built here and shipped to the eastern studio.

Schenck Sees Duals Problem More of Issue

(*Continued from page* 1)

currently playing "The Good Earth." Schenck also was elated over the reception accorded "Maytime," which he described as "the greatest musical ever made."

Norma Shearer will start work immediately in "Marie Antionette," he said. If Charles Laughton is not available another actor will be signed to play opposite Miss Shearer, Schenck continued. Elaborate plans are being made for the annual sales convention this year and the company's product "will be the greatest in the company's history."

British Columbians Studying Duals Ban

Vancouver, March 29.—Growing popularity of single bills and a possibility of swinging away from duals was discussed at the annual meeting of the B. C. Theatre Ass'n here. A committee was appointed to make a survey of public reaction to single bills with shorts as opposed to double bills. At present single features are used in only one or two of the smaller cities in the province.

J. Howard Boothe, owner of the Dunbar, was elected president of the association. Hector Quagliotti-Romano, manager of the Colonial, was elected vice-president; Lester Young, secretary, and directors for 1937 are M. McLeod, R. C. McCartie, Frank Gow, and Percy Shindler.

To Auction London House

London, March 21.—The Piccadilly, main spot for trade screenings here, will be sold at public auction, April 7. The Piccadilly pioneered talking film presentation in London.

Wall Street

Light Board Changes

	High	Low	Close	Net Change
Columbia	33	33	33	— ¼
Consolidated	4½	4½	4½	.....
Eastman Kodak .	163¾	162½	163¾	+1¾
Eastman, pfd. ...	158	158	158	—1½
Gen. T. Equip....	29⅞	29⅞	29⅞	+ ⅛
Loew's, Inc.	78½	77	77⅜	— ½
Paramount	23⅜	23	23⅛	— ¼
Paramount 2 pfd..	20⅞	20¾	20⅞	+ ⅛
Pathe Film	8¾	8⅜	8½	+ ⅛
RKO	8⅛	8	8⅛	.....
20th Century-Fox.	37⅜	37	37⅜	+ ⅜
20th Century, pfd.	46	45¾	46	.....
Warner Bros.	14⅜	14	14	— ¼

Curb Off Slightly

	High	Low	Close	Net Change
Grand National ..	2⅞	2¾	2¾	— ⅛
Sentry Safety	¾	¾	¾	.....
Sonotone	1⅞	1⅞	1⅞	.....
Technicolor	21⅝	21½	21½	— ⅜
Trans-Lux	4⅝	4½	4⅝	.....

Bonds Have Short Gains

	High	Low	Close	Net Change
Loew's	98¾	98⅝	98¾	+ ⅛
Paramount B'way 3s '55	73¾	73¼	73¾	+ ½
Paramount Pict. 6s '55	100⅛	100	100	— ⅛
Warner Bros. 6s '39 wd.	95⅝	95⅛	95⅛	+ ⅛

(Quotations at close of March 29)

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 41. NO. 75 NEW YORK, WEDNESDAY, MARCH 31, 1937 TEN CENTS

Loew Patrons Split on Dual Bill Attitude

Want Long Shows, Color Films, Poll Reveals

Local theatre patrons attending Loew houses are about evenly divided on the dual feature policy and at the same time want color pictures, circuit officials estimated yesterday after receiving approximately 8,000 answers to queries on this subject in Loew's *Movie-Goer.*

A majority of the persons writing in indicated that they preferred long shows, or pictures that would provide two and a half to three and a half hours entertainment. At least 60 per cent of the replies were from women and more than 90 per cent of the writers stated their ages to be from 21 to 40.

Meanwhile, Loew executives have no plans for changing the twin bill policy. Bookings are flexible, it was stated, and pictures will continue to

(Continued on page 7)

Doob Makes Shifts In Publicity Staff

Oscar Doob, head of Loew's publicity department, has made several shifts and promotions in his staff lineup. The changes are effective immediately.

Gene Murphy, who was formerly at the Valencia, Jamaica, now has eight Manhattan theatres under his supervision with Teddy Arnow acting as his assistant. Arthur Herschmann has been assigned to six lower east side houses in addition to a number of lower Manhattan units. Henry Spiegel, who has been on the Brooklyn publicity staff, now is handling the Valencia, Hillside and Willard in Long Island.

Pete McCarty and Sam Coolick

(Continued on page 4)

Over 200 M-G-M Men To Be at Convention

Los Angeles, March 30.—More than 200 salesmen, bookers, branch, district and divisional heads and home office personnel will attend the annual M-G-M convention slated to be held for six days at the Ambassador here starting May 2. This includes the Canadian offices.

Ernest Morrell, traffic manager at the home office, is handling the transportation arrangements. Practically all exchanges will be represented on the special convention train which will pull out of New York April 29.

Lot of Talent

Nicholas M. Schenck, David Bernstein, J. Robert Rubin and Al Lichtman piled into one cab yesterday to keep a luncheon date.

One wiseacre standing in front of the Loew Bldg. opined: "There goes $1,000,000 worth of executive talent in one taxi."

Gillmore Heading New Equity Slate

The regular ticket of officers and councillors of Actors Equity Ass'n, which proposes the present heads of the organization for reelection, was completed yesterday. A proposal for secret balloting by mail, which failed to obtain a plurality at the last quarterly meeting of Equity, was adopted by the organization's council at its meeting yesterday.

Officers nominated to serve three years are Frank Gillmore, president; Osgood Perkins, Florence Reed, Arthur Byron and Peggy Wood, vice-presidents; Paul Dullzell, treasurer, and Leo Cruley, recording secretary.

Councillors nominated to serve five

(Continued on page 7)

Report New Missouri Exhibitor Body Near

St. Louis, March 30.—Plans for a new exhibitor organization to be known as the Theatre Owners' and Managers' Ass'n of Missouri have reached the point where it is expected incorporation papers will be filed soon.

No national affiliation is planned, it is understood. The aim of the organization is to concentrate upon Missouri exhibition problems, especially pending legislation. Local competitive situations also will be handled and according to the plan, an effort will be made to control giveaways, double bills and possible scales where they are considered too low.

Sabath Asks Action Upon Receiver Bill

Washington, March 30.—Approval of his bill taking away from the courts the power to appoint receivers, referees and other bankruptcy officials and vesting that authority in a Federal conservator in bankruptcy was asked of the House Judiciary Committee today by Representative Sabath of Illinois, chairman of the select committee to investigate the activities of protective committees.

Sabath pointed out that similar legislation was the subject of lengthy

(Continued on page 4)

Canada Plans To Reorganize Radio Network

Toronto and Montreal to Be Main Centers

Toronto, March 30.—Following a countrywide tour of inspection of broadcasting facilities and after obtaining an outline of regional problems, Major Gladstone Murray, recently appointed general manager of the Canadian Broadcasting Corp., has drawn plans for reorganization of the Dominion Government's network which is operated under the name of the company.

Under the new setup Toronto and Montreal will be the main production centres, the concentration being due to the available local talent. There will be less broadcasting from Ottawa than for some years. George Taggart, production chief at Ottawa headquarters, has been transferred to Toronto as regional representative and he has

(Continued on page 12)

Expect Approval of Inquiry Into F. C. C.

Washington, March 30.—A favorable report on the Connery resolution for an investigation of the broadcasting situation and the F.C.C. is expected to be ordered by the House Rules Committee within a few days.

Members of the commission who were invited to appear before the committee to discuss the proposed probe failed to appear at the hearing last week. It has been indicated that several members are in favor of a Congressional inquiry and have initiated their own studies of commission procedure.

Television Station's Permit Asked by CBS

Washington, March 30.—Authority to construct a new television broadcasting station in New York, to operate with a power of 7,500 watts, has been asked by CBS, it was announced today by the F. C. C.

The commission also announced that applications have been received from the Hampden Hampshire Corp., Holyoke, for a 1,240-kilocycle, 1,000-watt station, and from stations KGB, San Diego, for an increase of power from 1,000 to 5,000 watts, and KCMC, Texarkana, Tex., for increase of day power to 250 watts.

More Radio—Pp. 12-13

Balaban Sees Need for Rise In Admissions

Increase in Operating Costs Is Cited

A general "tightening up" of admission scales is viewed by Barney Balaban, Paramount president, as both necessary and possible in many sections of the country next season.

In his first interview since returning from Paramount's recent national meeting of theatre associates in Miami, Balaban yesterday pointed out that a general rise in theatre overhead must be expected and would have to be met by increasing admissions wherever possible. The present 40-cent exemption level of the Federal admission tax continues to stand as a basic obstacle to higher admissions, however, Balaban observed. He believes that theatres which are now charging 55 cents or more are also restrained from increasing their scales because of the impracticability of placing too great a gap between them-

(Continued on page 4)

Will Study Delays In Filing Returns

By CLARENCE LINZ

Washington, March 30.—An immediate field check of the vast number of applications of extension of time in which to file tax returns, said to have been responsible in part for the failure of March 15 income payments to come within $150,000,000 of estimates, has been ordered by the Treasury Dep't.

The number of requests for extensions, it was said by Secretary Morgenthau, was some 33 per cent in excess of last year, and in both the

(Continued on page 7)

Withholds Decision On Roxy Plan Assent

Federal Judge Francis G. Caffey, in a 20-page opinion, yesterday ruled that a decision on whether Roxy security holders who have deposited bonds and notes with protective committees shall be considered to have assented to the Roxy reorganization plan must await the report of Special Master Addison S. Pratt, now holding hearings. The decision referred to the holders who have failed to dissent from the plan.

The Pound bondholders' committee

(Continued on page 4)

MOTION PICTURE
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VIENNA: Neustiftgasse, 55; Vienna VII; Hans Lorant, Representative.
WARSAW: Sienna 32; R. Sillei, Representative.

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Technicolor Net for 1936 Up to $482,114

Technicolor Corp. and subsidiaries report a profit of $482,114, after taxes and charges, for 1936. This is equal to 65 cents on 745,372 shares outstanding. In 1935 the company had a loss of $3,472.

Cash on hand at the end of the year totalled $1,702,610 against $541,771 in 1935.

Loew Board to Meet

With Nicholas M. Schenck, David Bernstein, Leopold Friedman and J. Robert Rubin back in New York, Loew's board of directors will meet April 7 to declare the regular preferred dividend of $1.62 a share. The board did not hold its monthly session this month because the four directors were out of town. Disbursement checks for $1, the regular common dividend, plus 50 cents extra, are payable today.

Yates, Milstein West

Herbert J. Yates and J. J. Milstein will leave for the coast on April 9 to line up plans for Republic's annual sales convention. It is expected that the company will have the same number of pictures next season as are being released the current year.

Insiders' Outlook

By RED KANN

Garnet, Cal., March 30.

TEMPORARILY slighted, but not forgotten. "The King and the Chorus Girl," Mervyn LeRoy's first so-called independent effort for Warner release, of course. A good show patterned in a nonsensical-whimsical mood, here you get Fernand Gravet in his initial Hollywood-made picture. Mervyn has done right by Gravet, who comes through pleasantly and pleasingly, an observation with which some millions of women across the land will probably concur. This concerns itself with an ex-king, smacking in some of his characteristics of Manuel of Portugal, who finds how utterly complete boredom can be until, of course, along comes Joan Blondell to make him understand otherwise. It's a boy-gets-girl idea in a lavish background and with much fun thrown in. Better, however, it would be with a sharp shears applied. As we saw it, the film ran ninety-five minutes, which is too many minutes for what it sets out to say and do. . . .

▼

It seems many of the studios are allowing the major of their major attractions to run somewhat unbridled on length in these double feature days. The thought lurking in the rear is obvious, of course. It is an impression, and not a sound one, that the longer the "A," the less chance for the "B." If Hollywood, on which we are gradually creeping up, believes this is a sort of answer to the duals situation, it had better fish around for something better. This won't do. For, if the large studios persist in the practice, the independents who are in Klondike, or in heaven, these days, merely will make their stuff shorter. Theatre operators who run to twins nowadays will not change over because the "A" feature takes longer to clear the projection machines. . . .

▼

In the meantime, what? For one thing, the majors continue to dissipate values by buttering dramatic situations too sparingly. The result, in many instances, is not necessarily turning strong attractions into poor ones which can't be if the film has what it takes. But it is injecting water into the blood stream and the patient is losing stance. One of these days, if justice and our own cockeyed idea ever get a hearing, some hardy pioneer in Hollywood will take a yarn, tell it tightly, concisely with the moisture squeezed out and startle with the film. He may end up with only two reels, but he would have a picture. . . .

▼ ▼

"Third dimensional" sound is waiting in the Bell Laboratories, confides Erpi, which ought to know. It is supposed to be handmaiden to the third dimensional pictures, if and when they come along. Erpi, for one, makes no predictions on the time content; it merely wants the industry to know that, as a guardian of bigger and better scientific advances in sound recording and reproducing, it has been on the job. That job seeks to give sound an accuracy of placement which is not now claimed for it. Example: If you whisper in one ear, gradually swing in front of the owner of that ear and eventually to the other but maintain the same level in your intonation, there should be a difference in sound volume as you make the journey. Another: If, in a set, someone drops a pitcher of water well removed from the camera, the sound, for accuracy's sake, should be heard in the theatre in the approximate area of the deluge, not through a "mike" picking up the splash some feet removed from the actual occurrence. . . .

▼

Erpi says it's a cinch. It put on a show, in between highballs, for our particular delectation, in Miami the other day. It was done, not with mirrors, but with earphones, and it sounded authentic. Just how, mechanically, "third dimension" can do what the present system cannot, is considerably beyond this layman's ear drums, but the technicians can find out when they are ready. It appears double sound channels are necessary in production to get at the truth in the recording. In the theatre, a second photoelectric cell and a new amplifier. And that's all.

▼ ▼

When E. M. Hartley, general sales manager of RCA Photophone, announced to only part of the trade press that his company had acquired United Research Corp., its patent rights, et al., he told only part of the story. Ignoring the inside, he neglected to point out that United Research was a Warner company dabbling in sound since that company and Erpi put on the ice whenever they meet; that Warners, having determined to equip their houses with Photophone, no longer had use for their laboratory subsidiary and insisted RCA take it over as part of the equipment deal. Photophone did. . . .

Two Courses Open in Mrs. Fox's Contempt

ATLANTIC CITY, March 30.—Two courses now are open to Mrs. Eva Fox, it was learned here today, since Federal Judge John Boyd Avis in Camden adjudged her in contempt for refusing to answer questions in the bankruptcy of her husband.

Former Circuit Judge Clarence L. Cole of this city, one of her counsel, said Mrs. Fox has the right to appeal to the U. S. Circuit Court of Appeals. He is waiting for word from the New York legal firm which has been chief counsel for the Fox family.

On the other hand, Judge Cole explained, Mrs. Fox can purge herself of contempt and in effect wipe out the matter by going before Robert E. Steedle, Federal referee in the William Fox bankruptcy, and submitting to questioning. The next date for this, a postponement from today, is April 20.

At the Fox beach front mansion, secrecy continued today. Servants would not say whether Mrs. Fox was there.

Yates Meeting With Fort Lee Employes

H. J. Yates, Consolidated Film Industries president, met yesterday with representatives of employes of the company's Fort Lee laboratory who returned to work during the day pending the outcome of the conferences, which continued until a late hour yesterday.

John A. Moffitt of the U. S. Dep't of Labor also participated in yesterday's meeting. "Progress" was reported after the meeting had been in session for several hours.

Flash Reviews

"Beethoven Concerto"—This Soviet production, which, happily, is lacking in the usual preponderance of Communistic propaganda, tells the story of two young violinists competing for a Government prize.

"Fury and the Woman"—A story of the north woods told against the interesting background of a lumber camp.

"What Price Vengeance"—This melodrama, while lacking in originality, has plenty of speed and excitement.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Condor Meet in Chicago

Frank M. Snell, Condor vice-president in charge of eastern operations, will leave Friday for Chicago where he will confer with George Hirliman, president, who will leave his production activities on the coast to attend the meetings in the Windy City. Executives and members of the directorate will also sit in on the conferences which concern the anticipated expansion program of the company.

Stuart in New Job Today

Herschel Stuart, former theatre operator, today officially asumes his post as treasurer of Monogram. For more than six months he has been acting as general manager of Consolidated Amusements. Laurence Bolognino, vice-president of the local independent circuit, yesterday released Stuart from his contract.

MEET ROBERT MONTGOMERY
in the most daringly different role
that ever flashed full-blooded from
the sizzling silver screen!

"NIGHT MUST FALL"

(and so must your house records!)

ROAR LEO!

Purely Personal

GRADWELL L. SEARS will not return from the coast until next week. He is making several stopovers en route. **Carl Leserman** and **S. Charles Einfeld** are due tomorrow.

•

Ralph Bettinson, Pathe's London representative, who arrived yesterday on the *American Shipper*, is heading for Hollywood and conferences on forthcoming Monogram product.

•

Cresson Smith, RKO southern and western division sales manager, and **Harry Michalson**, short subjects sales head, leave tonight for a tour of the southern exchanges.

•

Joe Moskowitz plans to leave for Hollywood the early part of May for studio conferences and to attend the 20th Century-Fox annual sales convention.

•

Edmund Lowe will arrive tomorrow from the coast and sail the same day on the *Ile de France* for England where he will make a picture for London Films.

•

Arthur Willi, RKO talent scout, leaves today to look over possibilities in Philadelphia, Baltimore and Washington.

•

R. K. Hawkinson, RKO manager of the Latin-American division, will arrive in New York tomorrow.

•

Moe Silver, Albany theatre zone manager for Warners, was in town yesterday.

•

Mary Garden arrived at the M-G-M studios yesterday after a trip to New York.

•

Buddy Rogers is aboard the *Bremen* which docks today.

Larsen Heading Life

Roy E. Larsen, who has headed the "March of Time" short subject series for Time, Inc., has been appointed publisher of *Life*, the company's new magazine.

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Witholds Decision On Roxy Plan Assent

(*Continued from page 1*)

had requested the ruling to determine their right to file assents on behalf of non-dissenting bondholders who have deposited with them 59 per cent of the outstanding bonds. A request that copies of Pratt's report be sent to security holders was denied.

Howard S. Cullman, Roxy trustee, continued on the stand in the hearings before Pratt. I. Bernard Leff, counsel for dissenting bondholders, charged that under the plan 20th Century-Fox would have exclusive control of the Roxy and that there was danger that inferior product would be exhibited. It was disclosed that Cullman and associates had made an offer for the Roxy about two years ago to Judge Caffey but the disposition of this offer was not revealed. They offered $100,000 in cash for which they were to receive a participation in the gross and in the net after interest to the bondholders had been paid.

Cullman stated that the Roxy good will had a "special intangible value" because from $250,000 to $300,000 were spent annually for advertising the name. When asked his opinion of the current Paramount theatre policy of presenting name bands in place of stage shows, he declared the idea was excellent for Paramount but unsuitable for the Roxy because of the size of the house. All remaining unpaid receiver certificates should be liquidated in the fall, according to Cullman. Special Master Pratt ordered a physical inventory of Roxy equipment because a book valuation of $44,239 was disputed by dissenting stock and bondholders.

Hear Brandt Action Today

The injunction action brought in N. Y. Supreme Court by Harry Brandt and the operators of 33 other independent houses in New York against Loew's, Inc., and others is scheduled to be heard today by Justice Ernest E. L. Hammer. The plaintiffs seek to enjoin Loew's first run theatres from running pictures on a divided week of five and two days instead of four and three days in accordance with past practice.

In an affidavit Brandt said that the adoption of the new week split by Loew's had injured the plaintiffs' business unfairly. The defendants other than Loew's are Metro-Goldwyn-Mayer Corp., Paramount Prod., Inc., Paramount Pictures Distributing Corp., Columbia Pictures Corp., Universal Pictures Corp., Big U Film Exchanges and United Artists Corp.

Reserves Decision on Motion

Justice Timothy A. Leary in N. Y. Supreme Court reserved decision yesterday on a motion by Sanford Green, lyric writer, to vacate a demand for a bill of particulars made by the Vitaphone Corp., which Green is suing for $5,250. The plaintiff, now in Hollywood, charged Vitaphone with having broken a contract by which he was to get $150 a week for one year.

Ask Details in Music Suit

Twentieth Century-Fox and the Movietone Music Corp. filed a demand for a bill of particulars in U. S. District Court yesterday in the $1,000,000 damage suit brought against them by the Foreign and Domestic Music Corp., Samuel Cummins, Societe Anonima Musicale Bixio and Cesare Andrea Bixio. The suit is based upon an alleged infringement of Bixio's song "Passa l'Amore" in the picture "Midnight in Paris." Other defendants are Sam and Harry Fox, the Sam Fox Publishing Co., Con Conrad, Herb Nagidson and Nino Martini.

Orders Details in Action

Federal Judge William Bondy granted a motion for a bill of particulars yesterday to the Metro-Goldwyn-Mayer Corp., the Metro-Goldwyn-Mayer Distributing Corp., Republic Film exchanges, Republic Pictures Corp., and Mascot Pictures Corp. in their suit against the estate of Jack W. Springer, Soteros Cocalis, Spuyten Amusement Co., the Van Dyke Amusement Corp. and the Trio Manhattan Corp. The defendants operate the Dyckman, Manhattan and Alpine theatres in New York. The suit is based upon alleged unauthorized exhibition of pictures and asks $250 damages for each unlicensed exhibition.

Sabath Asks Action Upon Receiver Bill

(*Continued from page 1*)

hearings before a Judiciary subcommittee last session.

A feature of the bill is the restrictions imposed on security holders' protective committees, which would be required to make reports of all activities to the conservator. No plan of reorganization of a bankrupt corporation could be offered except through the conservator. Conditions have not improved since the sub-committee held its hearings last year, Sabath declared, and the handling of receivership cases is still a "racket" with judges appointing their friends and hangers-on to lucrative positions which they hold on to for years.

Doob Makes Shifts In Publicity Staff

(*Continued from page 1*)

have charge of the north Queens group of theatres in addition to posting detail for the circuit. Tom Rogers has been promoted to a junior publicity post under Eddie Dowden.

The Bronx has been divided into several groups with Perry Spencer, M. Dowden, George Sharf and Leon Goodman sharing the theatres. Joel Levy, Jr., has been moved from office assistant at the Capitol to the home office with Buddy Friedlander taking over Levy's former duties.

Delaware Votes Tax Freedom for Studios

Wilmington, March 30.—A bill exempting film studios and plants established in Delaware on or after July 1 from taxation for a period of 15 years was passed today by the Delaware House.

The measure was introduced by Representative W. W. Ringler of Millville. Property not used for production will not come under the exemption.

T. Roy Barnes Dead

Hollywood, March 30.—T. Roy Barnes, actor, died at his home here following a heart attack.

Balaban Sees Need for Rise In Admissions

(*Continued from page 1*)

selves and theatres which maintain the 40-cent level.

Balaban said that Paramount would produce a larger number of big pictures next season than heretofore and that their number and the increase in the studio budget which their production will involve is expected to be determined before Adolph Zukor returns to the coast.

Asked whether Paramount had decided at its Miami meeting on the course it would follow in connection with the theatre divorce legislation which has been enacted by North Dakota and projected in five other states, Balaban said that the subject was referred to only informally at the meeting and, in its present status, the legislation was not regarded as "serious." He said that Paramount is in only four towns in North Dakota, and indicated that the company's attitude toward the legislation could not be determined until the various state legislative sessions had been concluded and their action on the measure observed.

M-G-M Promotes Stirling

Hollywood, March 30.—Robert Stirling, sound engineer, has been promoted by M-G-M to be assistant to Hunt Stromberg. Stirling replaces Sam Zimbalist, now an associate producer.

Kostich Films Shown

Dr. Konstantin Kostich last night presented before an invited audience in the lounge of the Pickwick Arms Hotel a showing of his natural color pictures filmed in Brazil and the West Indies.

Wall Street

Loew's Best Board Gain

	High	Low	Close	Net Change
Columbia, vtc ...	32¾	32¾	32¾	— ¼
Consolidated	4⅜	4⅜	4⅜	— ⅛
Consolidated, pfd.	15⅛	15	15⅛	— ¼
Eastman Kodak .	164	164¾	164	+ ¼
Eastman, pfd. ..	157	157	157	—1
Gen. T. Equip....	29½	29½	29½	— ⅜
Loew's, Inc.	78½	76¼	78½	+1⅛
Paramount	23¼	23	23⅛	.....
Paramount 1 pfd..	161	161	161	—2
Paramount 2 pfd..	20⅝	20⅜	20⅝	— ¼
Pathe Film	8¾	8½	8½	.....
RKO	8⅛	7⅞	7⅞	— ¼
20th Century-Fox.	37⅞	37⅜	37⅝	+ ¼
20th Century, pfd..	46½	46⅜	46⅜	+ ⅜
Universal, pfd. ..	86	86	86	.....
Warner Bros. ...	10⅛	9⅝	9⅝	— ¼
Warner, pfd.	27½	27½	27½	—2

Technicolor, G. N. Curb Advances

	High	Low	Close	Net Change
Grand National ..	3	2¾	3	+ ¼
Sonotone	1⅞	1⅞	1⅞	.....
Technicolor	21⅞	21⅜	21⅝	+ ⅛
Trans-Lux	4⅝	4⅝	4⅝	.....

Warner Bonds Up 1⅜

	High	Low	Close	Net Change
Loew's 3½s '46....	99	98¾	98¾	.....
Paramount B'way 3s '55	73⅞	73⅞	73⅞	+ ⅛
Paramount Pict. 6s '55	100⅛	100	100⅛	+ ⅜
Warner Bros. 6s '39 wd	96½	96	96½	+1⅜

(Quotations at close of March 30)

Loew Patrons Split on Dual Bill Attitude

(Continued from page 1)

be dated for as many days as they will stand up at the box-office. The recent plan of five and two-day bookings was said to be contingent on the quality of product available.

Adherents of single features also voted to keep games out of theatres, the checkup showed.

W. S. Van Dyke led the poll on favorite film directors. Frank Capra ran second and Cecil B. DeMille, third. For some unexplained reason, many patrons mistook Adolph Zukor for a director.

Love romances won by an overwhelming vote. Women from 40 to 60 insisted that producers stop making crime and gangster pictures.

James Stewart, Tyron Power, Jr., Martha Raye, Margaret Lindsay, Gail Patrick, Isabel Jewell, Shirley Ross and Dixie Dunbar were among the names most frequently listed as star possibilities.

Clark Gable took first place as the favorite star. Robert Taylor was a close second. William Powell, Paul Muni, Gary Cooper, Frederic March, and Spencer Tracy also were mentioned. Greta Garbo led her division, with Myrna Loy, Norma Shearer, Claudette Colbert, Joan Crawford, Jeanette MacDonald, Luise Rainer and Carole Lombard following in the order listed.

Year's Pictures Rated

"Mutiny of the Bounty," "San Francisco," "Mr. Deeds Goes to Town," "The Story of Louis Pasteur," "Dodsworth," "Tale of Two Cities," "The Great Ziegfeld" were among the 10 best selected. "Romeo and Juliet" was written in, but not included because it was a 1936 release.

Additional criticism appended to questionnaires included requests for elimination of "too much kissing." There are "too many happy endings" and "no picture should end with the hero dying." Another suggestion was made for "less politics in newsreels," "eliminate newsreels," "more newsreels," "give the old players more chances," "more opera," "love passages spoken too low; I want to hear them," "Stop showing pictures showing the unpleasant things of real life, make them more pleasant."

Loew's intends to extend the questionnaire next year to include all cities where it has theatres.

Loew Checking to Be Complete by June 1

Installation of Loew's own checking system in all its exchanges will be completed by June 1, it was stated at the company's home office yesterday. Checkers are now established in more than half of the branches and a number of other offices are now adopting the system.

Col. E. A. Schiller, who is in charge of the installations, is due back from Florida today after a vacation. Before he left for the south, Schiller was on the coast where he supervised the new setup in the west.

Strike in Detroit Exchange Is Ended

DETROIT, March 30.—A sitdown strike, which was limited to inspectresses, which started yesterday in the local Paramount exchange, was settled this morning and the girls returned to work. It is understood they were given a pay raise.

Union organizers are in constant touch with backroom workers in all exchanges here and with Thursday named by them as the deadline for exchanges to sign an agreement, there is a feeling a strike will be called tomorrow or Thursday.

Denver Organizers Busy

DENVER, March 30.—Exchange employes here and in Salt Lake City are holding meetings leading to the unionization of exchanges. George Brayfield, Denver stagehand and international representative for the I.A.T.S.E., is in Salt Lake City ironing out difficulties due to C.I.O. opposition. Brayfield has named R. E. Sturdevant, projectionist, to handle the organization of the Denver union.

Both Denver and Salt Lake City have applied for an A. F. of L. charter, and election of officers and formulation of demands as to hours and wages is expected to be held off until the charter is received.

Ohio Circuit Plans Three New Theatres

Associated Theatres of Ohio is negotiating for three additional theatres, Meyer Fine, executive head, stated yesterday. The circuit also is building a 1,000-seat house at Medina, O., which will be ready by Labor Day. The deal for the three houses is expected to be closed in 30 days, Fine said. He left yesterday for Cleveland with his associates, John D. Kalafat and John Urbansky.

J. Real Neth, who operates eight theatres in Columbus under his name, said yesterday that he is building a new 1,500-seat theatre in his town. He returned over the weekend from Nassau. All of the theatre men attended the Zukor dinner at the Waldorf Monday night. Neth will leave for home in a few days.

Detroit Court Rules Screeno Is Lottery

DETROIT, March 30.—In an opinion just handed down, Circuit Judge Henry G. Nichol holds that Screeno is a lottery and in violation of the gambling laws.

The decision was given in the suit brought by United Detroit Theatres, Inc., operating the State, against Colonial Theatrical Enterprises, Inc., operating the Colonial.

United Detroit claimed that operation of the game by the Jacob Schreiber house injured business at the State.

Jean Harlow Recovering

HOLLYWOOD, March 30.—Jean Harlow, confined to the Good Samaritan Hospital, is recovering from an operation and a serious illness which resulted from an infected wisdom tooth.

Gillmore Heading New Equity Slate

(Continued from page 1)

years are Glenn Anders, Francklyn Fox, William Gaxton, Walter N. Greaza, Louis Jean Heydt, Benjamin S. Lackland, Burgess Meredith, Claudia L. Morgan, Edith L. Van Cleve and Richard Whorf.

Nominated to fill unexpired terms on the council were Clifton Webb, to serve to 1939, and Mary Morris, to serve to 1940.

This slate will be voted on at Equity's annual meeting, to be held June 4 at the Astor.

Under the new voting by mail regulations the ballots will be inclosed in a sealed envelope signed by the member, which will be handled only by the tellers appointed for the purpose of counting the votes. It was stated the council believed that while the proposal did not attain the required plurality, a good many members of Equity favored it, so that it was felt the plan should be placed in effect and given a trial.

G. N. Meeting in May

HOLLYWOOD, March 30.—Grand National will hold its convention at the studios here in May.

Edward L. Alperson, president, is conferring with A. M. Chappereau, of the Keller-Dorian Co., and two other color experts on the filming of the Grand Canyon by a color process which will permit projection in black and white in theatres unequipped for the exhibition of color films.

Will Study Delays In Filing Returns

(Continued from page 1)

Wall St. and Broadway districts they were at the highest figure ever recorded.

While refusing to go into detail, Secretary Morgenthau indicated that many large corporations had asked for more time to compile their returns. Other Treasury officials suggested that the problems created by the new tax on undistributed corporate income were responsible for the inability to file returns by March 15.

Treasury officials profess to entertain no concern over the failure of March 15 payments to come up to estimates, pointing out that their estimates are really made on a fiscal year basis and that much of the deficiency will be made up during the coming quarter. However, today's action was seen as indicating some apprehension that the increased dividend, bonus and wage payments ordered by corporations toward the close of last year may reduce tax payments to a point below estimates and a desire to find out just what the situation is with as little delay as possible.

Pence Joins Paramount

COLUMBUS, March 30. — David Pence, treasurer of the Hartman, legitimate, has resigned to become assistant booker at the local Paramount exchange, in charge of M. R. Clark. He succeeds Arthur Miller, who is booker for the Anderson-Early circuit and manager of a house at Point Pleasant, W. Va.

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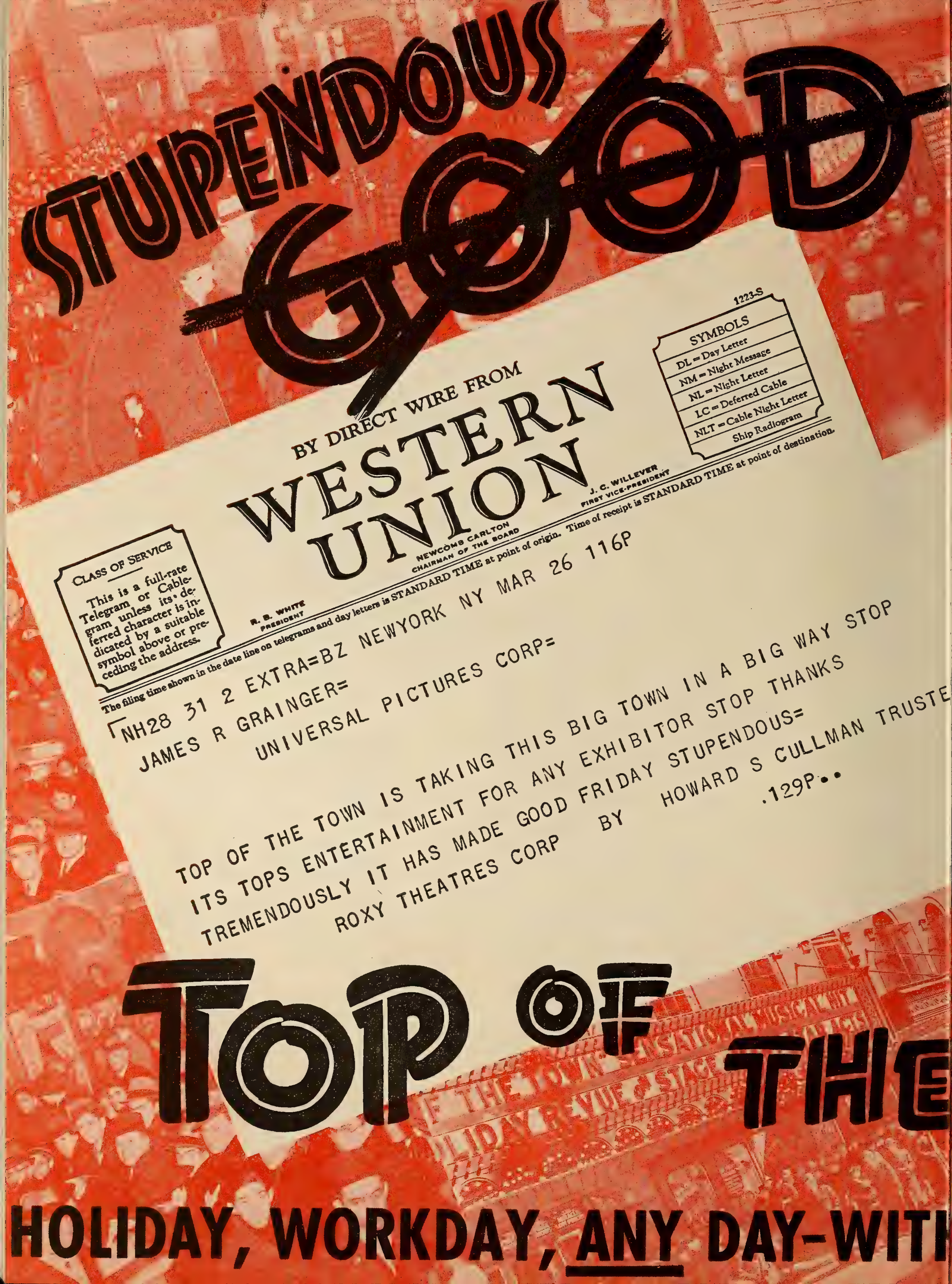
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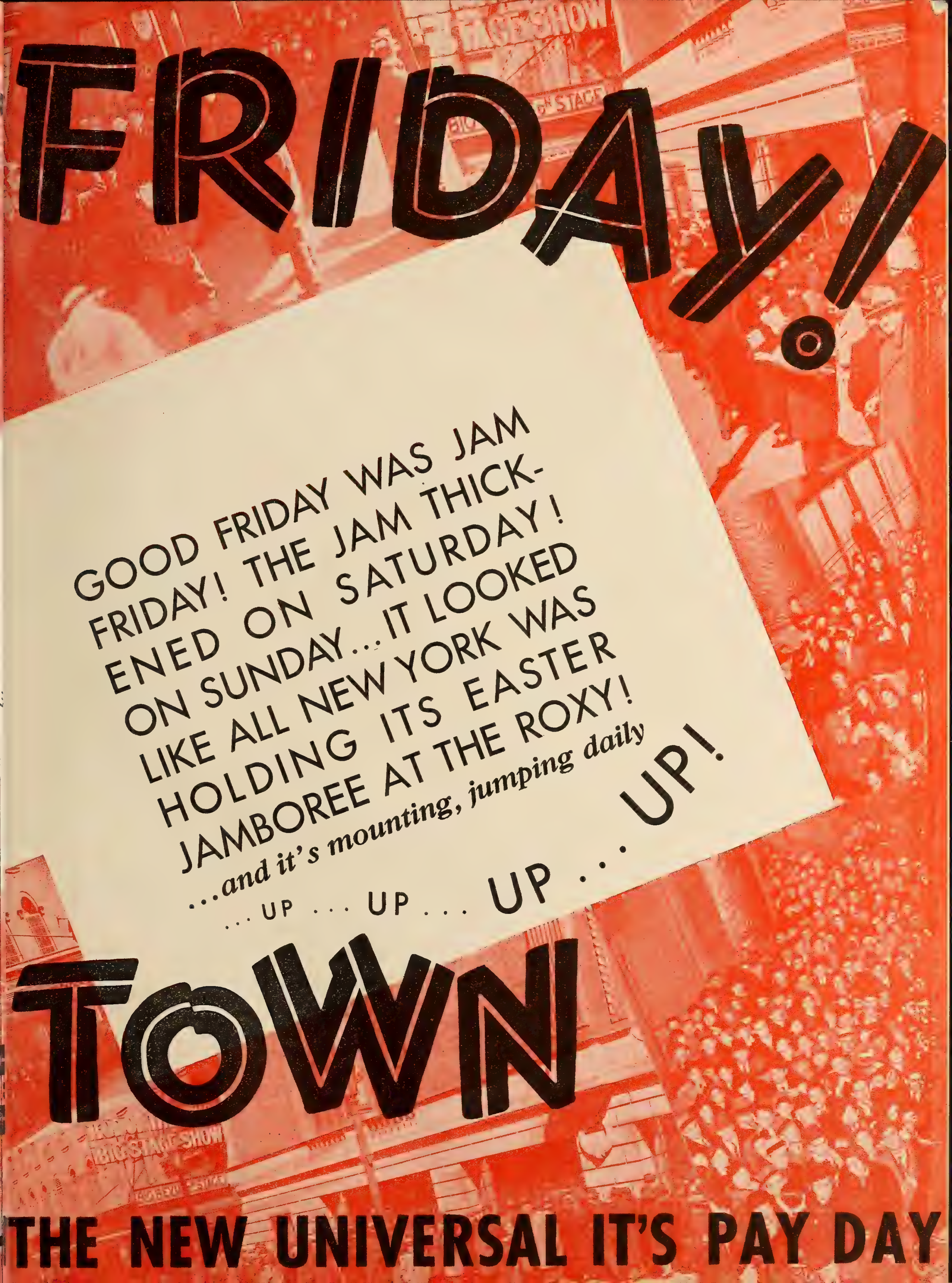
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BIG STAGE SHOW

FRIDAY!

GOOD FRIDAY WAS JAM FRIDAY! THE JAM THICKENED ON SATURDAY! ON SUNDAY... IT LOOKED LIKE ALL NEW YORK WAS HOLDING ITS EASTER JAMBOREE AT THE ROXY!

...and it's mounting, jumping daily

...UP ... UP ... UP ... UP!

TOWN

THE NEW UNIVERSAL IT'S PAY DAY

"Steele" Dual $6,400 in Bad Seattle Week

SEATTLE, March 30.—"Nancy Steele Is Missing," on a dual with "Don't Tell the Wife," turned in the best showing of a dull week among first runs. The $6,400 take for nine days at the Paramount was $400 over par for seven days.

"Swing High, Swing Low" and "The Mighty Treve" went $150 over the line on a take of $4,150 at the Blue Mouse and the bill was held. "Love Is News" and "Man of the People" was better than fair at $7,100 in the Fifth Avenue and the dual was moved to the Music Box.

Total first run business was $35,650. Average is $36,500.

Estimated takings for the week ending March 26:

"SWING HIGH, SWING LOW" (Para.)
"THE MIGHTY TREVE" (Univ.)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $4,150. (Average, $4,000)

"LOVE IS NEWS" (20th-Fox)
"MAN OF THE PEOPLE" (M-G-M)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $7,100. (Average, $7,000)

"DEVIL'S PLAYGROUND" (Col.)
"WOMAN OF GLAMOUR" (Col.)
LIBERTY—(1,800), 15c-25c-40c-55c, 7 days. **Gross:** $4,850. (Average, $5,000)

"DOCTOR BULL" (20th-Fox)
MUSIC BOX—(950), 25c-40c-55c, 7 days. **Gross:** $3,150. (Average, $4,000)

"PARK AVENUE LOGGER" (RKO)
ORPHEUM—(2,450), 25c-30c-40c, 7 days. Stage: Vaudeville and Jackie Souders' Band. **Gross:** $5,400. (Average, $6,000)

"CONDEMNED ROW" (RKO)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Vitaphone Four. **Gross:** $4,400. Average, 4,500)

"NANCY STEELE IS MISSING" (20th-Fox)
"DON'T TELL THE WIFE" (RKO)
PARAMOUNT—(3,050), 25c-35c-40c, 9 days. **Gross:** $6,400. Average, $6,000)

"Swing High" Dual $8,700 Omaha Draw

OMAHA, March 30.—The Omaha was the only local house to ring the bell last week, "Swing High, Swing Low" and "Outcast" sending receipts soaring to $8,700, or $2,200 over par.

The Orpheum broke even with $7,200 for "Nancy Steele Is Missing" and "Off to the Races."

"Criminal Lawyer" and "Penrod and Sam" were held over a day at the Brandeis in order to get that house back to a Thursday opening, yet $3,600 total receipts for the eight days were $400 under seven-day average.

Weather conditions were bad early in the week, a heavy snow storm keeping patrons under cover one night. Lent also cut into receipts.

Total first run business was $19,500. Average is $16,700.

Estimated takings:

Week Ending March 23:

"SWING HIGH, SWING LOW" (Para.)
"OUTCAST" (Para.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $8,700. (Average, $5,500)

Week Ending March 24:

"CRIMINAL LAWYER" (RKO)
"PENROD AND SAM" (W.B.)
BRANDEIS—(1,200), 25c-35c-40c, 8 days. **Gross:** $3,600. (Average, $4,000)

Week Ending March 25:

"NANCY STEELE IS MISSING!" (20th-Fox)
"OFF TO THE RACES" (20th-Fox)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $7,200. (Average, $7,200)

"Horizon" and "Earth" Best Chicago Bets

CHICAGO, March 30.—"Lost Horizon" and "The Good Earth," roadshow films, turned in the best business last week. Business was below normal in most houses as Lent closed.

"Swing High, Swing Low" at the Chicago was near the average mark. This was disappointing to B. & K. executives.

Storms and cold hurt business.

Total first run business was $121,300. Average is $130,500.

Estimated takings:

Week Ending March 25:

"GOOD EARTH" (M-G-M)
APOLLO—(1,400), 50c-$1.50, 2 shows daily, 5th week, 7 days. **Gross:** $9,500. (Average, $9,000)

"SWING HIGH, SWING LOW" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Evans Ballet and revue. **Gross:** $30,500. (Average, $32,000)

"NIGHT COURT" (W. B.)
ORIENTAL—(3,490), 35c-55c, 7 days. Stage: Joaquin Garay and revue. **Gross:** $15,200. (Average, $15,000)

"WE HAVE OUR MOMENTS" (Univ.)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: N. T. G. and revue. **Gross:** $16,800. (Average, $19,000)

Week Ending March 26:

"THE LAST OF MRS. CHEYNEY" (M-G-M)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $6,000. (Average, $6,500)

"NANCY STEELE IS MISSING" (20th-Fox)
ROOSEVELT—(1:591), 35c-55c-75c, 7 days. **Gross:** $11,300. (Average, $11,000)

"MAN WHO COULD WORK MIRACLES" (U. A.)
STATE-LAKE — (2,776), 20c-35c-40c, 7 days. Stage: Verne Buck and revue. **Gross:** $13,000. (Average, $13,000)

"ROMEO AND JULIET" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $9,000. (Average, $15,000)

Week Ending March 27:

"LOST HORIZON" (Col.)
ERLANGER—(1,200), 50c-$1.50, 7 days, 2 shows daily, 2nd week. **Gross:** $11,000. (Average, $10,000)

"You're in Love" Best in Portland

PORTLAND, March 30.—"When You're In Love," with "A Doctor's Diary," at the Paramount grossed $8,900, up $3,900.

In its seventh downtown week "One in a Million," with "Man Betrayed," was moved to a third house, the Blue Mouse, where it registered $2,500, or $800 over par.

Total first run business was $34,200. Average is $24,700.

Estimated takings for the week ending March 20:

"AH, WILDERNESS"
"UNDER COVER OF NIGHT" (M-G-M)
BROADWAY—(1,912), 30c-35c-40c, 7 days, return engagement. **Gross:** $5,000. (Average, $5,000)

"ONE IN A MILLION" (20th-Fox)
"MAN BETRAYED" (Republic)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 7th downtown week. **Gross:** $2,500. (Average, $1,700)

"DEVIL'S PLAYGROUND" (Col.)
"MIND YOUR OWN BUSINESS" (Para.)
MAYFAIR—(1,700), 30c-35c-40c, 7 days. **Gross:** $4,000. (Average, $3,000)

"WHEN YOU'RE IN LOVE" (Col.)
"A DOCTOR'S DIARY" (Para.)
PARAMOUNT—(3,008), 30c-35c-40c, 7 days. **Gross:** $8,900. (Average, $5,000)

"AS YOU LIKE IT" (20th-Fox)
UNITED ARTISTS—(945), 30c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"Love News" Dual Louisville Leader

LOUISVILLE, March 30.—"Love Is News," dualled with "She's Dangerous," turned in the best showing of the week at the Rialto. The $5,000 take was $500 over normal.

"John Meade's Woman" and "Breezing Home" at the Strand also got into the profit column, registering an above average figure of $4,000.

All other houses felt the pre-Easter slump, and made no special bid for business with pictures of ordinary appeal. Expectations, however, are for a brisk upturn of grosses.

The weather was changeable, ranging from freezing to near summer temperatures.

Total first run business was $23,100. Average is $22,400.

Estimated takings for the week ending March 15:

"ON THE AVENUE" (20th-Fox)
"OFF TO THE RACES" (20th-Fox)
BROWN—(1,50), 15c-25c-40c, 7 days, 2nd downtown week. **Gross:** $2,200. Average, $2,500)

"THEE SMART GIRLS" (Univ.)
"THE PLAINSMAN" (Para.)
KENTUCKY — (900), 15c-25c, 7 days. **Gross:** $2,400. (Average, $1,700)

"ESPIONAGE" (M-G-M)
"DEVIL'S PLAYGROUND" (Col.)
LOEW'S STATE—(3,000), 15c-25c-40c, 7 days. **Gross:** $5,200. (Average, $5,500)

"READY, WILLING AND ABLE" (W. B.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days. **Gross:** $3,300. (Average, $3,500)

"LOVE BEFORE BREAKFAST" (Univ.)
"THE COUNTRY BEYOND" (20th-Fox)
"PRIVATE LIFE OF HENRY VIII" (U. A.)
"HIS NIGHT OUT" (Univ.)
OHIO—(900), 15c, 7 days, split week. **Gross:** $1,000. (Average, $1,200)

"LOVE IS NEWS" (20th-Fox)
"SHE'S DANGEROUS" (Univ.)
RIALTO—(3,000), 15c-25c-40c, 7 days. **Gross:** $5,000. (Average, $4,500)

"JOHN MEADE'S WOMAN" (Para.)
"BREEZING HOME" (Univ.)
STRAND—(1,500), 15c-25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

"Stolen Holiday" Providence Leader

PROVIDENCE, March 30.—"Stolen Holiday," on a dual with "Midnight Court," was the only Holy Week attraction to reach par, garnering $7,500 for the Majestic, $500 to the good.

"Head Over Heels in Love" and "Her Husband Lies" was $900 under on a $5,600 take at the Strand and Fay's was $800 down with "Ready, Willing and Able" and a revue, which brought in $6,200.

Total first run business was $30,300. Average is $39,500.

Estimated takings for the week ending March 25:

"HEAD OVER HEELS IN LOVE" (G.B.)
"HER HUSBAND LIES" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $5,600. (Average, $6,500)

"STOLEN HOLIDAY" (F.N.)
"MIDNIGHT COURT" (20th-Fox)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,500. (Average, $7,000)

"READY, WILLING AND ABLE" (W.B.)
FAY'S—(1,600), 15c-40c, 7 days. Stage: "Girl in the Moon Revue." **Gross:** $6,200. (Average, $7,000)

"EVERYTHING IS THUNDER" (U.A.)
"GIRL OVERBOARD" (Univ.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $4,000. (Average, $7,000)

"FIRE OVER ENGLAND" (U.A.)
"LADY FROM NOWHERE" (Col.)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $7,000. (Average, $12,000)

Wilson in Circuit Post

KANSAS CITY, March 30.—E. A. Wilson has been named to succeed M. L. Klicpera as divisional manager of Operadio in the Southwest.

"John Meade," Show $20,500 In Pittsburgh

PITTSBURGH, March 30.—"John Meade's Woman," with a stage show headed by Johnny Hamp's band and including Stepin Fetchit, rolled up a neat $20,500 at the Stanley. This was $2,500 over normal and was considered exceptional for Holy Week.

"Wings of the Morning" took a strong $5,600 at the Fulton, over par by $1,100. "Lost Horizon" took $6,000 in its first week at the Nixon, but other houses found the going rough.

Total first run business was $42,800. Average is $44,000.

Estimated takings for the week ending March 25:

"WOMAN ALONE" (G. B.)
"BREEZING HOME" (Univ.)
ALVIN—(2,000), 25c-40c, 7 days. **Gross:** $4,200. (Average, $5,500)

"WINGS OF THE MORNING" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $5,600. (Average, $4,500)

"LOST HORIZON" (Col.)
NIXON—(2,000), 50c-$1.50, 13 showings. **Gross:** $6,000.

"QUALITY STREET" (RKO)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $8,750. (Average, $11,000)

"JOHN MEADE'S WOMAN" (Para.)
STANLEY—(3,600), 25c-60c, 7 days. Stage: Johnny Hamp's band, Stepin Fetchit, Samuels Brothers and Harriet Hayes. **Gross:** $20,500. (Average, $18,000)

"ONCE A DOCTOR" (F. N.)
"CLARENCE" (Para.)
WARNER—(2,000), 25c-40c, 7 days. **Gross:** $3,800. (Average, $5,000)

Three Films, Show Best Lincoln Draw

LINCOLN, March 30.—Three films, "Girl Overboard," "Damaged Lives" and "Man of the People," with a stage show for three days at the Orpheum were sufficient to beat out the Holy Week slump with a take of $3,100. This was $1,350 over normal.

"Love Is News" also made a good showing with a gross of $3,600 at the Stuart.

Total first run business was $10,650. Average is $9,000.

Estimated takings:

Week Ending March 24:

"DANIEL BOONE" (20th-Fox)
"I'D GIVE MY LIFE" (Para.)
"NATION AFLAME" (Treasure)
"STOLEN HARMONY" (Para.)
LIBERTY—(1,200), 10c-15c, 7 days. **Gross:** $750. (Average, $850).

Week Ending March 25:

"WHEN'S YOUR BIRTHDAY (RKO)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,300, (Average, $2,200)

"GIRL OVERBOARD" (Univ.)
"DAMAGED LIVES" (Capitol)
"MAN OF THE PEOPLE" (M-G-M)
ORPHEUM — (1,350), 10c-15c-20c-25c, 7 days. Stage: "Around the World" revue, 3 days. **Gross:** $3,100. (Average, $1,750)

"HEAD OVER HEELS IN LOVE" (G.B.)
"COUNTERFEIT LADY" (Col.)
VARSITY — (1,100), 10c-15c-20c-25c, 7 days. **Gross:** $900. (Average, $1,100)

Week Ending March 26:

"LOVE IS NEWS" (20th-Fox)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $3,600. (Average, $3,100)

Retain Sunday Film Ban

TARRANT, Ala., March 30.—Tarrant voters in an "advisory referendum election" here, voted to retain an ordinance prohibiting Sunday films. The vote was 283 to 358. The election had no legal standing, but was called at the request of a citizens' committee.

1·2·3

THAT'S HOW 20th RAN IN FEBRUARY'S BOXOFFICE CHAMP POLL

a 5 year record!

20th steals the boxoffice spotlight again . . . this time with "On the Avenue," "One in a Million" and "Lloyds of London" topping the field as February's greatest money hits in Motion Picture Herald's poll!

But the way 20th is clicking out the knockouts made it inevitable!

For example, look how "Seventh Heaven," despite a Holy Week opening, is out-grossing "Lloyds of London" at Radio City Music Hall (holdover announced)! And add "Fifty Roads to Town," "Wake Up and Live," "This Is My Affair," (Tentative Title) "Cafe Metropole" and "Wee Willie Winkie"... some of the record-breakers still to come from 20th this season!

When the boxoffice talks, it nominates 20th Century-Fox for the industry's highest honors!

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE

Canada Plans To Reorganize Radio Network

(*Continued from page* 1)

been accompanied by six C.B.C. employes to handle general network operations from Toronto. Taggart succeeds Stanley Maxted, former Toronto regional director, who is being retained as a producer and artist.

A move is under way, according to Major Murray, to raise the power of Station CRCT, Toronto, from 5,000 to 50,000 watts as, he said, "we are not satisfied with coverage in Ontario." Negotiations are under way with the Mexican Government for the removal of high-powered XERA from the same wave band with CRCT because of interference.

Government stations at Halifax, Ottawa, Winnipeg and Vancouver will be subsidiary to Toronto and Montreal in future. Murray referred to the policy with regard to privately owned stations by saying that the corporation had no objection to such stations increasing their power up to the point that "there are only a limited number of cleared channels for broadcasting and the corporation feels that it should have them. It also feels that it should have the high-powered stations in Canada."

Woodbury's Contest Will Start April 12

A new contest, extending over a 10-week period and involving $50,000 in prizes to Woodbury dealers and $50,000 in prizes to consumers will be launched via the NBC "Follow the Moon" program on April 12.

Effective with the start of the contest, 100 Longines diamond wrist watches will be given away weekly, 50 to radio listeners who send in the best ending to the following sentence: "I Like Woodbury's Soap Best For My Skin Because."

United Drug Co. on WMCA

Beginning April 27, the United Drug Co. will sponsor five broadcasts on WMCA Tuesday through Friday from 10:45 to 11 a.m., and Saturday from 9 to 9:15 A.M., E.S.T. Spot Broadcasting, Inc., placed the account.

Also on WMCA, Anice Ives' "Everywoman's Hour," Thursdays from 11:15 to 11:45 A.M., E.S.T., has been renewed for 13 weeks by the Bisceglia Bros. Wine Corp., effective June 19. Gardner Advertising Co. is the agency.

Kellogg to Sponsor Games

Kellogg & Co., through N. W. Ayer & Son, will feature play-by-play descriptions of the Houston baseball team on KXYZ, beginning April 14. Games away from the home grounds will be wired to the station and reconstructed on the air.

H. E. Griffith Joins WJBY

New Orleans, March 30.—H. E. Griffith, formerly of KMLB, Monroe, La., has joined the engineering staff of WJBY, Gadsden, Ala., replacing F. J. Murphree, Jr., who has joined the staff of WRGA.

"Important Step"

"Radio is a medium which can help and be helped by motion pictures and has proved its value both as a means of exploitation and as a field for the discovery and development of new talent. Daily trade news, especially covering radio's film connections, is, in my opinion, an important step forward in the publication field."—*David O. Selznick* of Selznick International Pictures, Inc., Hollywood.

Radio Exports Total $2,584,207 in Month

Washington, March 30.—Exports of radio equipment for January had a value of $2,584,207, compared with $2,039,522 in the same month last year, the Radio Manufacturers' Ass'n revealed yesterday.

A total of 59,457 receiving sets valued at $1,584,538, compared with 46,951 valued at $1,243,672 a year ago, and 653,520 tubes valued at $280,597 compared with 491,354 valued at $227,822 featured the month's foreign trade.

Exports of transmitting apparatus, however, had a value of only $137,697 against $223,163 a year ago.

Prall, Farley on Club Program

Anning S. Prall, chairman of the F.C.C.; Postmaster James J. Farley, and Senator Robert F. Wagner of New York will be the principal speakers at the meeting of the Featherston Democratic Club of Tompkinsville, from which WMCA will broadcast April 3, from 8:30 to 9:30 P. M., E.S.T. Entertainers who will participate are Yvette Rugel, Eleanor Sherry, Sid Gary, Howard Doyle, J. C. Flippen and Harriet Brent.

WMCA artists bureau has recruited the talent.

Kansas Beer Sponsors Back

Kansas City, March 30.—With legalization of 3.2 beer in Kansas by the legislature and the governor, Kansas radio stations are expected to take to the air immediately with brewery-sponsored programs. It is the first time in more than half a century that any alcoholic beverage has been legal in the state.

Some stations, like KCKN, operated by the Kansas City *Kansan*, will continue a "dry" policy and not accept such business.

Townsend Gets Coast Post

Edward S. Townsend, long established in the radio and publishing fields, has been appointed west coast sales representative of WOR, New York, and WGN, Chicago.

For the past few years Townsend has maintained his own business as a publisher's representative. As representative for WOR and WGN, he will locate in the Russ Bldg, San Francisco.

Form Firm in Dover

Dover, March 30.—Clarion Radio Corp. has been formed here to deal in radio and radio receiving sets. Capital is listed at $2,000. Incorporators are Anderson A. Owen of Winnetka, Ill. and William G. Blood and Harry D. Orr, Jr., of Chicago.

Clearing of Titles Is Urged for Radio

Nettled over the so-called duplication of a program title by another station, W. C. Alcorn, vice-president and general manager of WBNX, has complained to the National Ass'n of Broadcasters, and has requested the establishment of a "radio title clearing house" where stations may be protected within their own areas against the use of similar titles.

The program in question, according to WBNX, is entitled "It's a Racket," and according to Alcorn so "closely approximates a WBNX program entitled 'Rackets' as to comprise duplication."

The letter to the N.A.B. also stated that the unrestricted use of titles encourages additional abuses in the duplication of program ideas. Other program titles which WBNX claims to have inaugurated, and which have been duplicated elsewhere are "Safety Court," "Wheels of Justice," "Amateur Script Writers" and "Amateur Song Writers."

Dolph to San Francisco

Hollywood, March 30. — Jack Dolph, former producer of the Fred Waring-Ford air shows, has gone to San Francisco with Mrs. Waring to join the band, now making appearances there. Dolph was recently appointed assistant to Donald W. Thornburgh at CBS. He will return here with Waring when they make their appearance at the Paramount. The band will start work soon in "Varsity Show" at Warners.

Completes 1,388th Program

Houston, March 30.—Kenneth Millican this week completed his 1,388th consecutive program from KPRC under the sponsorship of Sterling and Baker, bonding company. He is recognized as one of the most versatile radio entertainers in the South. He is an authority on coins, stamps, handwriting, and makes a specialty of talks on queer quirks of the English language.

CBS Sets Press Sessions

Hollywood, March 30.—Dave Carter, publicity director for CBS, will introduce a new idea in radio publicity on the coast Thursday, having arranged a weekly meeting of the trade press with Donald W. Thornburgh, coast head of the network. Each Thursday Thornburgh will answer questions relative to CBS coast plans and reveal new developments.

Ewing Purchases WMFN

New Orleans, March 30.—The purchase of WMFN, Grenada, Miss., by P. K. Ewing, vice-president and commercial manager of WDSU here, was disclosed when Attala Broadcasting Corp., operating WMFN, recently moved to Grenada from Clarksdale, and asked the F.C.C. for voluntary assignment. WMFN owners are J. E. and C. E. Wharton.

Wife of Singin' Sam Hurt

Cincinnati, March 30. — Mrs. Harry Frankel, wife of "Singin' Sam" of radio, suffered fractures of several ribs, cuts and bruises, when the automobile in which she and Frankel were riding collided with another, near Richmond, Ind. Frankel was unhurt.

New Shows On the Air

"Our Gal Sunday"

"Our Gal Sunday," CBS newcomer for the American Home Products Corp., is a mellow little scripter, adapted for radio from Thomas Racewood's play of that title, in which Ethel Barrymore appeared on Broadway back in 1904.

Ably presented by a capable cast headed by Evelyn Abbot, who plays the title role, the script's greatest drawback is its hackneyed plot, which tells the story of an infant who is left on the doorstep of a couple of gold prospectors in America's west. Having found the infant on the Sabbath, the prospectors christened her "Sunday."

A ne'er-do-well Englishman comes to the little mining town and propositions Sunday to go to England with him. Sunday, of course, considers his offer a proposal of marriage—but the Englishman's intentions are not as honorable as Sunday supposes.

The program will probably be well received by the early afternoon listeners, composed mainly of housefraus who dote on this type of script.

"Our Gal Sunday" is offered three times a week, Mondays, Tuesdays and Wednesdays, on CBS, from 12:45 to 1 P. M., E.S.T. Anacin and Old English Floor Wax are the products plugged. Air Features produces for Blackett-Sample-Hummert.

"Story of Mary Marlin"

The "Story of Mary Marlin" returned to the networks Monday under new sponsorship—Ivory Flakes. Previously it had won favor for Kleenex.

Only one thing is new about the new "Mary Marlin"—the sponsor.

Yesterday's episode was dedicated to a review of the story of Mary and Joe Marlin, sweethearts from early childhood. Came marriage time and they were wed, with David Post, a rejected suitor, standing by loyally.

Fourteen years later Joe Marlin is a prominent attorney in town. Complications set in here when Sally Gibbons, Joe's secretary, tells him she is going to have a baby. Joe tells Mary he no longer loves her and asks for a divorce.

Mary, heartbroken, leaves for New York to forget. Meanwhile back home Joe becomes involved in a law scandal, loses his money in a stock market crash, and, disillusioned about Sally, also comes to New York where he wins fame as an attorney and is elected to the Senate in Washington. Of course he meets Mary again and confesses he still loves. The story ended here—with Sally Gibbons still to be heard from in subsequent broadcasts.

As radio drama goes, the "Story of Mary Marlin" is acceptable fare. An admirable cast helps.

The program is presented Mondays through Fridays, 12:15 to 12:30 P.M., E.S.T. on the NBC-Red.

BANNER

Jimmy Corbin at KSO

Des Moines, March 30. — Jimmy Corbin, who sings like Little Jack Little, has come to KSO from WBBM Chicago. He is heard daily at 5:15 P.M.

Three Big Networks To Air Coast Show

Los Angeles, March 30.—All three of the major national networks will originate coast-to-coast programs in the west Saturday, April 17, when the second annual Radio Show is staged in the Shrine Auditorium here with an array of stars, acts and bands. Entire radio acts will appear on the stage, each being placed within its own class and being sent into competition with features of a similar character and the winners will receive awards at the close.

High spots of the matinee will be a "jam session," in which ace saxophonists, trombonists and other swing and jazz virtuosi will throw caution to the winds and see who can "play the hottest." An elimination contest for hillbilly serenaders, bands and choral aggregations will be an added attraction of the afternoon show, with Ed Lowry as master of ceremonies.

Milton Berle will be m. c. at the evening performance, in which highlights of radioland will be featured. Finalists in the combination will go over the CBS network, under the direction of Charles Vanda, west coast production manager.

Tentative star alignment for the show and broadcasts include: Al Jolson, Eddie Cantor, Berle, Joe Penner, Martha Raye, Bob Burns, Jones and Hare, Francia White, Conrad Thibault, Jack Benny, Clarence Muse, Eddie Peabody, the Morgan Family, Jolly Gillette, Lowry, Robert Wildhack, Wendell Hall, Jimmy Dorsey, Louis Prima, Phil Harris and Haven MacQuarrie.

W5XAU Goes on Air Daily

Oklahoma City, March 30. — WKY's high frequency station, W5XAU, is now on the air daily with programs not heard on WKY. Several national network programs which have been displaced by local programs can now be heard through this station. Broadcast periods are from 10 to 11:40 A.M. and 4:30 to 11 P.M., C.S.T.

Miriam Hopkins on "Parade"

Hollywood, March 30. — Miriam Hopkins will be cut in from Hollywood on the Lucky Strike "Hit Parade" on April 10. Frances Farmer will go on the same program on a cut in on April 24.

Radio Commandment

Milwaukee, March 30. — "Conform to the rules of good taste, courtesy, decency and common sense. You enter my humble abode as an invited guest, but mistake not the warmth of my welcome for an invitation to become a permanent lodger. These be my whims and caprices. By them you are judged.

"Harken to me and practice these precepts lest I give you the razzberry and turn off the darn thing, clap on my hat and go to the movies."

Thus spake M. R. Schoenfeld of NBC before the Women's Advertising Club in giving one of the 10 commandments of radio.

Radio Personals

BILL STUHLER, Young and Rubicam radio executive, has returned from the coast. . . . Frank Mason, NBC vice-president, now en route to Radio City from Hollywood. . . . Ford Frick will be unable to make his scheduled appearance on "Showboat" Thursday, due to illness. He will broadcast the following week. . . . The Canovas, comedy stars of the "Rippling Rhythm" broadcast, will broadcast their portion of the program from Hollywood this Sunday. They are now en route to the coast to appear in "Artists and Models," a picture now in production. . . . Sir Gerald Campbell , British Counsul General in New York, will inaugurate NBC's programs heralding King George VI's coronation on Thursday at 8:30 P. M., E.S.T., on the Blue network. . . . Cornelia Otis Skinner will guest appear on the "Saturday Night Party" April 3. . . . Burgess Meredith and Peggy Ashcroft, of the "High Tor" cast, will reenact scenes from the play on WOR Saturday from 10:15 to 10:30 P. M. Richard Watts, drama critic for the *New York Herald-Tribune*, will be the commentator. . . .

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Jeanne Cagney, sister of Jimmy, will be featured on the WBNX German language broadcast April during a presentation by the students of Hunter College where Jeanne is now enrolled. . . . Tito Guizar, CBS tenor, has been signed for a concert appearance at Carnegie Hall April 20. . . . Tito is now performing in Miami Beach. . . . The Seven Loria Brothers yesterday signed a contract with the Curtis and Allen agency. . . . Dick Fishell, WMCA special events director, is expected back from Florida Thursday. . . . Adele Ronson, heard in the NBC serial "John's Other Wife," sails for Bermuda Saturday. . . . Anne Seymour has been added to the Rudy Vallee guest cast for Thursday's broadcast. . . .

✚

Thomas L. Thomas, finalist on the "Metropolitan Auditions of the Air" competition, will be Lanny Ross's guest on "Showboat" Thursday night. . . . Benay Venuta has been signed for the lead role in the forthcoming Broadway musical "Orchids Preferred" . . . Frank Healey, NBC press department, leaves today for Hollywood. . . . Yvette Rugel will be Sid Gary's principal guest on the latter's WMCA program this week. . . . Henry King's Orchestra returns to the Mutual network beginning April 9. . . .

✚

Hollywood Town Pump

Hollywood, March 30.—Lum and Abner have returned here after a week in Chicago. . . . Douglas Fairbanks, Jr., lost his expensive cigarette case following a recent broadcast. Claude Ferrell, head of NBC's service department, found the case and received a reward from Fairbanks. . . . Rush Hughes is vacationing in Yosemite while Betty Twiss conducts his five-day weekly Langendorf Pictorial broadcast over NBC's coast network from Hollywood. . . . Helen Aldrich has joined the NBC sales department as secretary to Tracy Moore. . . . Elza Schallert will interview Frank Lloyd on April 2 and Billie Burke on April 9 over NBC.

Television Changes Required—DeForest

Los Angeles, March 30.—The present cathode ray tube used in television cannot compare with results obtained by 16 mm. film, Lee DeForest declared tonight in a broadcast over KEHE during which he was interviewed by J. K. Baillie, financial editor of the *Herald-Express*.

DeForest said a tiny vibrating mirror and a larger screen must supplant present systems if television is to reach a marketable stage. He also said that the present range of 25 to 30 miles limits television to communities of 200,000 or more.

WIP Orders Transmitter

Philadelphia, March 30. — WIP has contracted for a new transmitter, moving the site to a nearby central spot. It will be an RCA 1,000-watt transmitter, using a single mast antenna on a 320-foot tower. The present transmitter will be maintained for emergency use. The station is also enlarging the studios, adding two standby rooms and building a new master control, the present one being cut into three individual control rooms for the main studios. The cost will exceed $60,000.

Make Changes at KABC

San Antonio, March 30.—Several changes have been made at KABC. Frank Stewart has gone to KMAC, James McLane is now with WOAI, and Charles Befli, formerly with KTSA, is the new announcer at KABC.

Rodzinski Signed by Lohr for NBC Series

At a press conference in Radio City yesterday afternoon, Lenox R. Lohr, president of NBC, announced that the network had signed Artur Rodzinski, conductor of the Cleveland Orchestra, for a series of 10 concerts to supplement the forthcoming Arturo Toscannini concerts. Maestro Rodzinski's concerts will be so arranged that several will precede, the others follow, the Toscannini broadcasts. The concerts are scheduled for fall presentation.

Rodzinski will go abroad this spring to confer with Toscannini in Salzberg.

WBRY Adds Two Programs

New Haven, March 30. — WBRY has two new commercials, which have started. Bouve Motors, Ford distributors, sponsor two street interviews weekly, Tuesdays at 12:30 P. M., E. S. T., from the entrance to Winchester Repeating Arms, and Saturday at 12 M., at the New Haven Clock Co. William Blatchley, sports announcer, and Jack Henry are conducting the 15-minute interviews, starting Saturday.

"Sports Roundup," a U. P. feature, will be sponsored Monday through Friday nights in a five-minute spot at 7:15 on WBRY, by Xervac's electric hair-restorer.

Babington to WSPD

Toledo, O., March 30. — Stanley Babington has joined station WSPD as editor. He comes from WGAR, Cleveland.

Weed & Co. Signs 6 More Canadian Spots

Six additional Canadian radio stations have appointed Weed & Co. to serve as their American representatives, effective immediately. They are: CKY, Winnipeg, 15,000 watts; CKX, Brandon, 1,000 watts—both owned by the Manitoba Telephone Co.; CKCK, Regina, 1,000 watts, owned by the Regina *Leader-Post;* CFAC, Calgary, 100 watts, owned by the Calgary *Herald;* CICA, Edmonton, 1,000 watts, owned by the Taylor & Pearson Broadcasting Co., and CJOC, Lethbridge, 100 watts, owned by H. R. Carson, Ltd.

All six stations are managed in Canada by Taylor, Pearson & Carson, Alberta. CJCA, CFAC and CJOC comprise the "Foothills network." The additions to the Weed & Co. roster bring the total of Canadian stations handled by that firm to 10.

K. C. Likes Film Program

Kansas City, March 30.—Listeners here like "Let's Go to the Movies," the new Fox Midwest program on WDAF Tuesday, Thursday and Saturday at 5:45 P.M., C. S. T., with which Fox Midwest advertises the current and coming attractions at its dozen Kansas City houses. The program features a weekly contest.

Senn Lawler, the "Screen Reporter" who does the film gossip and conducts the program, announces the contest on Saturday's program. Listeners select from Sunday advertisements of Fox houses the ten actors or actresses they like the best, in the order of liking. Listeners' votes determine the 10 most popular for the week. Those giving the 10 most popular, as determined by the vote, or the nearest to the 10, each receive a $1 script book of Fox theatre tickets.

On Thursday nights the program plugs the first run Fox Tower show for the coming week, with a couple of acts or so from the Tower's stage show.

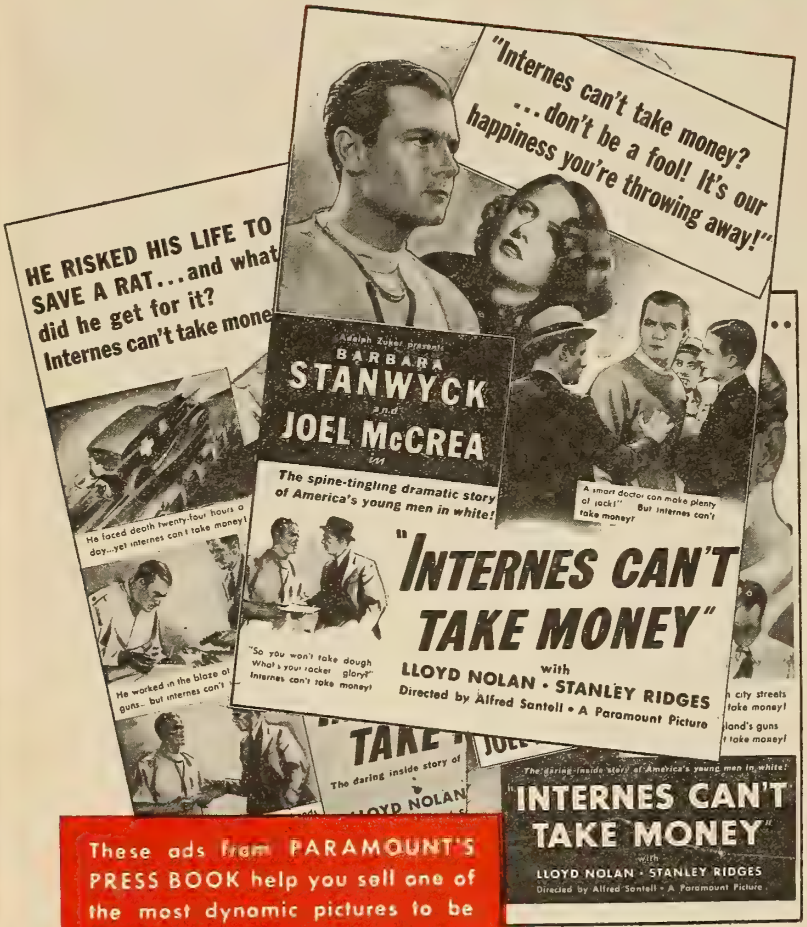
Pall Mall in New Program

Pall Mall cigarettes, through the Compton agency, will be plugged via a new sports comment to be heard on WEAF only, Mondays through Saturdays from 6:35 to 6:45 P. M., E.S.T., beginning with the opening of the baseball season. Ford Bond will reconstruct the games.

Mistakes on Air

Denver, March 30.—The dictionaries at KLZ are getting heavy usage. This is caused by the "Boners' Court," on the air once a week, during which mistakes of grammar, pronunciation, etc., of the announcers are aired. The judge, Program Director Arthur Wuth, calls each announcer on the carpet for errors of the past week sent in by listeners, with theatre tickets going out for the best honors. For each error announcers are fined a dime, the money financing the theatre tickets. No alibis are allowed, and if one is offered the announcer is soaked an extra dime.

BOX-OFFICE WALLOP!



HE RISKED HIS LIFE TO SAVE A RAT... and what did he get for it? Internes can't take mone

He faced death twenty-four hours a day...yet internes can't take money!

He worked in the blaze of guns.. but internes can't

"Internes can't take money? ...don't be a fool! It's our happiness you're throwing away!"

Adolph Zukor presents

BARBARA STANWYCK and JOEL McCREA in

The spine-tingling dramatic story of America's young men in white!

"So you won't take dough What's your racket glory?" Internes can't take money!

A smart doctor can make plenty of jack!" But internes can't take money!

"INTERNES CAN'T TAKE MONEY"

with LLOYD NOLAN • STANLEY RIDGES

Directed by Alfred Santell • A Paramount Picture

city streets take money!

land's guns take money!

TAKE

The daring inside story of

LLOYD NOLAN

The daring inside story of America's young men in white!

"INTERNES CAN'T TAKE MONEY"

with

LLOYD NOLAN • STANLEY RIDGES

Directed by Alfred Santell • A Paramount Picture

These ads from PARAMOUNT'S PRESS BOOK help you sell one of the most dynamic pictures to be released this year. Get the Press Book, give it a critical once-over . . . and then go to town!

"INTERNES CAN'T TAKE MONEY"

Paramount adds another to the record-breaking series of Silver Jubilee pictures . . . a hard-hitting, front-page story with a heart punch in every sequence...starring BARBARA STANWYCK and JOEL McCREA, with an ace supporting cast led by Lloyd Nolan and Stanley Ridges. Directed by Alfred Santell.

Paramount Pictures

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